

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Tres Rios Field Office
29211 HWY 184
Dolores, CO 81323

DECISION RECORD
for the
Fawn Springs Mine Safety Closures
NEPA No. DOI-BLM-CO-TRFO-S010-2014-0009

I. Decision

I have decided to implement the proposed action as described in the Categorical Exclusion (July 2015). Based on my review of the categorical exclusion and consideration of extraordinary circumstances, I have concluded that the proposed action was analyzed in sufficient detail to allow me to make an informed decision. I have decided to implement Fawn Springs Mine Safety Closures that will involve the installation of safety closures on 39 mine features that have created potential hazards including open shafts, vent holes and adits and safeguard human safety while allowing wildlife (bats) access where appropriate. Closure methods include metal grating, cable netting, hand-build rock bulkheads, and machine backfilling. These sites are part of the continuing mine safety closure project in conjunction with Colorado Division of Reclamation Mining and Safety (DRMS).

II. Rationale for the Decision

The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number J (8): "Installation of minor devices to protect human life (e.g.-grates across mines)."

III. Administrative Review and Appeal

Operating season based on wildlife constraints is August 31 (end of spotted owl breeding) to November 15 (start of bat hibernacula) for sites near canyon rims. Biologist may allow work far from canyon rims during August. Activity is authorized from August 31 to November 15 only, to protect nesting birds, and bat maternity roosts and hibernacula. Sites with no bat use can have work until December 1, the cutoff date for big game winter range.

The following wildlife timing restrictions will apply to project implementation annually for this project, specifically as follows:

- Gunnison Sage-grouse: March 1 – June 30
- Mexican spotted owl: March 1 – August 31
- Migratory bird timing restriction for all vegetation removal: May 1 – June 30
- Golden Eagle breeding: February 1 – July 15
- Peregrine Falcon breeding: March 1 – July 31
- Desert bighorn sheep production: February 1 – May 1
- Bat winter hibernacula: November 15 – May 15

IV. Signature



Connie Clementson



Date

Tres Rios Field Manager

IV. Contact Person

For additional information concerning this CX review, contact:

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NEPA COMPLIANCE RECORD FOR CATEGORICAL EXCLUSION (CX)
NEPA No. DOI-BLM-CO-TRFO-S010-2014-0009

A. Background

BLM Office: Tres Rios Field Office

Lease/Serial/Case File No:

Proposed Action Title/Type: Fawn Springs Mine Safety Closures

Location of Proposed Action: Sections 6, 7, 18, T45N, R17W; Sections 11, 12, 13, 14, T45N, R18W; Sections 31, 32, T46N, R17W; Montrose County, Colorado

Description of Proposed Action: Past uranium mining has left safety hazards, including open shafts, vent holes and adits for 39 mine features at the head of Bull Canyon. These sites are part of the continuing mine safety closure project in conjunction with Colorado Division of Reclamation Mining and Safety (DRMS). Open mine shafts and adits that are a safety hazard to the public are closed under a cost-share agreement.

This project will safeguard human safety while allowing wildlife (bats) access where appropriate. Closure methods include metal grating, cable netting, hand-build rock bulkheads, and machine backfilling. No new roads are constructed. Existing roads and previously disturbed tracks will be used for vehicle access. If rock fall is removed to allow access, rocks will be returned to the road so that jeep and ATV access will be similar to the current condition. Some sites are accessed only on foot. Activity is authorized from August 31 to November 15 only, to protect nesting birds, and bat maternity roosts and hibernacula. Sites with no bat use can have work until December 1, the cutoff date for big game winter range.

Wildlife

Threatened and Endangered Species

Mexican spotted-owl (MSO)

Potential habitat exists within ½ mile of the project area. The project will have no effect on potential nesting, foraging or roosting habitat for MSO. MSO typically breed from March 1 – August 31 and are most sensitive during this time. To protect nesting MSOs project implementation will not occur from March 1 – August 31, annually. Due to this timing restriction the project will have no effect on MSO.

Gunnison Sage-grouse (GUSG)

Project implementation will require that project machinery travel through GUSG occupied critical habitat and near several lek sites within Dry Creek Basin, an area of known occupation. The project will have “no effect” on Gunnison sage grouse critical habitat because no project implementation will occur within critical habitat and the project will result in no alteration of critical habitat primary constituent elements. A timing restriction will be put in place to protect lekking GUSG from March 1 – June 30, annually. The project will have “no effect” on GUSG because travel will be limited

to existing county roads that already receive traffic and travel will occur outside of the breeding season when GUSG are most vulnerable to disturbance.

Special Status Species

Avian Species

Migratory Birds

Habitat for several avian species exists within the project area. Most of the project implementation will have little impact on bird species because implementation will occur at mine sites, an area that birds in pinyon-juniper and sage/shrub habitats do not typically inhabit. To protect migratory birds a timing limitation will be put in place from May 1 – June 30th, annually, if project implementation requires vegetation removal.

Golden Eagle and Peregrine Falcon

Nesting habitat for Golden Eagle and Peregrine Falcon occurs within ½ mile of the project. To protect nesting Golden Eagles and Peregrine falcon, a timing limitation will be put in place from February 1 – July 31 and March 15 – July 31, respectively, annually. Habitat used for foraging and roosting for both species will not be affected by this project.

