

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-110-2012-0065-CX

CASEFILE/PROJECT NUMBER: COC-57190 Logical Mining Unit (LMU)

PROJECT NAME: Blue Mountain Energy (BME) Nitrogen Pipelines to N10 holes (MR150)

LEGAL DESCRIPTION: T3N, R101W, 6<sup>th</sup> PM  
Sections 20, 28, and 29

APPLICANT: Blue Mountain Energy (BME)

DESCRIPTION OF PROPOSED ACTION:

**Background/Introduction:** Deserado is an existing underground coal mine that utilizes longwall mining techniques. It was permitted in 1981 and supplies coal to the Bonanza Power Plant in Bonanza, Utah. The coal is shipped 37 miles via electric train from the mine to the power plant. In December 2007 spontaneous combustion started a fire in the longwall panel 7B gob (mined out area). To control and prevent additional coal fires, an oxygen free atmosphere is maintained in the longwall panels' gob. This is accomplished by displacing the oxygen in the gob area with nitrogen. Nitrogen is recovered from the atmosphere by a nitrogen generator located on private surface above the longwall mining panels. It is then piped via a low pressure (less than 100 pounds per square inch), plastic surface pipelines to strategically located vertical holes that distribute the nitrogen into the underground workings. As mining progresses additional holes along long wall panels are required to maintain an oxygen deficient atmosphere and distribute the nitrogen into newly developed gob areas. After the area has been mined and the nitrogen holes are no longer required the nitrogen holes are plugged and the pipeline is removed. These nitrogen holes are required by Mine Safety and Health Administration (MSHA).

**Proposed Action:** Blue Mountain Energy (BME) is requesting permission to install approximately 3,200 feet of a combination of two inch or three inch temporary plastic surface pipelines to nitrogen holes drilled in 2011 ( N10-12, N10-26, and N10-38). Approximately 650 feet of pipeline installation will be on private surface. They are also removing approximately 1,300 feet of previously installed plastic surface pipeline from a nitrogen hole (N8-21) that is no longer required (See Figures 1 and 2).

The pipeline would be installed utilizing a four-wheeler or back hoe to pull into position. No surface disturbance would occur.

Installation would occur in May 2012 and would require no more than two days.

Reclamation standards for nitrogen and longwall de-gas holes are located in the reclamation portion of the approved Blue Mountain Energy Inc., Deserado Mine Mining Permit. Pipelines would be removed when no longer required for the distribution of nitrogen to the underground gob areas associated with the nitrogen distribution.

**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 2-7

Decision Language: “Ensure that federal coal resources identified as acceptable for further consideration for coal leasing, are available for exploration, leasing and development.”

**CATEGORICAL EXCLUSION REVIEW:** The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number F-8. “Approval of minor modifications to or minor variances from activities described in an approved underground or surface mine plan for leasable minerals (e.g., change in mining sequence or timing).”

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		X

<b>Extraordinary Circumstance</b>	<b>YES</b>	<b>NO</b>
environmental effects.		
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 03/06/2012. 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.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Date</b>
Kristin Bowen	Archaeologist	Cultural Resources, Native American Religious Concerns	04/18/2012
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	05/07/2012
Zoe Miller	Ecologist	Special Status Plant Species	05/01/2012

REMARKS:

*Cultural Resources:* The three new nitrogen pipelines , as well as the line that will be removed, have been covered by Class III pedestrian survey, and no cultural resources have been located on

the proposed line areas that would be affected by this project (Conner and Davenport 2010, Conner and Davenport 2012, Pointkowski 2008).

*Native American Religious Concerns:* There are no known Native American religious concerns associated with the Proposed Action.

