United States Department of the Interior
Bureau of Land Management

Decision Record
Environmental Assessment
DOI-BLM-CO-S010-2013-0046-EA

April, 2015

La Plata Archuleta Water District (LAPLAWD) Phase 1 Pipeline Crossing

Location: New Mexico Principal Meridian, Colorado
T. 34 N., R. 7 W.,
Sec. 7, lot 3, SE1/4SW1/4, S1/2SE1/4;
Sec. 8, NW1/4SW1/4, S1/2SW1/4, SW1/4SE1/4
Sec. 10, SE1/4SW1/4, S1/2SE1/4;
Sec. 15 N1/2NW1/4
Sec. 16, S1/2NW1/4, SW1/4NE1/4, N1/2NE1/4,
Sec. 17, N1/2NE1/4, SE1/4NE1/4;
T. 34 N., R. 8 W.,
Sec. 4U, E1/2;
Sec. 9U, E1/2NW1/4, E1/2SW1/4;
Sec. 9, SE1/4;
Sec. 10, N1/2SW1/4, N1/2SE1/4;
Sec. 11, lot 2, N1/2SW1/4, NE1/4SE1/4;
Sec. 12, SW1/4, N1/2SE1/4;
Sec. 15, lot 1, N1/2NW1/4, N1/2NE1/4, SE1/4NE1/4.

The area described is ~2.27 acres aggregate BLM lands.

Applicant/Address:
La Plata Archuleta Water District (LAPLAWD)
Edward Tolen/General Manager
255 Ute Street
P.O. Box 1377
Ignacio, CO 81137

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BLM

DECISION RECORD

Environmental Assessment

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La Plata Archuleta Water District (LAPLAWD) Phase 1

It is my decision to authorize the proposed action, as described on pages 16 through 24 of the La Plata Archuleta Water District (LAPLAWD) Phase 1 EA (DOI-BLM-CO-S010-2013-0046). The authorized action would be to issue a 30 year right-of-way (ROW) to LAPLAWD to install a 12 inch C900 PVC potable water pipeline along existing County Road 510 and US Highway 160 ROWs.

The proposed action would include installation of approximately 1.25 miles of potable water pipeline across public lands over a three phase schedule:

Phase 1E = The Phase IE water pipeline consists of approximately 10,150 linear feet of 12 inch diameter DR18 C-900 pipe and 4,000 linear feet of 12 inch diameter DR14 C-900 pipe installed within the County Road ROW. Two directionally drilled or bored pipeline crossings under irrigation ditches with casings for the 12 inch lines, fittings, appurtenances, valves, fire hydrants and service taps are also included in this project.

The proposed pipeline would be installed within the CR 510 ROW. This phase entails a total of 2.7 miles of 12" diameter water pipeline buried with 4 feet of cover and averaging 7 feet off of the edge of the roadway. Phase 1E crosses approximately 110 feet of BLM lands.

Phase 1F = The Phase IF water pipeline consists of approximately 13,450 linear feet of 12 inch diameter DR18 and DR 14 C-900 pipe installed within the CR 225A and US Highway 160 ROWs. This phase entails a total of 2.5 miles of 12" diameter water pipeline buried with 4 feet of cover and averaging 10 feet off of the edge of the roadways. Phase 1F crosses approximately 2,830 feet of BLM lands.

Phase 1G = The Phase IG water pipeline consists of approximately 14,110 linear feet of 12 inch diameter and 80' of 8-inch diameter DR18 or DR 14 C-900 pipe installed within the US Highway 160 ROW. This phase entails a total of 2.6 miles of 12-inch diameter water pipeline and 80 feet of 8-inch line buried with 4 feet of cover and averaging 10 feet off of the edge of the roadways to accommodate CDOT's widening project. Phase 1G crosses approximately 3,638 feet of BLM lands.

Authorities: The authority for this decision is contained in Title V of the Federal Land Policy and Management Act of 1976 and the BLM regulations (43 CFR 2800), at the discretion of the Secretary of the Interior or his/her delegated officer.

Compliance and Monitoring: The ROW would be subject to monitoring by BLM personnel during construction phases, in order to confirm compliance to the stipulations are met. After the

construction phase, the ROW would be subject to compliance inspections every 5 years thereafter during the term of the ROW.

Terms / Conditions / Stipulations: The following list includes applicant-committed Design Features intended to minimize or mitigate impacts of the Proposed Action.

- Prior to construction, 'only those trees and shrubs shall be removed that are in actual interference with excavation or grading work and such removal shall be subject to approval by the Engineer (Section 02100 3.02 'Clearing and Grubbing; LAPLAWD, 2012a).

- Debris resulting from the clearing and grubbing operations shall be disposed of at spoil sites in a legal manner, in full compliance with applicable codes and ordinances (Section 02100 3.04 'Clearing and Grubbing; LAPLAWD, 2012a).

