BLM

United States Department of the Interior
Bureau of Land Management

Categorical Exclusion
DOI-BLM-CO-SO54-2015-0026 CX

January 2015

American Tower Communication Site Lease
Flat Top Communications Site

Location: *Montrose County, 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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2465 South Townsend Avenue
Montrose, CO 81401

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-S050-2015-0026 CX

CASEFILE: COC-76740

PROJECT NAME: American Tower Communications Site Lease

PLANNING UNIT: Gunnison Gorge NCA Resource Management Unit

LEGAL DESCRIPTION: New Mexico Principal Meridian, Colorado,
T. 49 N., R. 9 W.,
Section 14: NE1/4NW1/4.

APPLICANT: American Tower

BACKGROUND: The BLM issued a communication site lease to Verizon Wireless (COC-55475) to replace their existing 12' X 12' pre-fabricated building at Flat Top Communications Site. The lease was authorized under a Categorical Exclusion (DOI-BLM-CO-S054-2013-0023). During the process of constructing the new building to replace the old building, Verizon sold the old 12' x 12' building to American Tower.

DESCRIPTION OF PROPOSED ACTION: The proposed action is to issue a communication site lease to American Tower for the existing 12' x 12' pre-fabricated building which was previously owned by Verizon Wireless. This facility will reside completely within the 110' x 110' leased area to Verizon Wireless. The new lease will be 25' x 25', and encompass approximately 0.014 acres

A county road provides access to the Flat Top site. See the attached photos of the existing facility.

A communication use lease would be issued under FLPMA. The lease would be subject to advanced rental and the attached special stipulations.

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 plan:

Name of Plan: Gunnison Gorge NCA Resource Management Unit

Date Approved: November 2004

Decision Number/Page: Management Unit 2-3, See Land-2-2, page 2-50

Decision Language: The goal for the Flat Top mesa site will be to manage the lands for low-power communication site uses and integrate recreation uses currently ongoing.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number E(12) which allows "Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way. "

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.	____	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, 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:

Name	Title	Area of Responsibility
Nick Szuch	Realty Specialist	Lands and Realty

REMARKS: The existing site is currently disturbed from existing construction and activities. Since no surface disturbing activities will occur outside the boundary of the existing communication site, it was determined by the Uncompahgre Field Office management team that specialists' review of the project was not required.

NAME OF PREPARER: Nick Szuch January 14, 2015

NAME OF ENVIRONMENTAL COORDINATOR: Jedd Sondergard

DATE: 1/20/15

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(12). 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: Barbara Sharrow

Barbara Sharrow,
Uncompahgre Field Office, Field Manager

DATE SIGNED: 1-21-15

Attachments:

SPECIAL STIPULATIONS

1. The communication site facility is 25' by 25', containing 0.014 acres, and contains a 12' x 12' equipment building. This facility is wholly contained within the larger 110' by 110'communications site. A 6' security chain link fence surrounds all the facilities at the site. Access to the Flat Top site is by a county road.

2. The holder shall contact the authorized officer at least five 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 Nick Szuch, Realty Specialist, Uncompahgre Field Office, (970) 240-5322.

3. The holder shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in strict conformity with the lease granted herein. Any relocation, additional construction, or use that is not in accord with these approved conditions shall not be initiated without the prior written approval of the authorized officer. A copy of the Communication Use Lease, including all stipulations and exhibits shall be made available at the right-of-way site during construction, operation and termination of the facility. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. All construction, operation and maintenance shall be within the authorized limits of the right-of-way granted herein.

12. No burning of trash, litter, 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 4 inches deep, the soil shall be deemed too wet to adequately support the construction equipment.

14. The holder shall disturb only the minimum amount of soils necessary for the construction, operation and maintenance of the facilities authorized herein. Disturbed areas shall be backfilled, compacted, and recontoured by grading to restore the site to the pre-existing condition of the ground as determined by the authorized officer. The holder shall restore drainage to minimize erosion. Excess excavated, unsuitable material and cleared vegetative materials shall be disposed of as directed by the authorized officer.

15. The holder shall maintain the right-of-way in a safe and useable condition. Maintenance shall be completed as necessary to minimize erosion and maintain reclamation efforts. If the holder's scope of use exceeds the standards defined herein, then the holder shall apply for an amendment to the right-of-way in order to provide for such an upgrade in standard, as determined by the Authorized Officer.

16. The holder is responsible to notify the authorized officer for any change in: 1) property ownership, 2) contact representative, 3) address and 4) phone number for the holder and to keep this information current for the administrative record.

17. All right-of-way users at the Flat Top communication site are required to be in compliance with the Communications Site Management Plan, Flat Top, Uncompahgre Field Office, dated September 9, 2005. See Exhibit D of the lease authorization.

18. All structures shall meet the requirements of the latest codes governing designs of facilities as outlined in the Uniform Building Codes. All construction, operation and maintenance of facilities shall meet specifications contained in Motorola's publication "Standards and Guidelines for Communications Sites R56", most recent edition (a.k.a., Motorola R56 standards).

19. The BLM right-of-way serial number (COC-76740) shall be posted on the site. It is recommended a current emergency telephone number be provided on the sign.