*Special Status Wildlife Species:* There is no reasonable potential for this project to exert any adverse influence on local populations of special status animals. The project site is mapped (by Colorado Parks and Wildlife) as being within general habitat of sage-grouse, however, the project area's lower elevation, annual-dominated sagebrush habitats have not been associated with an active lek site for at least 15 years and are likely capable of serving only dispersed winter use functions. The nearest known active lek is approximately 13 miles from the project area. There is no substantive prairie dog occupation (as potential black-footed ferret habitat) known within 0.5 mile of the project site. There are three historic ferruginous hawk locations roughly 0.30 miles from the project area however, based on surveys conducted in 2009 and 2011, there is no indication these nest have been occupied in recent years.

*Special Status Plant Species:* There are no concerns related to special status plant species since there is no surface disturbance associated with the Proposed Action.

MITIGATION: None

REFERENCES:

Conner, Carl E. and Barbara Davenport

2010 Report of the Class III Cultural Resources Inventory for Eight Irregular Survey Areas (~100 Acres) Related to Drill Pad, Access Road or Pipeline Construction in Rio Blanco County Colorado for Blue Mountain Energy, Inc. (10-11-30, RB.LM.R1220)

2012 Report of the Class III Cultural Resources Inventory for Three Surface Nitrogen Pipelines (N2-12, N2-26 and N2-38) in Rio Blanco County Colorado for Blue Mountain Energy, Inc. Grand River Institute, Grand Junction, Colorado. (12-11-05, RB.LM.R1281)

Pointkowski, Michael

2008 Class III Cultural Resources Inventory of drill pads and related access roads and pipelines for the Deserado Mine, Rio Blanco County, Colorado.

COMPLIANCE PLAN: Blue Mountain Energy Inc., Deserado Mine Mining Permit

NAME OF PREPARER: Paul Daggett

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, Number F-8. 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:

*Est M McCall*  
Acting Field Manager

DATE SIGNED: 5/9/12

ATTACHMENTS:

Figure 1: General Location Map – Aerial Photo

Figure 2: General Location Map – Topo & Land Status

Figure 1: General Location Map – Aerial Photo

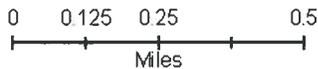
DOI-BLM-CO-110-2012-0065-CX  
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T3N, R101W, 6th PM  
 Sections 20, 28, and 29



03/05/2012



- - - Nitrogen Hole Access
- Underground Mine Workings

Sources:  
 BLM, US GS, CDOW, etc.

