

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

**Categorical Exclusion
DOI-BLM-CO-SO50-2014-0018 CX**

April 2014

3 Monitoring Wells for USGS Groundwater Study

*Locations: East of Uncompahgre River in
Delta and Montrose Counties, Colorado*

**U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401
Phone: (970) 240-5300**



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CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-S050-2014-0018 CX

PROJECT NAME: COC-76431, Long Term Shallow Groundwater Study

PLANNING UNITS: Uncompahgre Basin Resource Management Unit and
Gunnison Gorge NCA Resource Management Unit

LEGAL DESCRIPTION: New Mexico Principal Meridian, Colorado,
T. 48 N., R. 9 W., Sec. 14,
T. 51 N., R. 10 W., Sec. 36.

6th Principal Meridian, Colorado
T. 15 S., R. 95 W., Sec. 13.

APPLICANT: U. S. Geological Survey (USGS)

DESCRIPTION OF PROPOSED ACTION: The proposed action is to issue a right-of-way to the USGS to drill, operate and maintain 3 monitoring wells. The wells are part of a 30 well, long term, monitoring network to study water level and water quality in the shallow groundwater system on the east side of the Uncompahgre River.

The wells will be drilled approximately 20 to 40 feet deep and the proposed well sites will be approximately 50' x 50' each, or 0.057 acres per site. Access to the sites will utilize existing roads to the extent possible and then may be cross county to the actual site. After drilling the wells, the USGS anticipates approximately 6 visits per year to each site.

The three sites are described as follows:

East Delta Site: Located approximately 5 ½ miles east of Delta, the proposed well site is on a 40-acre isolated BLM parcel that has been identified for disposal in the RMP. Access to the well on the BLM parcel will utilize an existing user-created route. See attached photos.

Northeast Olathe Site: Located approximately 3 miles northeast of Olathe, the proposed site can be accessed from Carnation Road and then north along the water user's East Canal access road. From there it will require approximately 120' of cross country travel to the actual well site.

Southeast Montrose Site: Located approximately 5 miles southeast of Montrose, the proposed site is south of Kinikin Road just off of Pahgre Road. The well site will be immediately north of

an existing road authorized to access a headgate on the AM Lateral canal. The drill rig will be able to utilize the road while drilling the well.

The right-of-way would be issued under FLPMA for 30 years with the right of renewal and would be subject to the attached stipulations, see Exhibit A. As a federal agency, the USGS is rental exempt per 43 CFR 2806.14 (b).

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plans:

Name of Plan: Uncompahgre Basin Resource Management Unit

Date Approved: July 1989

Decision Number/Page: Management Unit 1, Page 9 and 13

Decision Language: MU-1 is managed to improve vegetation conditions and forage availability for livestock grazing. Lands cases will be analyzed and processed on a case-by-case basis in accordance with guidance provided by the plan.

Name of Plan: Gunnison Gorge National Conservation Area Resource Management Plan

Date Approved: November 2004

Decision Number/Page: MU-6, Other Public Lands, Land-C-12, page 2-10

Decision Language: Generally the plan allows for lands actions on a case-by-case basis, and if allowed, would be subject to applicable mitigation measures and stipulations as appropriate.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number J(3), which allows for “conducting preliminary hazardous materials assessments and site investigations, site characterization studies and environmental monitoring.” Included are siting, construction, installation and/or operation of small monitoring devices such as wells, particulate dust counters and automatic air or water samplers”; and 516 DM 11.9, Number J(6) which allows for “a single trip in a one month period for data collection or observation sites”. None of the following exceptions in 516 DM 2, Appendix 2, apply.

	Exclusion	YES	NO
1.	Have significant adverse effects on public health and safety.	_____	<u> X </u>
2.	Have adverse effects 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, floodplains; 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. _____ 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. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects. _____ X
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places. _____ X
8. Have significant impacts 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
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. _____ X
10. Have disproportionately high and adverse effect on low income or minority populations. _____ X
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or 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 REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Linda Reed	Realty Specialist	Lands and Realty
Glade Hadden	Archaeologist	Cultural, Native American Religious Concerns
Ken Holsinger	Biologist	T&E and Migratory Birds
Jedd Sondergard	Hydrologist	Soils and Water

REMARKS:

Cultural Resources: The three monitor well pads have been inventoried by BLM archaeologist Glade Hadden with negative results. There are no known or anticipated National Register or Register Eligible historic properties within the proposed project area, and no further work is required.

