

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

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**Post-Fire Rehabilitation Categorical Exclusion  
DOI-BLM-CO-S010-2013-0022-CX**

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**September 2013**

**Menefee Coal Refuse Fire**

**Location:** sec 34, sec 35, T. 36 N, R. 13 W.,  
sec 1, sec 2, sec 3, T. 35 N, R. 13 W  
Montezuma County, Colorado

**Applicant/Address:** *BLM*

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Tres Rios Field Office  
29211 Hwy. 184  
Dolores, Colorado 81323  
970-882-7296  
FAX 970-882-6841



**Menefee Coal Refuse Fire**  
US Department of the Interior  
Bureau of Land Management  
Tres Rios Field Office  
Dolores, Colorado

**Description of the Proposed Action and Purpose and Need for the Action**

The Weber Fire southeast of Mancos in the summer of 2012 ignited coal in the waste rock dumps (coal refuse piles) of historic coal mines, and where coal seams were exposed at mines and road cuts. Smoke from two locations was reported to BLM in the fall and winter of 2012. Site characterization in the spring and summer of 2013 identified seven mines/locations with coal fires, spread across State land, BLM land and private land.

The Weber Fire also burned fences and livestock control features.

BLM's proposed action is to repair or improve lands unlikely to recover to a management approved condition from wildland fire damage. Colorado Division of Reclamation Mining and Safety (DRMS) would extinguish the coal fires that were ignited by the Weber fire, and would safeguard open mine adits that were previously obscured by brush. BLM would replace wire and brush fences that previously controlled livestock movement.

Table 1 and Map 1 show the activities and locations related to mining.

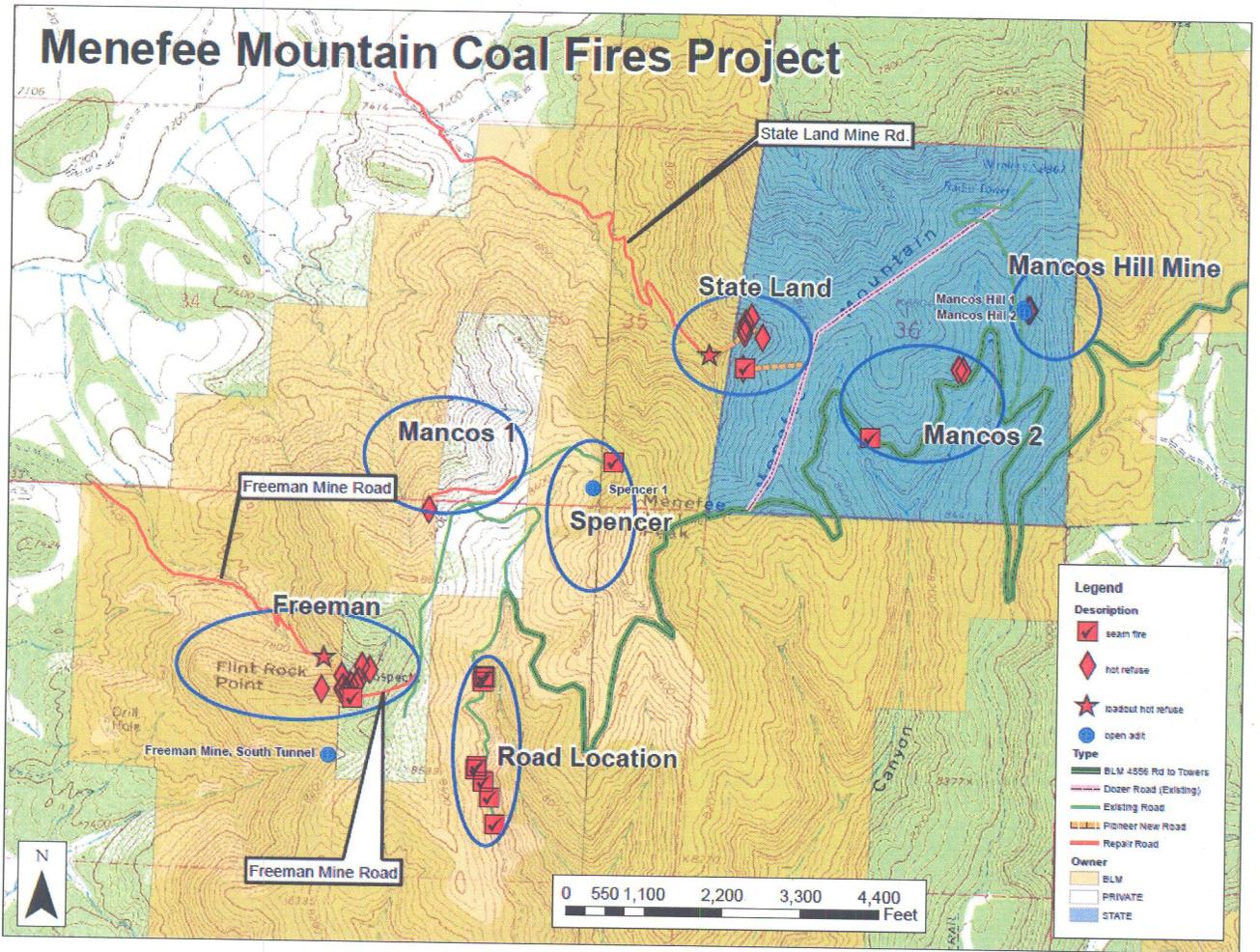
Map 2 shows the locations related to fencing.

