

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

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**Categorical Exclusion  
DOI-BLM-CO-SO54-2012-0033 CX**

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**September 2012**

**Bureau of Reclamation - Piping of the GE Lateral**

*Location: North of Olathe, Montrose County, Colorado*

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



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Bureau of Land Management  
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Montrose, CO, 81401**

## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-S054-2012-0033 CX

CASEFILE: COC-67472, Amendment No. 5

PROJECT NAME: Piping of the GE Lateral

PLANNING UNIT: Gunnison Gorge NCA Resource Management Unit

LEGAL DESCRIPTION: New Mexico Principal Meridian, Colorado,  
T. 51 N., R. 10 W., Section 26.

APPLICANT: Bureau of Reclamation (BOR)

DESCRIPTION OF PROPOSED ACTION:

The proposed action is to issue an amendment to Bureau of Reclamation for piping of the GE Lateral. The project is located approximately 3 ½ miles north of Olathe, beginning at the East Canal and includes a water pipeline, headgate, associated valves, syphon or gravel sump, and the associated operation and maintenance (O&M) access road. The pipeline will generally be buried between the existing ditch and O&M access road. See attached photos.

The GE lateral would be a 15-inch diameter pipeline to be buried immediately adjacent to the existing O&M access road. The project would be 2220 feet in length and 40 feet in width (20 feet each side of centerline) on the public land, and contain approximately 2.039 acres. Near the western end of the project there is a fairly large bend in the ditch alignment. The proposed pipeline will follow the alignment of the straight O&M road thereby eliminating the longer, curved route of the existing ditch. See attached map. To drain the pipeline each fall a 2-inch diameter siphon (drain pipe) may be installed or a gravel sump. If a siphon is used it would daylight downstream within the right-of-way and riprap would be installed at the drain discharge to minimize soil erosion.

The GE Lateral would be granted under Amendment No. 5 of the original reservation which was authorized under FLPMA for 30 years. The reservation expires on December 31, 2034, with the right of renewal. As a Federal agency, the Bureau of Reclamation is rental exempt. The right-of-way would be subject to the attached terms and conditions and Exhibit B, Supplemental Plan of Development, GE Lateral, 2012-2013.

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 Resource Management Unit

Date Approved: November 2004

Decision Number/Page: MU-6, other public lands, page 2-10

Decision Language: BLM will cooperate with BOR to acknowledge and document the agency's existing facilities and access roads for maintenance and operation of these facilities.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number: E(16) which allows for rights-of-way for the use of existing facilities, improvements or sites for the same or similar purposes. 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.	_____	_____ <u>X</u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	_____	_____ <u>X</u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	_____ <u>X</u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	_____	_____ <u>X</u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	_____	_____ <u>X</u>
7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places.	_____	_____ <u>X</u>
8. 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.	_____	_____ <u>X</u>
9. Have the potential to violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	_____	_____ <u>X</u>
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations.	_____	_____ <u>X</u>

11. Restrict 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. Significantly, 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 Resources
Ken Holsinger	Biologist	Threatened and Endangered Species, Wildlife, Migratory Birds

REMARKS:

Cultural Resources: The BLM portion of the proposed pipeline was examined for Cultural resources on June 19, 2012 with negative results. The proposed pipeline will also be placed entirely within previously disturbed surface. No further work is required.

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

Threatened and Endangered Species: A survey for the federally endangered Clay-loving wild buckwheat (*Eriogonum pelinophilum*) was conducted along both the north and south sides of the GE Lateral in suitable habitat. The survey was conducted on June 19, 2012 and no buckwheat individuals or populations were observed within 200 meters of the project site. On sites where suitable habitat was observed the presence of noxious weeds and/or native grasses limit the potential for buckwheat. Based on the results of the survey and lack of buckwheat within 200 meters of the proposed action, there will be “no effect” to the federally endangered Clay-loving wild buckwheat. No other federally listed species are known to inhabit or derive important use of the proposed project area.