Native American Religious Concerns: There are none known or anticipated for this project.

Threatened and Endangered Species: -The Northeast Olathe site while not occupied does offer suitable habitat for the endangered Clay Loving Wild Buckwheat (*Eriogonum pelinophilum*). A survey of the project site and approximately 3 acres surrounding it did not reveal the presence of the species. There is a large dirt berm that currently precludes overland travel on the suitable habitat associated with the project site. Removal of that berm will be required to access the proposed drill site. Restoring the berm to preclude recreational expansion of the proposed overland route will be necessary to mitigate for potential indirect effects of OHV impacts to the unsurveyed portions of the BLM parcels in the project area.

There are no other animal or plant species listed, proposed, or candidate to the Endangered Species Act, nor considered sensitive by the BLM, that are known to inhabit or derive important use of the areas potentially influenced by the proposed action.

Migratory Birds: Based on the habitat type and timing of the proposed action there are no impacts anticipated for migratory species of conservation concern.

NAME OF PREPARER: Linda Reed March 28, 2014

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Teresa Pfifer
FOR Bruce Krickbaum

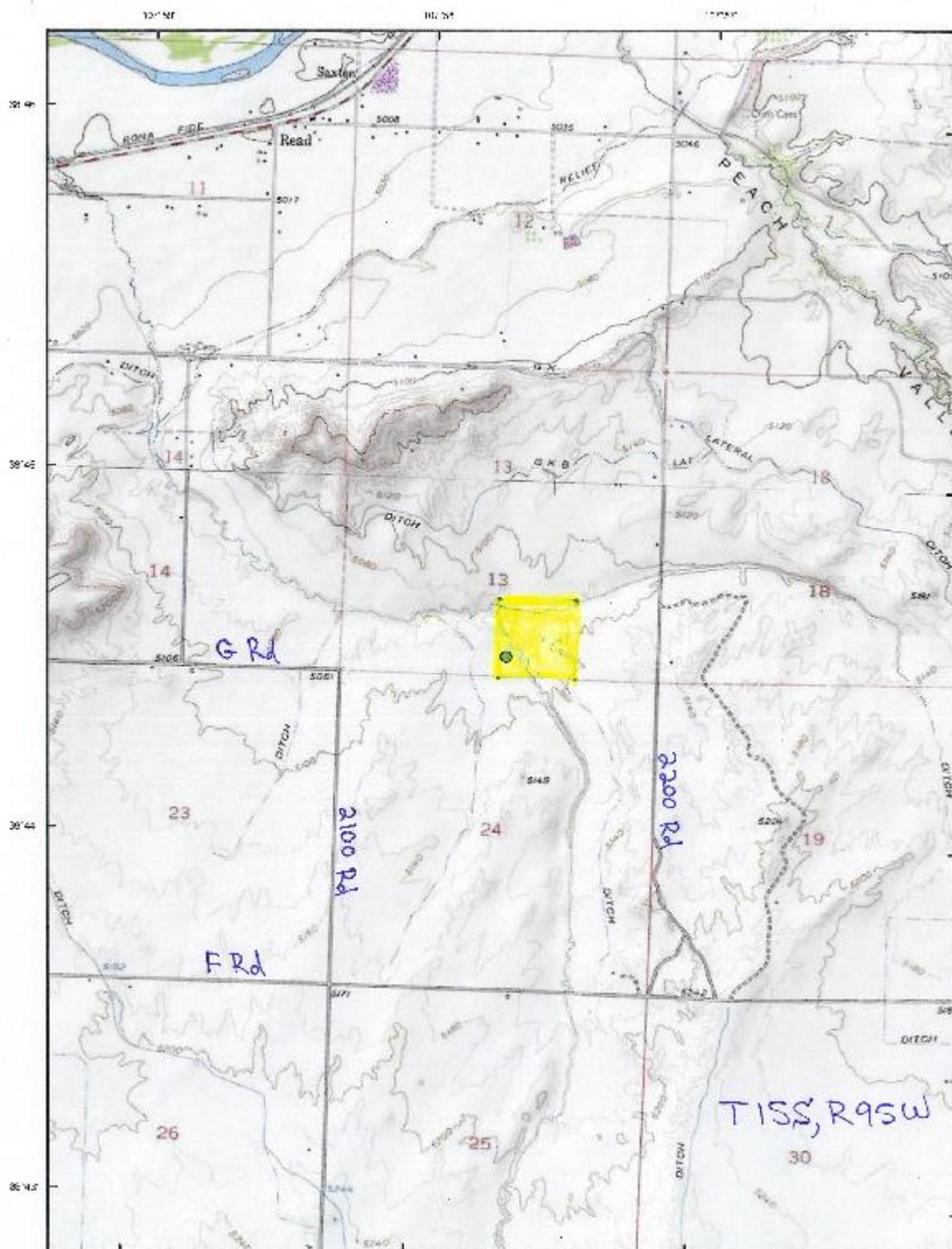
DATE: 4/4/14

COMPLIANCE WITH NEPA

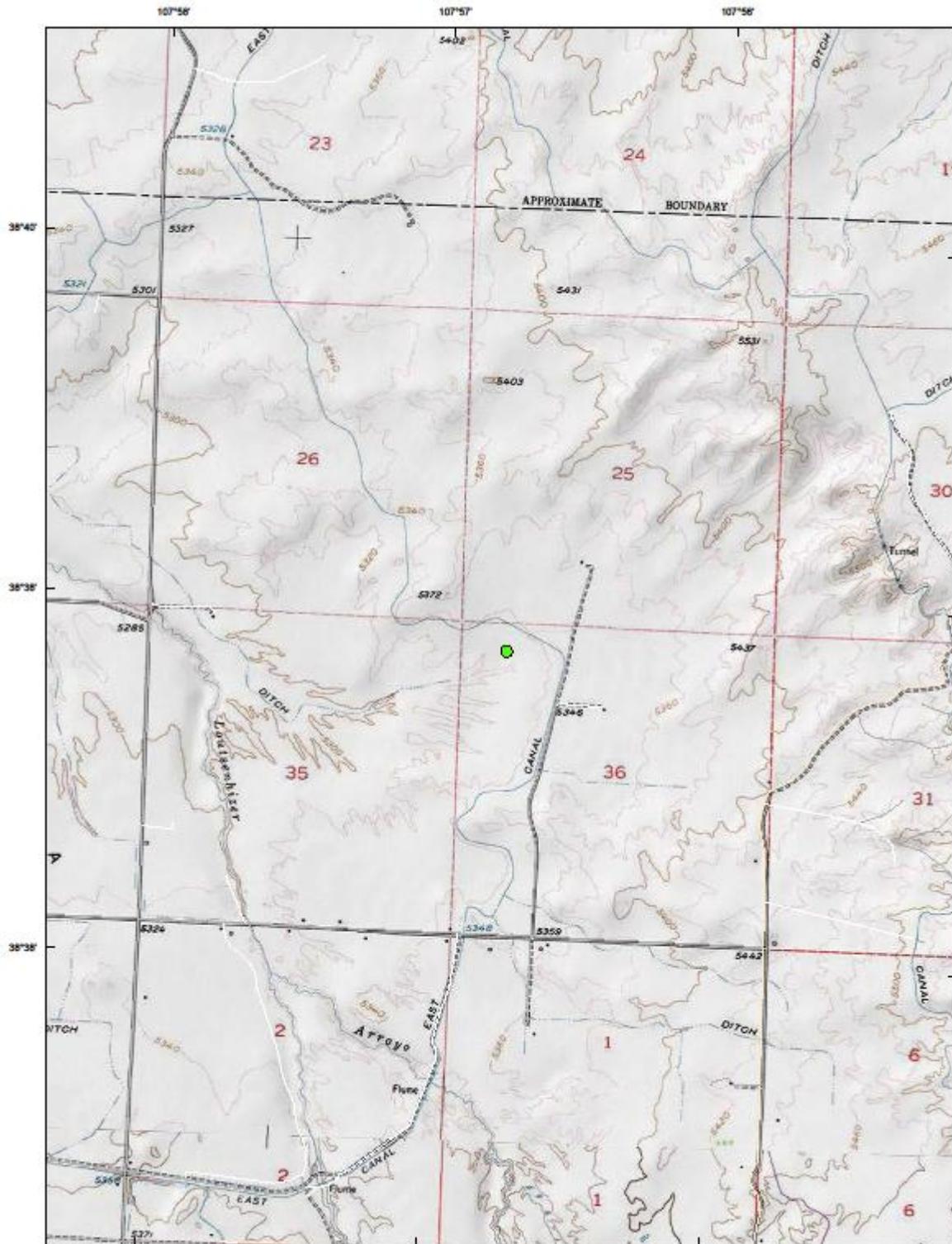
The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Number J(3) and J(6). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Barbara Sharrow
Barbara Sharrow,
Uncompahgre Field Office, Field Manager