Access to some mining locations may require temporary road building across BLM land, or repair of existing roads on BLM land. Where activity is on BLM land, or dependent on access construction or access improvement on BLM land, it is listed in Table 1. DRMS will do additional coal-mine related work in the area that does not involve BLM. Temporary roads will be returned to pre-construction contours and seeded. Repair of existing roads will leave them similar to the pre-fire condition, and will not make them attractive to additional kinds or amounts of vehicles.

TABLE 1

DRMS #	OAHP #	Ownership	Site Name	Eligibility		Action
				Y	N	
Freeman Mine	5MT.20370	Pvt/BLM	Freeman Mine (3 acres)	D		Extinguish coal refuse at mine. Extinguish coal outcrop at mine. Extinguish coal refuse at loadout. Drop hazard trees and use for erosion control.
Freeman Mine	5MT.20371.1	BLM	Freeman Mine Road		X	Repair access and make temporary new access.
Freeman Mine	5MT.20371.2	Pvt/BLM	Freeman Mine Road		X	Repair access and make temporary new access.
State Land Mine	5MT.20372	Colorado State /BLM	State Land Mine (3 acres)	D		Extinguish coal refuse at 3 mine locations Extinguish coal outcrop at mine Extinguish coal refuse at loadout
State Land Mine	5MT.20373.1	BLM	State Land Mine Road		X	Repair access and make temporary new access
Freeman Mine, South Tunnel	5MT.20376	BLM	Freeman Mine, South Tunnel		X	Close open adit with bat grate
Spencer Mine #1	5MT.20377	BLM	Spencer Mine		X	Close open adit with bat grate
Spencer Mine	5MT.20377	BLM	Spencer Mine (1/4 acre)		X	Extinguish coal outcrop along road
Mancos No. 1 Mine	5MT.20378	BLM	Mancos No.1 Mine (1/4 acre)		X	Extinguish coal refuse
Road Location	Not Historic per SHPO	BLM	Road Location (Mancos No.1 Seam) (1 acre)			Extinguish coal outcrop at road