There are likely leopard frogs inhabiting the artificial wetlands present south of the GE lateral. It is likely that this wetland will dry up entirely or diminish in size as a result of this project. Individual frogs occurring in this wetland could be impacted over time as this wetland dries up or diminishes in size. Mitigation for loss of this wetland habitat will be developed between UVWUA and the FWS and may include concurrent development and/or enhancement of riparian habitat at the Escalante State Wildlife Area near Delta. Over time these offsets should provide greater habitat opportunities in less selenium laden environments and should result in no net loss of habitat. Implementing the proposed action may affect individual leopard frogs but is not likely to result in a trend towards listing.

NAME OF PREPARER: Linda Reed August 20, 2012

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Bruce Krickbaum

DATE: 9/4/12

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(16). 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: 9/5/12

## TERMS AND CONDITIONS

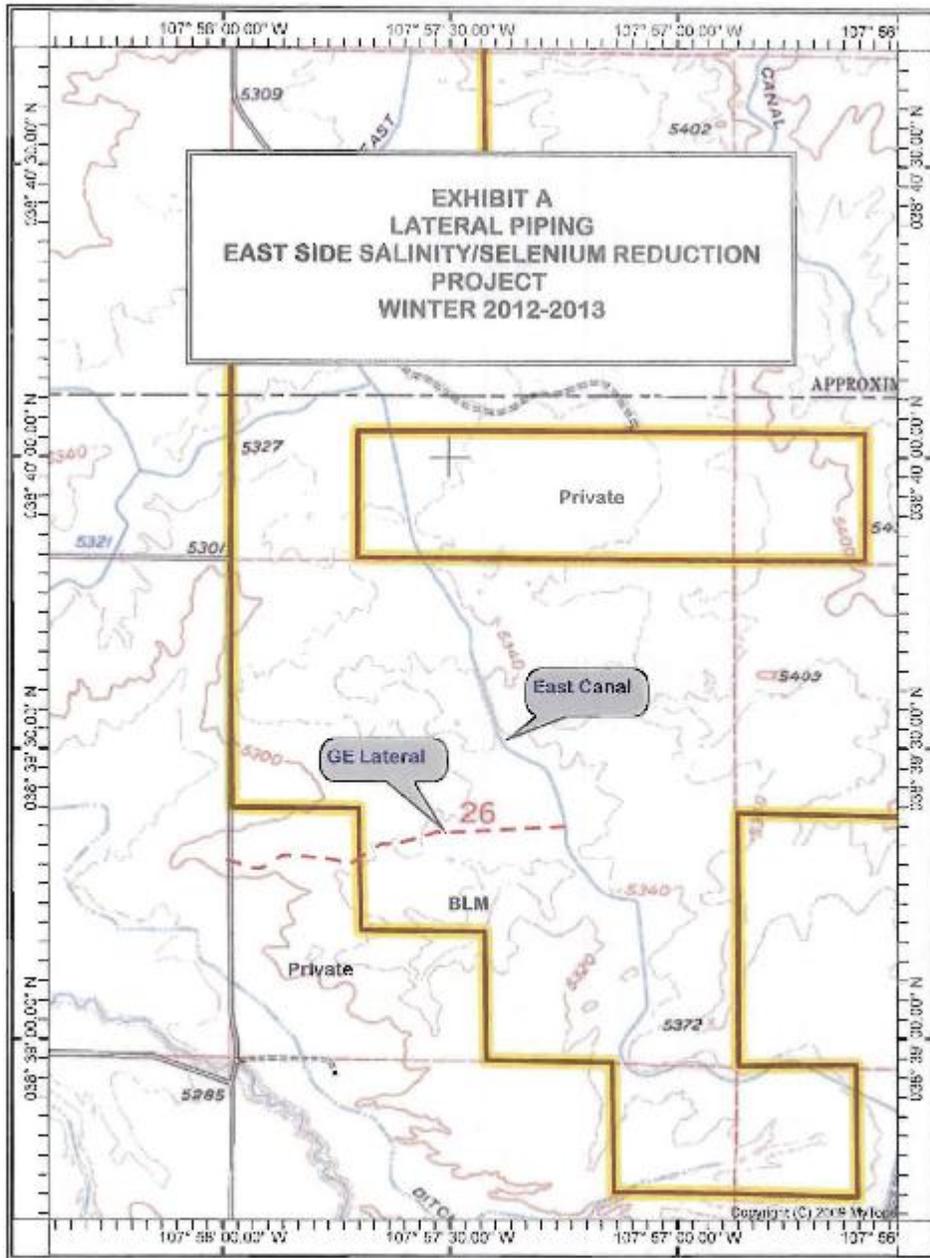
1. The holder is subject to the existing right-of-way reservation, COC-67472, and any amendments thereof, including all stipulations.
2. The Bureau of Reclamation shall contact the Bureau of Land Management's authorized officer at least five days prior to the anticipated start of construction on the right-of-way. The authorized officer may require and schedule a preconstruction conference prior to any surface disturbing activity on the right-of-way to review the terms, conditions, and stipulations of the right-of-way. The Bureau of Land Management 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.
3. The Bureau of Reclamation shall construct, operate, and maintain the raw water pipeline within this right-of-way in conformance with the Bureau of Reclamation's East Side Laterals Salinity Control Project, Final Environmental Assessment and the Lower Gunnison Basin Unit, East Side laterals Feasibility Report/Final Environmental Statement, and Supplement to the Feasibility Report. In addition, the Bureau of Reclamation shall comply with the General Plan of Development for the East Side Salinity/Selenium Reduction Project, dated August 29, 2006, and the Supplemental Plan of Development, Winter of 2012-2013, GE Lateral, Revised 7/16/12, (Exhibit B) and Modifications to the General and Supplemental Plans of Development. A copy of this right-of-way reservation including the Plans of Development shall be made available on the right-of-way at all times during construction. The Bureau of Reclamation shall provide as-built drawings showing the actual facilities and centerline survey for the right-of-way.
4. Locates: Prior to any surface disturbing activities, the Utility Notification Center of Colorado, telephone number 811, shall be contacted to verify existing buried utilities. BLM records indicate Rocky Mountain Natural Gas, LLC and Tri-County Water have pipelines buried adjacent to County Road 6000.
5. The abandoned GE ditch will be filled and reclaimed to the extent practical; however, excessive disturbance of nearby soils shall be avoided.
6. Existing soil and side-cast materials within the right-of-way shall be used to the extent possible to backfill the pipeline and recontour the disturbed areas. Any additional fill material needed shall be acquired from outside sources other than lands managed by the Bureau of Land Management.
7. Water bars or dips shall be installed along the pipeline and O&M access road, as needed, to prevent runoff concentration on the right-of-way surface (water bar spacing will be provided by the Bureau of Land Management representative).

