

**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-110-2012-0129-CX

CASEFILE/PROJECT NUMBER: LLCON05000 LF3100000 JT0000 LFHFQ740000

PROJECT NAME: Wilson-Baldy Hazard Tree Removal

LEGAL DESCRIPTION: Wilson Treatment Area: 3N 93W sec 31
3N 94W sec 36, 35
2N 94W sec 01, 02
2N 93W sec 06, 07

Old Baldy Treatment Area: 1N 91W sec 25, 36

APPLICANT: BLM

DESCRIPTION OF PROPOSED ACTION: The BLM is proposing the removal of individual trees which are dead or injured and pose a safety hazard to the public. Two treatment areas have been identified as having trees which pose a threat to public, being located adjacent to BLM roads, BLM trails, or electrical transmission lines. The Baldy treatment area is approximately 26 acres (see Figure 1) and the Wilson treatment area is approximately 71 acres (see Figure 2). The treatment areas will range in distance from 80 to 140 feet from improvements, depending on the height of the trees to be removed. The trees will be cut by crews equipped with chain saws. Dead or diseased trees within the treatment area which are not threatening improvements will be reserved for wildlife habitat. Additional trees may need to be removed in order to provide for sawyer safety. All stumps will be cut down to a height of 4 inches or less. Trees which fall on or within 10 feet of roads will be bucked to firewood length and stacked for easy removal by the public. Slash will be scattered and all felled trees and slash will be cut down to a height of no greater than 16 inches. No additional road maintenance is required.

Design Features:

1. The BLM Project Lead is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO

Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The Project Lead will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The Project Lead, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

3. Pursuant to 43 CFR 10.4(g), the Project Lead must notify the AO, by telephone and 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), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

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 2-43

Decision Language: "Facilities will be provided and maintained to accommodate visitor health and safety and allow use of public lands resources."

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, C2: "*Sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard, and where access for the removal requires no more than maintenance to existing roads*".

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;		X

Extraordinary Circumstance	YES	NO
prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		
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 08/21/2012. 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 Wolfe	Archaeologist	Cultural Resources, Native American Religious Concerns	10/03/2012
Laura Dixon	Wildlife Biologist	Special Status Wildlife Species	08/30/2012
Amber Shanklin	Biological Technician –	Special Status Plant Species	08/28/2012

	Plants		
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REMARKS:

Cultural Resources: Previous surveys have documented few sites and Isolated Finds in the vicinity of the proposed treatment areas. To ensure that historic properties would not be affected by the undertaking a total of 154 acres was inventoried for cultural resources at the Class III (100% pedestrian) level. The findings of the inventory are included in two survey reports (Loomis 2012a and 2012b). The surveys included the all of the areas of proposed treatment and also included a 50 feet buffer around the proposed treatment areas. No cultural properties were located. Therefore a finding of *no historic properties adversely affected* is recommended for the proposed undertaking.

Native American Religious Concerns: There are no known Native American concerns in the project area.

Special Status Wildlife Species: There are no special status wildlife species issues or concerns associated with the Proposed Action.

Special Status Plant Species: There are no special status plant species issues or concerns associated with the Proposed Action.

MITIGATION: None.

COMPLIANCE PLAN: None.

REFERENCES CITED:

Loomis, Brian

2012a Class III Cultural Resource Inventory for the Old Baldy Hazard Tree Removal Project, Rio Blanco County, Colorado. (BLM# 12-10-19; SHPO# RB.LM.NR2319).

2012b Class III Cultural Resource Inventory for the Wilson Hazard Tree Removal Project, Rio Blanco County, Colorado. (BLM# 12-10-20; SHPO# RB.LM.NR2320).

