

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-110-2012-0105-CX

CASEFILE/PROJECT NUMBER: N/A

PROJECT NAME: 2012 West Douglas Herd Area Emergency Supplemental Water

LEGAL DESCRIPTION: T3S, R102W, Section 21 NWNE (well pad), SENE (spring)
T3S, R102W, Section 16 SWSE (pond)

APPLICANT: Bureau of Land Management (BLM), White River Field Office (WRFO)

DESCRIPTION OF PROPOSED ACTION: The WRFO will provide temporary emergency water for wild horses in the West Douglas Herd Area in consideration of extreme drought conditions. As of the June 12, 2012, the U.S. Drought Monitor maps identified the majority of Rio Blanco County as a drought intensity category D3, which is "extreme" drought.

The WRFO rangeland management staff has been monitoring drought conditions in the West Douglas Herd Area since mid-May 2012 and has determined that there are now inadequate water supplies for the horses in the Texas Mountain area.

Stock tanks will be used to provide emergency sources of supplemental water. The largest tank, an 8ft diameter tank capable of holding approximately 500 gallons, will be placed on the existing Texas Mountain Federal #6 well pad (see Figure 1). The other three tanks will be 2ft troughs (3ft deep) which are capable of holding approximately 100 gallons. The three smaller water troughs will be placed along the ridge between the well pad and the spring in T3S, R102W, Section 21 SENE. All tanks and troughs will be equipped with bird ramps. The BLM will not drive off road to move any of the water tanks or troughs into position. The existing well pad will serve as a staging area and the smaller troughs will be carried into position.

The BLM has obtained a bulk water permit from the Town of Rangely and will use Rangely's municipal bulk water supply as the source of the hauled water. Water will be hauled to the well pad site using a pick-up truck with a 500 gallon tank on a gooseneck trailer. A temporary surface pipeline (3/4 inch black poly pipe) will be used to pump water from the well pad site down to the other troughs. If, after the well pad tanks and other troughs are filled, there is leftover water remaining in the tank on the trailer, then that water will be placed into the stock pond in T3S, R102W, Section 16 SWSE.

The WRFO will identify areas of previous disturbance for the placement of tanks, panels, and other necessary facilities. Placement of temporary water will not exceed 30 days at any one location under this Categorical Exclusion. It may be necessary to continue to provide emergency water for horses if conditions have not improved, however, at that time, additional locations may be chosen in order to distribute horses to areas where forage may be more available.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-26

Decision Language: "Wild horses will be managed to provide a healthy, viable breeding population with a diverse age structure."

"The North Piceance and West Douglas Herd Areas will be managed in the short-term (0-10 years) to provide forage for a herd of 0 to 50 horses in each herd area. The long term objective (+10 years) will be to remove all wild horses from these areas (See Map 2-10)."

"The wild horse herd population will be managed to improve range condition."

Name of Plan Amendment: West Douglas Herd Area Amendment (WDHAA) to the White River Resource Management Plan, Environmental Assessment CO-WRFO-05-083-EA

Date Approved: October 10, 2007

Decision Language from the Decision Record:

"After extensive analysis and public input, the BLM concluded that a self-sustaining population of healthy wild horses could not be maintained within the West Douglas Herd Area in balance with their habitat and other uses, within the bounds of where wild horses existed in 1971, and with the minimum level of management needed to achieve land use plan objectives. Intensive management would be required to maintain genetic viability of the herd, provide adequate horse habitat and suitable conditions for other competing uses, keep the horses within the boundaries of the management area, and to carry-out horse gathers in the localized rough terrain. For these reasons, BLM concluded that wild horses could be better managed within the adjacent Piceance/East Douglas Herd Management Area."