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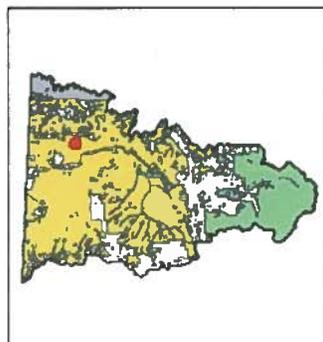
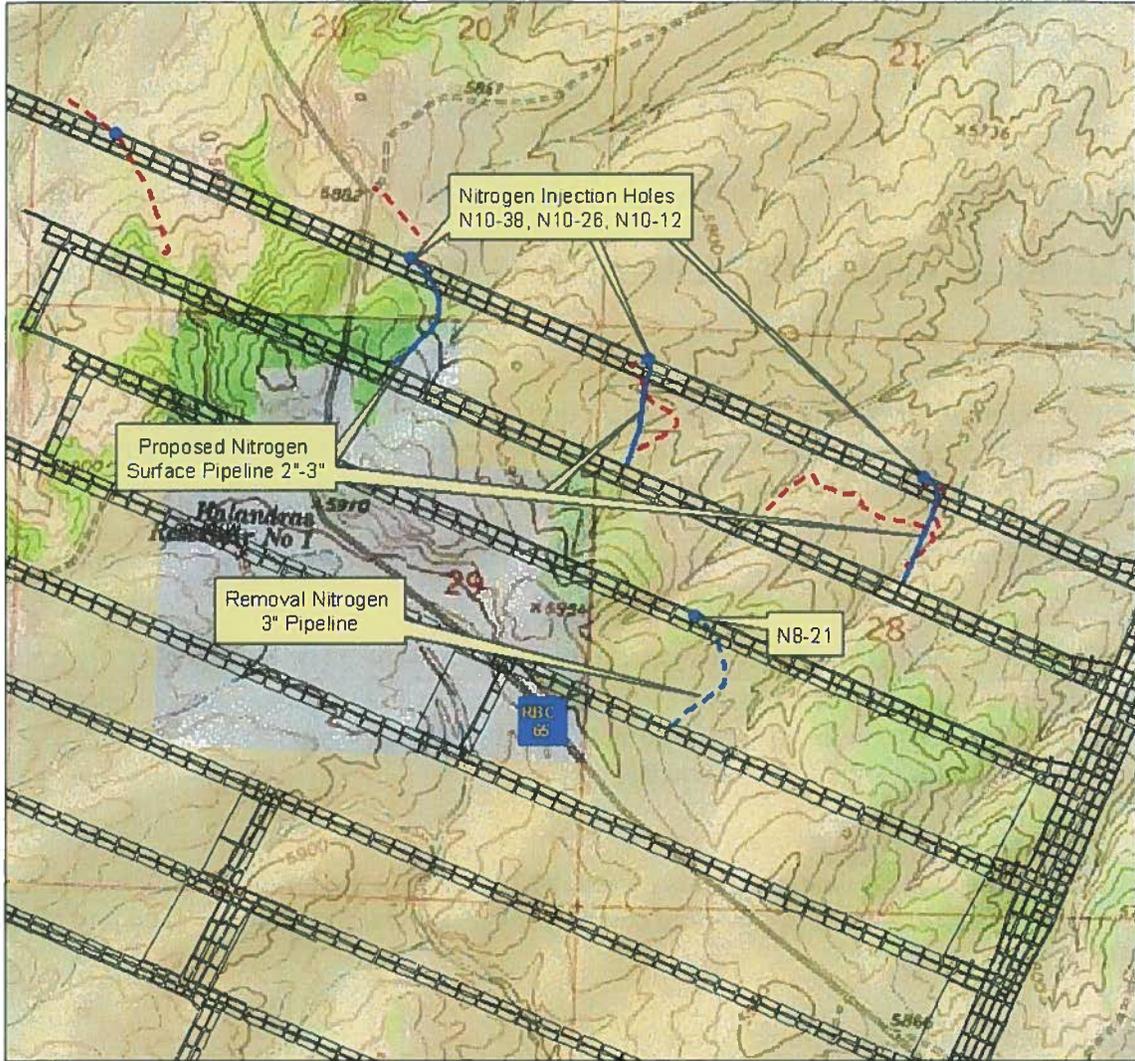


Figure 2: General Location Map – Topo & Land Status

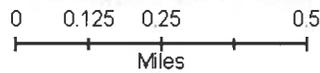
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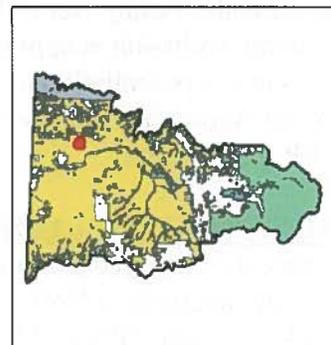
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## **DECISION RECORD**

**PROJECT NAME:** Blue Mountain Energy (BME) Nitrogen Pipelines to N10 holes (MR150)

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-2012-0065-CX

### **DECISION**

It is my decision to implement the Proposed Action, as described in DOI-BLM-CO-2012-0065-CX, authorizing the installation of temporary surface pipelines to transport nitrogen to underground workings to help maintain a safe working environment.

### **Mitigation Measures**

None

### **COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with 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 BLM informed the public about this project by listing it on the online WRFO NEPA Register on 03/20/2012 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

### **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 F-8. 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.

### **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:**

*Est M Mc Coy*  
Acting Field Manager

**DATE SIGNED:** 5/9/12