DATE SIGNED: 4/7/14



East Delta Site
T. 15 S., R. 95 W., Sec. 13



NE Olathe Site - Section 36, T51N, R10W

STIPULATIONS

1. The holder shall contact the authorized officer at least two days prior to the anticipated start of construction and/or any surface disturbing activities. The authorized officer may require and schedule a preconstruction conference with the holder prior to the holder's commencing construction and/or surface disturbing activities on the right-of-way. The holder and/or his representative shall attend this conference. The holder's contractor, or agents involved with construction and/or any surface disturbing activities associated with the right-of-way, shall also attend this conference to review the stipulations of the grant. The BLM authorized representative is Barney Buria, Environmental Protection Specialist, who can be reached at the Uncompahgre Field Office, 2465 South Townsend, Montrose, Colorado 81401 or phone at (970) 240-5333. An alternate contact is Linda Reed, Realty Specialist, Uncompahgre Field Office, (970) 240-5322.
2. The holder shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in conformance with the application, maps and the well locations identified during the on-sites. Any relocation, additional construction, or use that is not in accord with the approved conditions shall not be initiated without the prior written approval of the authorized officer. A copy of the complete right-of-way grant, including all plans and stipulations shall be made available at the right-of-way site during construction. Noncompliance with the above will be grounds for an immediate temporary suspension of activities if it constitutes a threat to public health or the environment.
3. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder 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 holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
4. Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
5. Use of pesticides/herbicides shall comply with the applicable Federal and state laws. Pesticides/herbicides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides/herbicides, the holder shall obtain from the authorized officer written approval of

the applicant's plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. The plan should be submitted no later than March 1 of any calendar year to cover the proposed activities for the next growing season. Emergency use of pesticides/herbicides shall be approved in writing by the authorized officer prior to such use.

6. The holder shall be responsible for weed control within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the grant stipulations), including pesticides/herbicides approved for use on BLM land.
7. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects.
8. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated regarding toxic substances or hazardous materials. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, section 102b. A copy of any report required or requested by any federal agency of state government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency of State government.
9. The authorized officer may suspend or terminate in whole, or in part, any construction or maintenance activities, when in his judgment, unforeseen conditions arise which result in the approved terms and conditions being inadequate to protect the public health and safety or to protect the environment.
10. All construction, operation and maintenance shall be within the authorized limits of the right-of-way granted herein.
11. All brush, grasses, and other woody material cleared from the right-of-way shall be removed from the public land and not scattered on site; unless the debris is mulched and used for reclamation as natural materials to enhance surface stability and re-vegetation efforts.
12. No burning of trash, litter, trees, brush or other vegetative material shall be allowed under this grant.

13. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support such equipment. If the equipment creates ruts in excess of four (4) inches deep, the soil shall be deemed too wet to adequately support the construction equipment. Emergency repairs are exempt; however, any damages to resources caused by emergency repairs during wet conditions will be repaired as directed by the authorized officer as soon as possible after the occurrence.
14. The holder shall disturb and remove only the minimum amount of soils and vegetation necessary for the drilling, operation, and maintenance of the monitoring wells. Topsoil shall be conserved as applicable and reused as cover on disturbed areas to facilitate regrowth of vegetation. The holder shall recontour disturbed areas as necessary by grading to restore the area to approximately the original contour of the ground as directed by the authorized officer.
15. The holder shall seed all disturbed areas using an agreed upon method suitable for the location. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the second growing season.
16. It is the holder's responsibility to comply with all applicable Federal, State, and local laws and regulations existing or hereafter enacted or promulgated.
17. All data that is gathered from the monitoring wells shall be furnished to the Hydrologist, Uncompahgre Field Office, Bureau of Land Management.
18. NE Olathe Site/East Canal: Due to the presence of suitable habitat for Clay Loving Wild Buckwheat at this site, additional biological survey and approval by the BLM is required if the authorized well site needs to be relocated.
19. NE Olathe Site/East Canal: After drilling and completing the well, the berm (spoils pile) from canal maintenance will be replaced to discourage creation of a new route on the public land.
20. Access:
 - East Delta Site**: The BLM parcel is accessed from private property. There is an existing user-created route on the BLM parcel that will be utilized to access the well site
 - NE Olathe Site**: The site is accessed from the water user's East Canal operation and maintenance road and then approximately 120' of cross country travel will be required to reach the approved well site. After the well is drilled, access will be on foot and the berm will be replaced.
 - SE Montrose Site**: The site is accessed from Pahgre County Road. The well site will be immediately north of an existing road authorized to access a headgate on the AM Lateral. The drill rig will be able to utilize the road while drilling this well.

21. Prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination and rehabilitation plan as necessary. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.

**U.S. Department of the Interior
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2465 South Townsend Avenue
Montrose, CO 81401**

Decision Record

(DOI-BLM-CO-S050-2014-0018 CX)

PROJECT NAME: USGS Long Term Shallow Groundwater Regional Study

DECISION: It is my decision to issue a right-of-way to the USGS to drill, operate and maintain 3 monitoring wells. The wells are part of a 30 well, long term, monitoring network to study water level and water quality in the shallow groundwater system on the east side of the Uncompahgre River. The 3 well sites are located east of Delta, northeast of Olathe and southeast of Montrose.

The wells will be drilled approximately 20 to 40 feet deep and the well sites will be approximately 50' x 50' each, or 0.057 acres per site. Access to the sites utilizes existing routes to the extent possible. The northeast Olathe site will require approximately 120' of cross country access, however after drilling the well access will be by foot and the berm will be replaced to discourage creation of a new route on the public land. The USGS anticipates approximately 6 visits per year to each site after the wells have been drilled.

The right-of-way will be issued under FLPMA for 30 years with the right of renewal and will be subject to the attached stipulations, see Exhibit A.

MITIGATION MEASURES:

All stipulations shown in Exhibit A of the CX will be followed.

RATIONALE:

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(3) and J(6). 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 extraordinary circumstances described in 516 DM 2 apply.

COMPLIANCE WITH MAJOR LAWS and CONFORMANCE WITH LAND USE PLANS:

The decision is in compliance with applicable laws, regulations and policy, including the Endangered Species Act, Migratory Bird Treaty Act and National Historic Preservation Act. It is also in conformance with the Uncompahgre Basin RMP and the Gunnison Gorge National Conservation Area RMP.

PUBLIC COMMENT:

The BLM informed the public about this project by listing it on the online Uncompahgre NEPA Register and a copy of the completed Categorical Exclusion will be posted on the NEPA website.

ADMINISTRATIVE REMEDIES:

If you are adversely affected by this decision, within 30 days of receipt of this decision you have the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR §4.400.

NAME OF PREPARER: Linda Reed

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Teresa Pfifer
FOR Bruce Krickbaum

DATE 4/7/14

SIGNATURE OF AUTHORIZED OFFICIAL /s/ Barbara Sharrow
Barbara Sharrow
Field Manager
Uncompahgre Field Office

DATE SIGNED 4/7/14