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, D2: "*Placement and use of temporary (not to exceed one month) portable corrals and water troughs, providing no new road construction is needed.*"

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) 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
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau.		X
h) 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
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations.		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) 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:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 6/18/2012. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	6/18/2012
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	6/18/2012
Matt Dupire	Rangeland Management Specialist	Special Status Plant Species	6/18/2012

REMARKS:

Cultural Resources: The Texas Mountain Federal Well #6 location was initially inventoried in 1981 (Grand River Institute 1981 compliance dated 7/14/1981 and again in 1982 (Eininger 1982 compliance dated 8/12/1982) reporting no cultural resources at the well pad location prior to the authorization of construction. Two proposed natural gas lines were inventoried between the well pad and the area immediately adjacent to the pond, which has no inventory data, and reported no cultural resources in the immediate vicinity of the pond (Bernard 1997a compliance dated 8/6/1997, 1997b compliance dated 9/16/1997).

There is no inventory data for the spring location however a stock trail across the canyon from the spring was examined at the Class III (100 percent pedestrian) level (Selle 1995 compliance dated 1/30/1995) that did not identify any resources. Due to the steep nature of the canyon cultural resources are unlikely near the spring.

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Special Status Wildlife Species: There are no wildlife-related issues or concerns associated with the Proposed Action.

Special Status Plant Species: There is no occupied or suitable habitat for special status plant species within the project area.

REFERENCES CITED

Bernard, Mary C

1997a Cultural Resource Assessment of proposed Gas Gathering Lines in the Texas Mountain Locality of Rio Blanco County, Colorado. InterMountain Archaeology Services, Jenson, Utah. (97-132-02: SHPO #RB.LM.NR977)

1997b Cultural Resource Assessment of a Proposed Gas Gathering Lines on Texas Mountain in Rio Blanco County, Colorado. InterMountain Archaeology Services, Jenson, Utah. (97-132-03: SHPO #RB.LM.NR.972)

Eininger, Sue

1982 Report of Examination for Cultural Resources: Cultural Resources Survey of Two Well pads and Associated Access Roads in Rio Blanco County. Nickens and Associates, Montrose, Colorado. (82-05-09)

Grand River institute

1981 Cultural Resources Inventory Report on Twenty-three Proposed Well Pads/Access roads in the Douglas Creek Area, Rio Blanco County, Colorado for Fuel Resources Development Company (Fuelco). Grand River Institute, Grand Junction, Colorado. (81-11-24)

MITIGATION: None.

COMPLIANCE PLAN: On-going inspections and monitoring of this area for wild horse use will be conducted by the BLM White River Field Office staff during and after the drought conditions.

NAME OF PREPARER: James Roberts

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

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, D2. 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 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:

Thom F. Walter

Field Manager

DATE SIGNED:

06/18/12

ATTACHMENTS:

Figure 1: Location of Emergency Supplemental Water for Wild Horses in the West Douglas Herd Area

Figure 1: Emergency Supplemental Water for Wild Horses in the West Douglas Herd Area
 DOI-BLM-CO110-2012-0105-CX



6/18/2012



Source:
 BLM, USGS, CDOW, etc.

Disclaimer:
 Although the data presented within this map, and the map itself, have been produced in accordance with the requirements of E.O. 12812, no warranty, expressed or implied, is made by BLM regarding the use or fitness of the data represented, nor does the fact of its inclusion constitute an approval by BLM.



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DECISION RECORD

PROJECT NAME: 2012 West Douglas Herd Area Emergency Supplemental Water

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DECISION

It is my decision to implement the Proposed Action, as described in DOI-BLM-CO-2012-0105-CX, authorizing the placement and use of temporary water troughs in the Texas Mountain area of the West Douglas Herd Area to provide an emergency source of supplemental water to wild horses that are experiencing extreme drought conditions. The placement and use of the water troughs/tanks shall not exceed one month. If, after one month, it is determined that there is a continued need for supplemental water, there will be additional review and NEPA documentation.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Wild Free-Roaming Horses and Burros Act of 1971, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

The public will be notified of this action when the BLM posts the Categorical Exclusion on the WRFO on-line NEPA register.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, D2. 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 43 CFR 46.215 apply. Further, providing supplemental water sources as an emergency action during periods of extreme drought demonstrates BLM's commitment to manage wild horses humanely.

ADMINISTRATIVE REMEDIES

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215,

and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

SIGNATURE OF AUTHORIZED OFFICIAL: *Kent T. Walter*
Field Manager

DATE SIGNED: *06/18/12*