- During trenching operations; 'native topsoil shall be removed and stockpiled to be used for topsoil replacement when possible. Where imported topsoil is required, it shall be clean sandy loam, free from sulfates or alkali (Section 02501 2.02'Trench Surface Restoration'; LAPLAWD, 2012a).

- Depth of topsoil shall be determined by actual existing field conditions or as directed by the Engineer (Section 02501 2.02'Trench Surface Restoration'; LAPLAWD, 2012a).

- During reclamation; 'grass seed and mulch shall conform to the requirements of CDOT, La Plata County or the City, or whichever is the governing agency in the area of the planting' (Section 02501 2.05'Trench Surface Restoration'; LAPLAWD, 2012a).

- Seed mixtures shall be compatible with the immediately surrounding vegetation, and seed mix to be approved by the BLM prior to application (Section 02501 2.05'Trench Surface Restoration'; LAPLAWD, 2012a).

- During reclamation of open areas (such as those encountered within the Federal lands crossings); the contractor shall replace trees, shrubbery, flowers, ground cover in kind to match existing features as approved by the Engineer (Section 02501 3.07'Trench Surface Restoration'; LAPLAWD, 2012a).

- During reseeding efforts (Section 02501 3.07'Trench Surface Restoration'; LAPLAWD, 2012a).

    - All areas to be seeded shall be made substantially clear and free of weeds, briars, sticks, loose stones greater than 1-inch, and all other debris detrimental or toxic to the growth of grass.

- The surface soil in all areas to be seeded shall be in a condition favorable for the germination and growth of grass seed. A minimum of ½-inch and maximum of 1-1/2 inches of surface soil shall be in a loose condition.

- Soil preparation operations shall be directional along the contours of the areas involved.

- Seed shall be applied at a time approved by the Engineer when conditions are favorable for germination.

In addition to the design features listed above, ROW terms and conditions are found as part of Appendix X of the EA.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

Tres Rios Field Office Resource Management Plan (RMP), February 27, 2015. The proposed action would be consistent with the LUP as described in accordance with the Desired Condition (2.19.7) on page II-104. (Section 2.19).

Alternatives Considered: The No Action/Private lands crossing alternative was considered and analyzed providing a baseline for comparison of the impacts of the Proposed Action. The No Action alternative would have denied the ROW application as submitted by LAPLAWD. If the No Action alternative was selected, the proposed construction and operation of the 12 inch potable water pipeline and associated facilities (as described in *Alternative A: Proposed Action*) would not occur on federal lands.

Rationale for Decision: It is my decision to authorize the installation of the 12 inch potable water pipeline as described in the proposed action, because it is in conformance with all applicable laws and land use plans, is not in conflict with public uses. The Proposed Action would increase the quantity and quality of potable water to residents in southeast La Plata County. The ROW stipulations put in place would meet the goals of the BLM and LAPLAWD, for managing the resources in the project area.

Internal scoping began in August 2013. Public scoping was accomplished by providing letter correspondence on October 31, 2014 to 405 interested parties, describing proposed action. The interested parties included all those land owners directly and potentially indirectly affected by the proposed action. This included adjacent land owners, LAPLAWD patrons and businesses associated with the loop. Additional scoping occurred with a request for public comments to the draft EA from April 13, 2015 through April 27th, 2015.

The proposed alternative was selected because issues or concerns raised during scoping were addressed through stipulations or mitigation measures. The proposed alternative meets the agency and proponent's objectives.

The no action alternative was not selected because it did not meet the proponent's objectives.

Protest/Appeal Language: If you are adversely affected by this decision, within 30 days of receipt of this decision, you have a right to appeal to the Interior Board of Land Appeals, Office of Secretary, in accordance with regulations at 43 CFR Part 4.

This decision goes into effect immediately and will remain in effect while appeals are pending unless a stay is granted under 43 CFR §2812.9.

Connie Clementson — May 11, 2015

Connie Clementson — Date

Field Manager

Tres Rios Field Office

Attachments: ROW stipulations, Map

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Finding of No Significant Impact
Environmental Assessment
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FINDING OF NO SIGNIFICANT IMPACT

Environmental Assessment

DOI-BLM-CO-S010-2013-0046-EA

La Plata Archuleta Water District (LAPLAWD) Phase 1 Pipeline Crossing

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis DOI-BLM-CO-S010-2013-0046 for a proposed action to address the construction of a 12 inch C900 PVC potable water pipeline on BLM managed lands along the County Road 510 and US Highway 160 Right-of-ways (ROW) in La Plata County between Bayfield and Durango. The project would consist of granting the LAPLAWD a 30 year term Right-of-way across BLM to authorize the construction of a water pipeline which crosses approximately 1.25 miles of BLM managed lands. The pipeline width would be 15 feet. The underlying need for the proposal would be met while providing LAPLAWD legal access across BLM lands through a 30 year term ROW. Authorization of the potable water pipeline would provide quality domestic water to rural La Plata county residents.