NAME OF PREPARER: Scott Nilson

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, C2. 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: 
Field Manager

DATE SIGNED: 10/29/12

ATTACHMENTS:
Figure 1: Old Baldy Project Area
Figure 2: Wilson Project Area

Figure 1

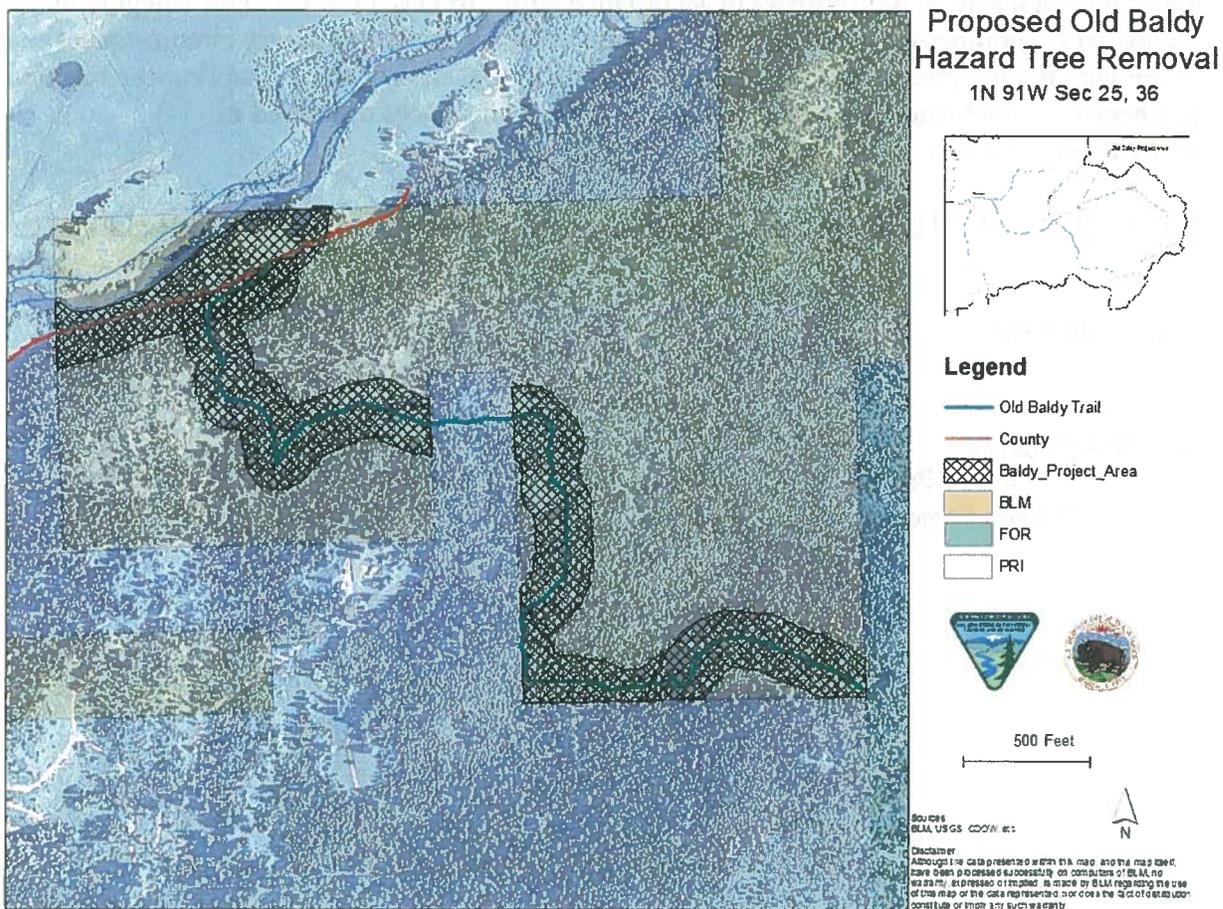
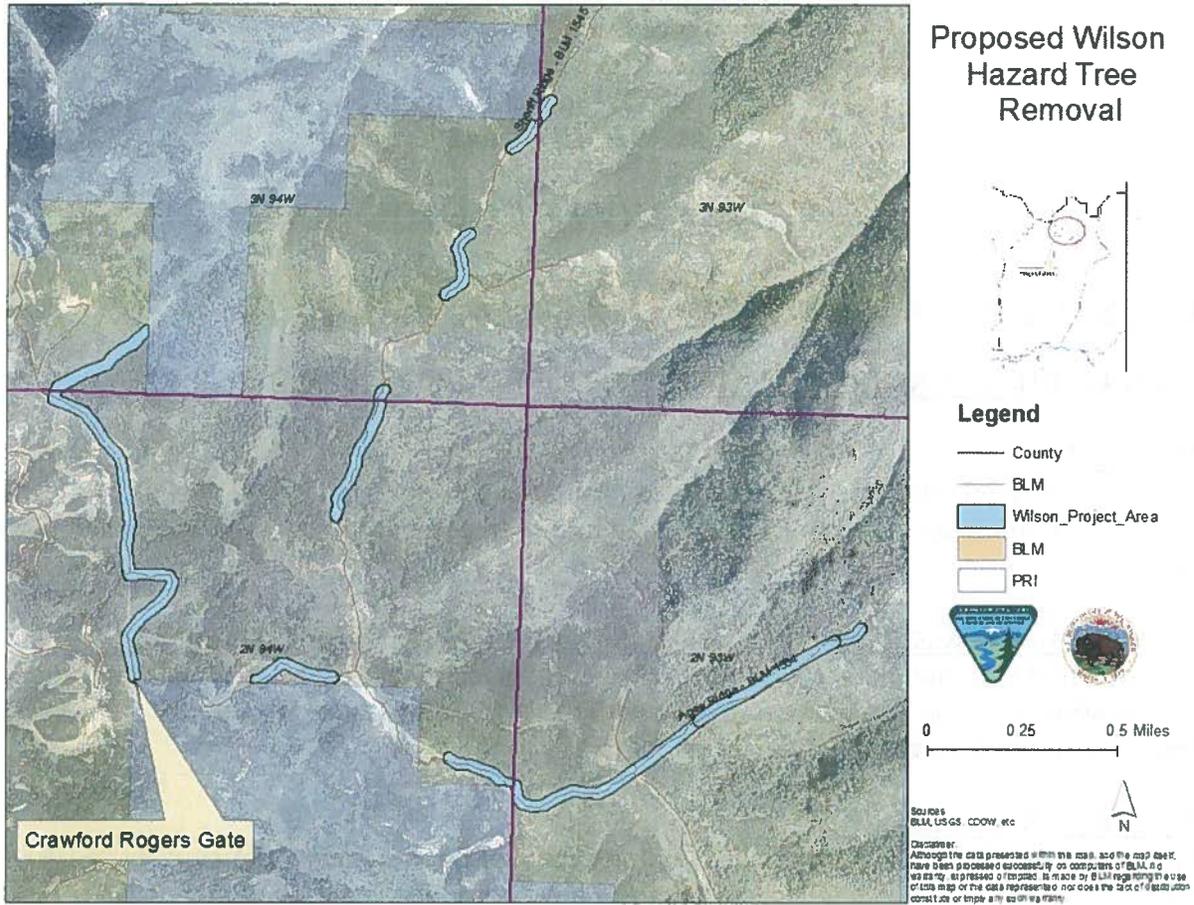


Figure 2



**U.S. Department of the Interior
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DECISION RECORD

PROJECT NAME: Wilson-Baldy Hazard Tree Removal

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-110-2012-0129-CX

DECISION

It is my decision to implement the Proposed Action, as described in DOI-BLM-CO-110-2012-0129-CX, authorizing the removal of standing hazard trees adjacent to public access and power lines.

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

This project was posted on the WRFO's online National Environmental Policy Act (NEPA) register on 9/4/2012. No comments or inquiries have been received as of 10/28/2012.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, C2. 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:

Kent E. Walter

Field Manager

DATE SIGNED:

10/29/12