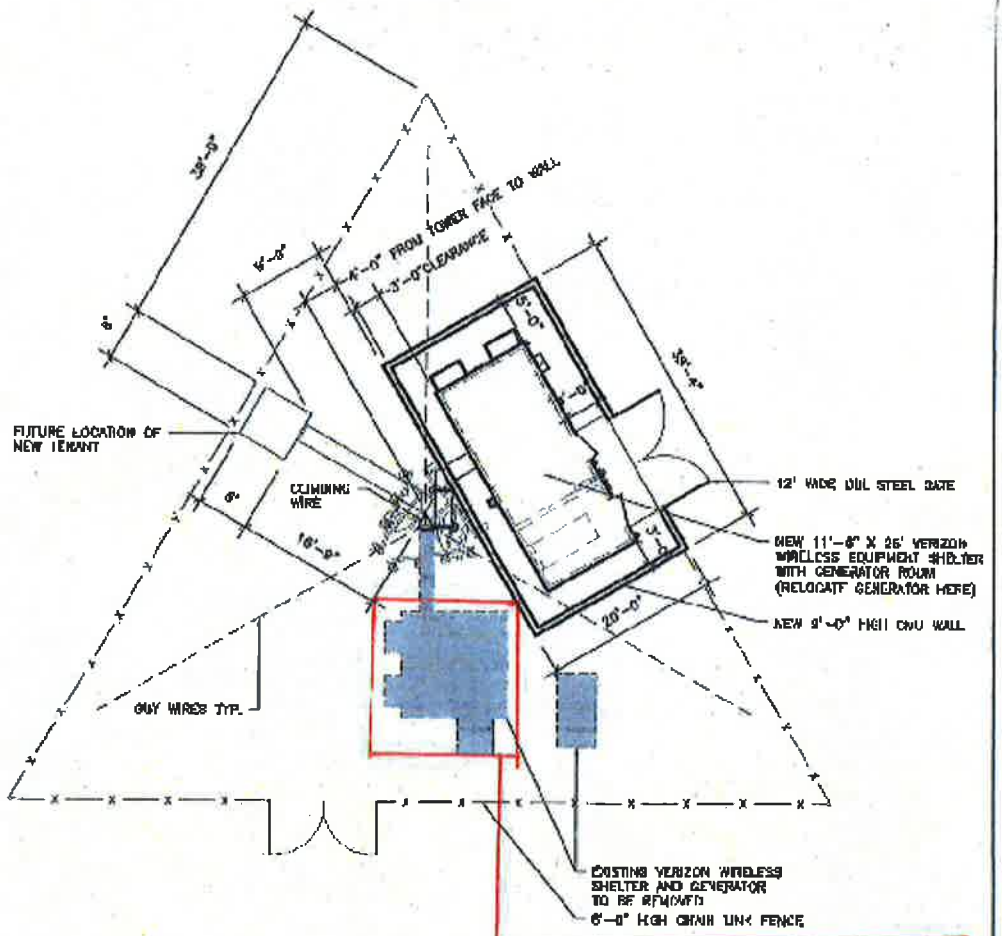
20. To avoid possible impacts to birds or bats, follow the most current version of the U.S. Fish & Wildlife Service's Interim Guidelines on the Siting, Construction, Operation and Decommissioning of Communication Towers, available at the following website: http://www.fws.gov/habitatconservation/com_tow_guidelines.pdf.

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, as determined necessary. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.

COS MONTROSE
198
MONTROSE, CO 81401

MONTROSE, CO
82796
ATC ENGINEERING SERVICES

Ex-C1



American Tower – bldg only

CSAi
CHARLES STECKLY ARCHITECTURE, Inc.
ARCHITECTURE – PLANNING – DESIGN
5900 SOUTH ZANG STREET, SUITE 250
LITTLETON, COLORADO 80127
OFFICE: 303.932.9974
FAX: 303.932.9951

Exhibit B
COC-76740

SITE PLAN

SCALE: 1/16" = 1'-0"

verizon wireless
VERIZON WIRELESS SERVICES
9151 E. Valleyan Way, Suite 650
AURORA, Co 80014

American Tower acquired Bldg
Generator to be relocated into new Verizon Building
New Verizon Building
GENERAC
04/26/2012

055475
CAUTION
08/18/2011

U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401

Decision Record

(DOI-BLM-CO-S054-2014-0026 CX)

DECISION:
It is my decision to issue a communication site lease to American Tower for the existing 12' x 12' building which was previously owned by Verizon Wireless. This facility will reside completely within the 110' x 110' right-of-way leased to Verizon Wireless. The right-of-way for this new lease will be 25' x 25', and encompass approximately 0.014 acres

A county road provides access to the Flat Top site. See the attached photos of the existing facility.

A communication use lease would be issued under FLPMA. The lease would be subject to advanced rental and the attached special stipulations.

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 E(12). 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 PLAN:
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 Gunnison Gorge National Conservation Area RMP.

PUBLIC COMMENT:
The BLM informed the public about this project by listing it on the online Uncompahgre Field Office 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. This decision goes into effect immediately and will remain in effect pending appeal unless a stay is granted (43 CFR §2801.10).

NAME OF PREPARER: Nick Szuch

NAME OF ENVIRONMENTAL COORDINATOR: Jedd Sondergard

DATE 1/20/15

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

DATE SIGNED 1-21-15