8. The Bureau of Reclamation shall control all noxious weeds, including Russian knapweed, within the right-of-way and areas including the existing road and ditch that will be reclaimed. Pre-treatment of noxious weeds may be required prior to construction to reduce spreading of weeds in the project area and onto adjacent BLM lands. Contact Lynae Rogers of the BLM Uncompahgre Field Office at 970 240-1068.

9. All disturbed areas shall be re-seeded with a seed mix recommended by the BLM Uncompahgre Field Office. Contact Ken Holsinger at 970 240 5389.

10. This reservation shall remain in effect until December 31, 2034, unless it is terminated by mutual agreement of the agencies prior to that date.

T. 51 N., R. 10 W., Section 26, New Mexico Principal Meridian  
BOR Reservation COC-67472 – Amendment No. 5 - Piping of the GE Lateral



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

## **Decision Record**

**(DOI-BLM-CO-S054-2012-0033 CX)**

PROJECT NAME: Piping of the GE Lateral

DECISION: It is my decision to amend Bureau of Reclamation's reservation for the construction, operation and maintenance for piping of the GE lateral. The project is located north of Olathe, beginning at the East Canal and then runs approximately one-half mile west to the boundary of the private and BLM managed public land.

The project consists of burying a 15-inch diameter water pipeline adjacent to the existing operation and maintenance access road for the ditch. The ditch will be reclaimed upon construction of the pipeline. The total right-of-way on BLM managed public land is approximately 2200 feet in length, 40 feet in width and encumbers approximately 2.02 acres.

The existing reservation to the Bureau of Reclamation will be amended to include the GE lateral. The reservation expires on December 31, 2034 and is subject to the attached terms and conditions.

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, E(16). 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 NCA 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. 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: Linda Reed

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Bruce Krickbaum

DATE 9/4/12

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

DATE SIGNED 9/5/12