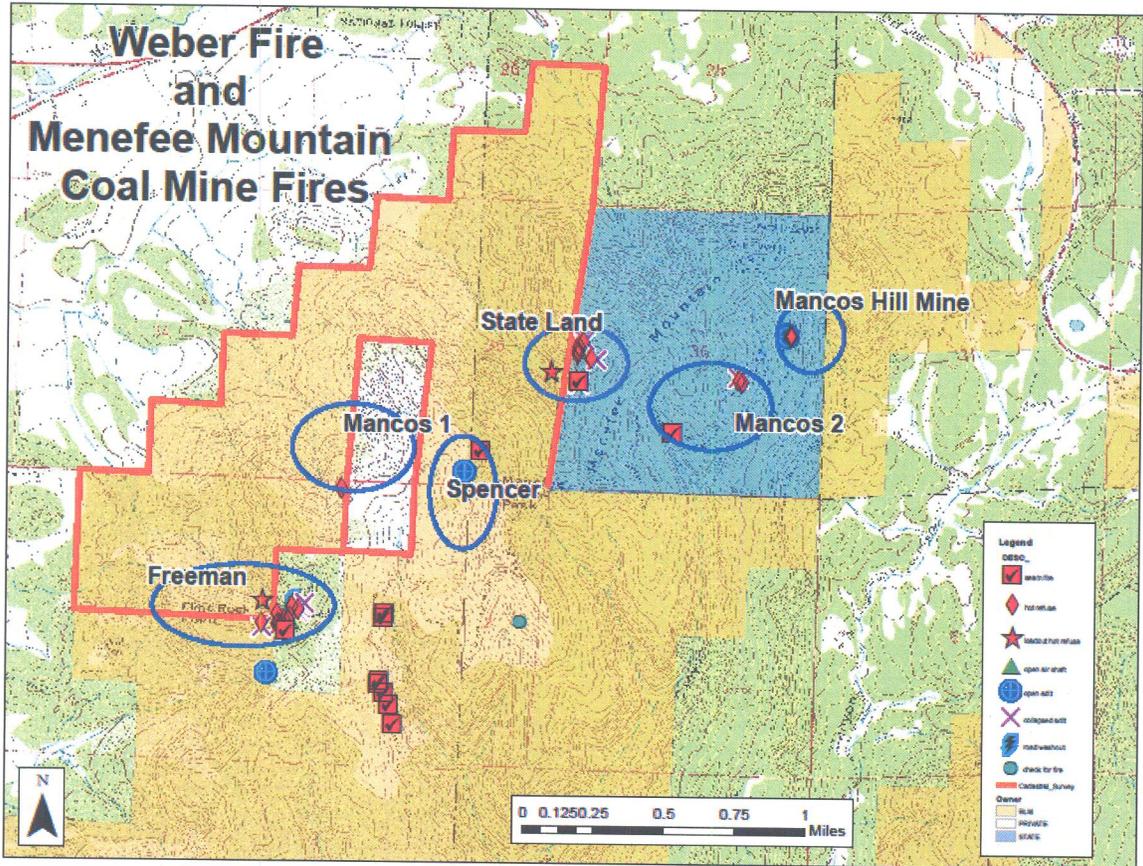
MAP 1



MAP 2

Thick red lines are fence locations

Mine features are draft (use Map 1 for mine features)



Coal refuse is material (coal and rock) that was removed from the mine, but was not good enough quality to haul away. It was left on the steep hillsides below the mines, or was spilled or stockpiled at loadout locations where coal was transferred to trucks. Coal seams are where coal is still in the unexcavated rock layers. The Weber Fire ignited this coal. It is estimated that 4,500 cubic yards of coal refuse material and 650 cubic yards of coal and rock in coal seams will be excavated, mixed, cooled, replaced, re-graded, and re-contoured during project execution. Excavation will occur until coal temperatures below one hundred degrees Fahrenheit (100°F) are consistently encountered at all freshly exposed coal refuse or seam. The coal refuse will be cooled and mixed in place. Mixing and stirring of the coal refuse will be required to thoroughly wet the coal and stop the coal from combusting. Water and foam will be continuously applied until coal is cooled to below 100 degrees Fahrenheit. Once the coal has reached temperatures below 100 degrees Fahrenheit, the coal can be placed back on the slope, re-graded and re-contoured to prevent erosion. Silt fence and wattles will be applied as sediment controls before excavation takes place. The disturbed areas will be seeded and mulched. Water may be supplied by water truck or helicopter, and hoses run from tanks to fire locations. Temporary closure of BLM road 4556 may be required when working on coal seam fires in the roadcut.

Existing two-track roads may be used to access the fires. These roads, abandoned since coal mining ceased, have been cut by gullies. Repair of the road may be required. Disturbed areas would be water-barred and seeded. Water diversion features and brush would be used to close the roads to vehicular traffic, leaving access similar to what existed previously.

Temporary roads may be needed to access the fires. If necessary, locations of temporary roads would be determined by DRMS project manager, and a route delicately pioneered from existing roads to the fire locations. Estimated access locations are shown on the attached maps, but need for access and final locations will be determined in the field. A Cultural Resource monitor may be required to be on site during temporary road construction. Temporary roads will remove as little burnt or standing vegetation as possible. They will be constructed to eliminate as much erosion and visual impact as possible. Upon completion of the project the road will be re-contoured to approximate original contours, and revegetated. Water bars will be placed at approved locations, and cut vegetation will be moved back onto the road bed to prevent the appearance of a road. The pioneering road work will be limited to a road width of eight feet and the largest equipment allowed will be a small excavator.

Extinguishing this fire will be conducted as post fire rehabilitation under Departmental categorical exclusion 1.13, and BLM categorical exclusion I, since they both state that the Category is to "to repair or improve lands unlikely to recover to a management approved condition from wildland fire damage." Smoldering of coal within the waste rock piles and in the coal seams is not a management approved condition, and is damage from the wild fire. Smoldering of the coal consumes resources, releases carbon dioxide, and provides an ignition source that could start future wildfires.