The LAPLAWD Phase 1 Pipeline Crossing EA #DOI-BLM-CO-S010-2013 is available at the Tres Rios Field Office and is incorporated by reference for this Finding of No Significant Impact (FONSI). A no action alternative and proposed action alternatives were analyzed in the EA.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the Tres Rios RMP/FEIS. Therefore, an environmental impact statement is not needed.

This finding is based on the context and intensity of the project as described:

Context The project is a site-specific action directly involving approximately2.27 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance.

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders.

The following have been considered in evaluating intensity for this proposal:

1. **Impacts may be both beneficial and adverse**. The proposed action would impact resources as described in the EA. Mitigating measures to reduce impacts to noxious weeds, native vegetation, wetlands and wildlife were incorporated in the design of the action alternatives. Treatment of noxious weeds would be required as part of the terms and conditions of the ROW issued, for the 30 year term. The majority of the pipeline would be buried within the road shoulder which is comprised of fill material contoured to create a storm-water conveyance ditch. There would be minimal disturbance to natural areas where native vegetation occurs. Aquatic life is limited to occur in wetland/riparian settings and the Dry creek drainage. Terrestrial wildlife may occur but could not rely on the proposed action area as habitat. None of the environmental effects discussed in detail in the EA and associated appendices are considered significant, nor do the effects exceed those described in the Tres Rios RMP/FEIS.

2. **The degree to which the selected alternative will affect public health or safety**. The proposed action is designed to allow the safe installation of approximately 1.25 miles of potable water pipeline. The presence of construction equipment along traffic corridors can present a hazard to public safety. However, LAPLAWD construction activities are permitted by the County and CDOT, which dictate standards of protection for public safety during construction. Construction site activity is actively inspected by LAPLAWD, the County and CDOT. LAPLAWD construction standards follow state guidelines for health and safety. LAPLAWD contract requirements define that each contractor follows OSHA, state, federal and local standards for health and safety.

3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas**. Access through private landowners has been coordinated as well as obtaining the necessary legal access through county, state and federal and tribal lands. Air Quality is being addressed through LAPLAWD's contract standards and requirements during construction (GC-6 'General Conditions'; LAPLAWD, 2012b). The historic and cultural resources of the area have been inventoried and no resources potentially eligible for listing or currently listed on the National Register were found present. Impacts from noise will be controlled using state and federal requirements for the protection of human health and the environment. Vegetation would be minimally impacted because of the construction activity occurring within previously disturbed ROWs (county roads and US highway 160). There would be no effect to this drainage Surface water and groundwater quality will be protected during construction activities through best management practices as required for the Colorado Department of Public Health and the Environment. Impacts to wetlands will be avoided where possible and unavoidable impacts will be restored as required by US Army Corp of Engineers for Section 404 permitting.

The following components of the Human Environment and Resource Issues are not affected because they are not present in the project area (rationale in parenthesis): Areas of Critical Concern (not present), Environmental Justice (not present), Geological resources (negligible effect), Native American Religious Concerns (no concerns

identified through tribal consultation), Prime or Unique Farm lands (not present), Forest lands and management (negligible effects), Fire (no effect), Floodplains (negligible effect), Rangeland management (negligible effect), Recreation (no effect), Socioeconomic values (negligible effect), Soils (negligible effect), Threatened, Endangered or Sensitive Species and Critical Habitats (not present), Visual resources (negligible effect), Wastes, hazardous and solid (negligible effect), Wild and Scenic rivers (not present), Wilderness (not present), Wildlife, Aquatic and Terrestrial (including migratory birds) (negligible effect).

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** There is no scientific controversy over the nature of the impacts.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The project is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** The actions considered in the selected alternative were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect, and cumulative effects of the selected alternative and all other alternatives is described in Chapter 4 of the EA.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.** The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapter 4 of the EA.

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The project will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources. A cultural inventory for the proposed action revealed, no historic properties are affected. An information letter was mailed to the SHPO on 4/8/2015 for BLM and BIA proposed action and connected action. No SHPO concurrence is needed. Consultation has been completed in accordance with Section 106 of the NHPA.

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list.** The proposed activity is co-located within existing disturbance where it occurs on BLM lands. Co-locating the project with existing disturbance and high level activity areas mitigates almost all potential impacts to wildlife. A migratory bird timing restriction is applied to minimize the potential for take of migratory birds. A timing restriction of May 1 through June 30 will avoid surface disturbance during the peak nesting period.

10. **Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.** The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. Furthermore, letters were sent to 25 Native American tribes concerning consulting party status. Three tribes responded, the Hopi, Navajo Nation, and Pueblo of Santa Ana, without any concerns. In addition, the project is consistent with applicable land management plans, policies, and programs.

Carrie Cantzler — May 11. 2015

Authorized Officer — Date