Mammals

Bats

Several bat species inhabit mine sites that this project will close to human entrance. Species include, but are not limited to: Allen’s big-eared bat (*Idionycteris phyllotis*), fringed myotis (*Myotis thysanodes*), spotted bat (*Euderma maculatum*), Townsend’s big-eared bat (*Corynorhinus townsendii*) and other *Myotis sp.* Surveys were conducted at each closure site to determine bat use and asses the necessity of a bat friendly closure. In order to determine the appropriate closure type, mines were assessed based on if bat individuals or bat sign was present. Based on site occupation and condition, sites were recommended to either receive a bat gate (a closure that allows for airflow and bat entrance and exit) or be backfilled, effectively closing the site to all entry and exit. Sites with no bat sign were recommended to be backfilled and can be closed at any time. Sites that had bat evidence, but did not provide good habitat, had high radiation levels, or were unstable were recommended to be backfilled during the warm season. Sites with bat use and good stable habitat are recommended to be closed with bat gates, allowing bat access, during the warm season. Warm season closures are implemented to prevent disturbance of maternity sites and winter hibernacula. The following figure outlines restrictions by site.

Feature	Habitat Quality	Closure Type	Closure Period
407 A1	Marginal	Backfill – Warm Season	Aug 31 – Nov 15
643 A1	Good	Bat Gate – Warm Season	Aug 31 – Nov 15
643 A2	Unknown	Backfill	Aug 31 – Feb 1
646 A1	Good	Bat Gate – Warm Season	Aug 31 – Nov 15
647 P1	Moderate	Bat Gate – Warm Season	Aug 31 – Nov 15
648 P1	Poor	Backfill	Aug 31 – Feb 1

651 A1	Unknown	Backfill – Warm Season	Aug 31 – Nov 15
651 V1	N/A	Vent, Grate - Warm	Aug 31 - Nov 15
651 V2	N/A	Vent, Grate - Warm	Aug 31 - Nov 15
652 A1	Unknown	Backfill – Warm Season	Aug 31 – Nov 15
652 V1	N/A	Vent, Grate - Warm	Aug 31 - Nov 15
652 V 2	N/A	Vent, Grate - Warm	Aug 31 – Nov 15
655 P1	Moderate	Backfill – Warm Season	Aug 31 – Nov 15
655 V1	N/A	Vent, Grate - Warm	Aug 31 – Nov 15
656 A1	Unknown	Backfill – Warm Season	Aug 31 – Nov 15
657 S1	Marginal	Backfill – Warm Season	Aug 31 – Nov 15
660 A1	Moderate	Backfill	Aug 31 – Feb 1
660 A2	Moderate	Bat Gate – Warm Season	Aug 31 – Nov 15
662 A1/662 A2	Moderate	Bat Gate – Warm Season	Aug 31 – Nov 15
663 P1	Poor	Backfill	Aug 31 – Feb 1
664 A1	Unknown	Backfill	Aug 31 – Feb 1
664 A2	Moderate	Bat Gate – Warm Season	Aug 31 – Nov 15
664 P1	Poor	Backfill	Aug 31 – Feb 1
914 A1	Poor	Backfill	Aug 31 – Feb 1
916 A1	Good	Bat Gate – Warm Season	Aug 31 – Nov 15
916 V1	N/A	Vent, Grate - Warm	Aug 31 – Nov 15
916 V2	N/A	Vent, Grate - Warm	Aug 31 – Nov 15
917 A1	Good	Bat Gate – Warm Season	Aug 31 – Nov 15
917 V1	N/A	Vent, Grate - Warm	Aug 31 – Nov 15
917 V2	N/A	Vent, Grate - Warm	Aug 31 – Nov 15
917 V3	N/A	Vent, Grate - Warm	Aug 31 – Nov 15
3000 P1	Poor	Backfill	Aug 31 – Feb 1
3001 A1	Moderate	Bat Gate – Warm Season	Aug 31 – Nov 15
3001 A2	Poor	Backfill	Aug 31 – Nov 15
3002 P1	Unknown	Bulkhead	Aug 31 – Nov 15
3003 A1	Unknown	Backfill	Aug 31 – Nov 15
3004 P1	Unknown	Bulkhead	Aug 31 – Nov 15
3005 P1	Unknown	Backfill	Aug 31 – Nov 15

Figure 1. Bat closures by site; recommended closure type are separated into green - Backfill, blue - “Backfill – Warm Season”, and orange - “Bat Gate – Warm Season” .

Timing restriction to protect hibernating bat species: November 15 – May 15 annually, to all bat closure activities.

Bighorn Sheep

The project is within a bighorn sheep production area. To protect reproducing bighorn sheep a timing restriction will be put in place from February 1- May 1, annually, to all project activities.

B. Land Use Plan Conformance

Land Use Plan Name: Tres Rios Field Office Resource Management Plan

Date Approved/Amended: February 27, 2015.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision, Chapter 2.22 pages II-123 and 124.

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, Number J (8): "Installation of minor devices to protect human life (e.g.-grates across mines)."

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 following extraordinary circumstances described in 516 DM 2 apply.

Yes	No	Exception
	x	Have significant adverse effects on public health and safety.
	x	Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principle drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks.
	x	Have highly controversial environmental effects.
	x	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
	x	Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.
	x	Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.
	x	Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
	x	Have adverse effects 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	Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.
	x	Threaten to violate a Federal, State, Local Government or Tribal law or requirement imposed for the protection of the environment.

I considered that many similar mine closure projects have been accomplished in this landscape with no unknown or controversial effects.

D. Signatures



Connie Clementson
Tres Rios Field Manager

7.27.15

Date

E. Contact Person

For additional information concerning this CX review, contact:

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