If temporary roads need to be built, they would be managed as required under BLM categorical exclusion I, as follows:

“e. May include temporary roads ... or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and

f. Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means, or vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area.”

BLM is cooperating with Colorado Division of Reclamation, Mining and Safety (DRMS), who has the mission and expertise to deal with coal seam and coal refuse fires. They have obtained funding from Office of Surface Mining (OSM) to conduct this work. DRMS has committed to conducting this operation with minimal impact to the surrounding surface resources. They have a proven track record of reclamation in other sensitive areas (e.g., alpine tundra).

Fence construction will be performed by contractors under separate BLM contract.

### **Plan Conformance**

The Proposed Action is in conformance with Land Use Plan Name: San Juan/San Miguel Resource Management Plan (September, 1985).

The Proposed Action was designed in conformance with all bureau standards and incorporates appropriate guidelines for specific required and desired conditions relevant to project activities. Since we are cooperating with Colorado Division of Reclamation, Mining and Safety, their expertise and standards will be applied to this project.

### **Compliance with the National Environmental Policy Act**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, 1.13 because this action will restore lands damaged by the Weber fire.

The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. Cultural resource survey has been conducted, and SHPO concurrence obtained.

None of the twelve extraordinary circumstances contained in 516 DM 2, Appendix 2 apply.

**SCREENING FOR CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES**

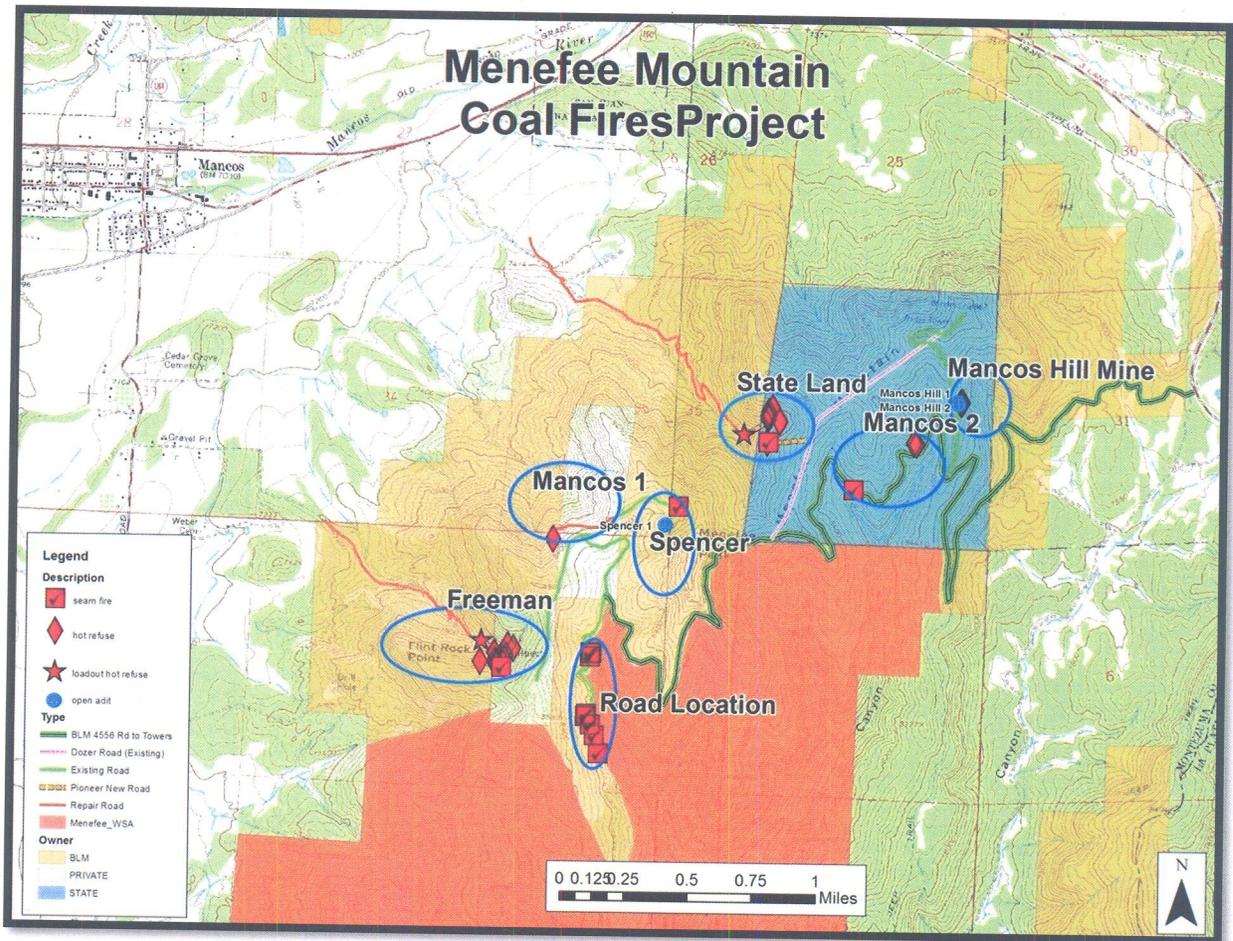
The following exceptions apply to actions being considered as categorically excluded. Environmental documents must be prepared if any of these exceptions apply. Place an "X" in the appropriate box. Would the proposed action:	Yes	No
1. Have significant impacts on public health or safety?		X
2. Have significant 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; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		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 (Executive Order 12898)?		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 (Executive Order 13007)?		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 (Federal Noxious Weed Control Act and Executive Order 13112)?		X

**Findings**

Based on review of the proposal and the 12 exceptions listed above, this action qualifies as a categorical exclusion and environmental analysis is not required. The proposed action is in conformance with SJ/SM RMP (1985).

In addition, I considered that the proposed action would be adjacent to the Menefee Mountain Wilderness Study Area. However, none of these activities would be within the WSA. See map below.

MAP #3 showing WSA



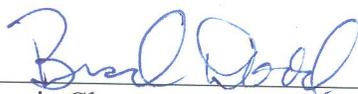
### Persons and Agencies Consulted

DRMS will conduct the design and implementation of the coal mine and coal fire activity. Adjacent and effected private land owners are aware of this project, because DRMS has gotten permission to work on coal fires on their land and/or access the sites through their land. Where fencing is proposed in an area where there are no coal fires, BLM has consulted with adjacent land owners. This project is listed on the public NEPA website.

### Decision and Rationale on Action

I have decided to implement the control of these coal fires, including any necessary over-the-ground vehicle access, including temporary roads. I have decided to safeguard open mine adits that were previously obscured by brush. I have decided to construct fences to replace livestock control features lost in the Weber fire. These actions meet the need for action. In

addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

  
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Connie Clementson  
Field Manager  
Tres Rios Field Office

9/16/13  
Date

**Contact Person**

For additional information concerning this decision, contact Kay Zillich, Abandoned Mine Land Program, Tres Rios Field Office, 970-385-1239

September 2, 2013



Julie Bell  
Field Office Archaeologist  
Bureau of Land Management  
Tres Rios Office  
29211 Highway 184  
Dolores, CO 81323

Re: Class III Inventory of Select Coal Mines: Menefee Mountain Fires Suppression Project.  
(CHS #64575)

Dear Ms. Bell:

Thank you for your correspondence dated August 22, 2013 and received by our office on August 26, 2013 regarding the review of the above-mentioned project under Section 106 of the National Historic Preservation Act (Section 106).

After review of the provided information, we do not object to the Area of Potential Effects (APE) represented as the Project Area. After review of the submitted survey information, we concur with the recommended findings of National Register eligibility for the resources listed below.

- 5MT.20370
- 5MT.20371, including segments 5MT.20371.1 and 5MT.20371.2
- 5MT.20373, including segment 5MT.20373.1
- 5MT.20374
- 5MT.20375
- 5MT.20376
- 5MT.20378

We are not able to concur with the National Register recommendation for resource 5MT.20372. The Management Data form states that the resource is not eligible, but the Mining Resource Component Form and survey report states that the resource is eligible. Please clarify the National Register recommendation for this resource.

After review of the assessment of adverse effect, we concur with the recommended finding of no historic properties affected for the resources listed. We recommended continued consultation in regards to the National Register clarification for resource 5MT.20372.

If unidentified archaeological resources are discovered during construction, work must be interrupted until the resources have been evaluated in terms of the National Register criteria, 36 CFR 60.4, in consultation with this office. We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings.

Please note that our compliance letter does not end the 30-day review period provided to other consulting parties. If we may be of further assistance, please contact Amy Pallante, our Section 106 Compliance Manager, at (303) 866-4678.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Williams", written over a horizontal line.

Edward C. Nichols  
State Historic Preservation Officer