

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-110-2012-0101-CX

CASEFILE/PROJECT NUMBER: COC75526

PROJECT NAME: TerraTek Sandstone Mineral Material Sale

LEGAL DESCRIPTION: Sixth Principal Meridian  
T. 2 N., R. 103 W.  
Section 4 W½SE

APPLICANT: TerraTek

DESCRIPTION OF PROPOSED ACTION:

**Background/Introduction:** TerraTek is a rock mechanics and core analysis service company that has an on-going oil and gas field research program. Testing material for their research has been obtained from an exposed portion of the Castlegate sandstone from public lands on Mellen Hill (see Maps 1 and 2) west of Rangely Colorado since 1990. TerraTek's previous sandstone removal was authorized through letters of authorization and/or Land Use Permits.

**Proposed Action:** TerraTek proposes to extract Castlegate sandstone adjacent to the area of previous extraction. Anticipated amount of sandstone removed would be approximately 40 tons every year consisting of blocks that would be 40 inches wide x 40 inches long and 42 inches deep for a total of 200 tons over the life of the 5 year contract.

Approximately 1,000 square foot area of sandstone removal is anticipated with a 2 acre area to allow room to maneuver equipment and locate the best sandstone.

Typical work lasts from two to three weeks per year and is generally scheduled sometime May through July.

A truck mounted drill rig would be used to take the cores and a reach lift to remove the blocks out of the ground and load on a truck. All coring would be performed with air to prevent contamination of the ground with liquids or chemicals, using a free cutting thin-walled diamond impregnated core barrel to limit ground vibration. Upon removal the applicant would fill in the holes with surrounding material to eliminate any dangers of open holes, clean up the area and rake the ground to make it a no trace area.

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: Mineral Materials/Page 2-9

Decision Language: "Facilitate the orderly and environmentally sound development of mineral material resources."

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, Number F (10), "Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas."

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

<b>Extraordinary Circumstance</b>	<b>YES</b>	<b>NO</b>
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 06/19/2012. 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	4/25/2013
Laura Dixon	Wildlife Biologist	Special Status Wildlife Species	8/10/2012
Amber Shanklin	Biological Technician - Plants	Special Status Plant Species	6/21/2012

REMARKS:

*Cultural Resources:* There should be no adverse impacts to historic properties from this action. The proposed project area has been surveyed at the Class III, 100% pedestrian level, and no historic properties were recorded within the project area, however there are locations nearby. Unauthorized collection of artifacts due to increased use of the area is possible. The proposed project disturbance must stay in the area that was subject to cultural survey, and people who are associated with the project must be made aware that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.

*Native American Religious Concerns:* No locations of Native American religious concerns are known in the area. Should future consultations with tribal authorities reveal the existence of such sensitive properties, additional measures may be taken.

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

*Special Status Plant Species:* The project area occurs more than 1,500 meters from any known populations of special status plant species. Therefore, there are no special status plant species issues or concerns associated with the Proposed Action.

## MITIGATION:

### **BLM Mitigation**

1. The proposed project disturbance must stay in the area that was subject to cultural survey.
2. The applicant 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.
3. 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 applicant 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 applicant, 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.
4. Pursuant to 43 CFR 10.4(g), the applicant 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 applicant must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

### **Applicant Committed Design Features**

5. All coring would be performed with air to prevent contamination of the ground with liquids or chemicals.
6. Use a free cutting thin-walled diamond impregnated core barrel to limit ground vibration.
7. Upon rock removal, fill in the holes with surrounding material to eliminate any dangers of open holes.

- Clean up the area and rake the ground to make it a no trace area.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Paul Daggett

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, F (10). 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

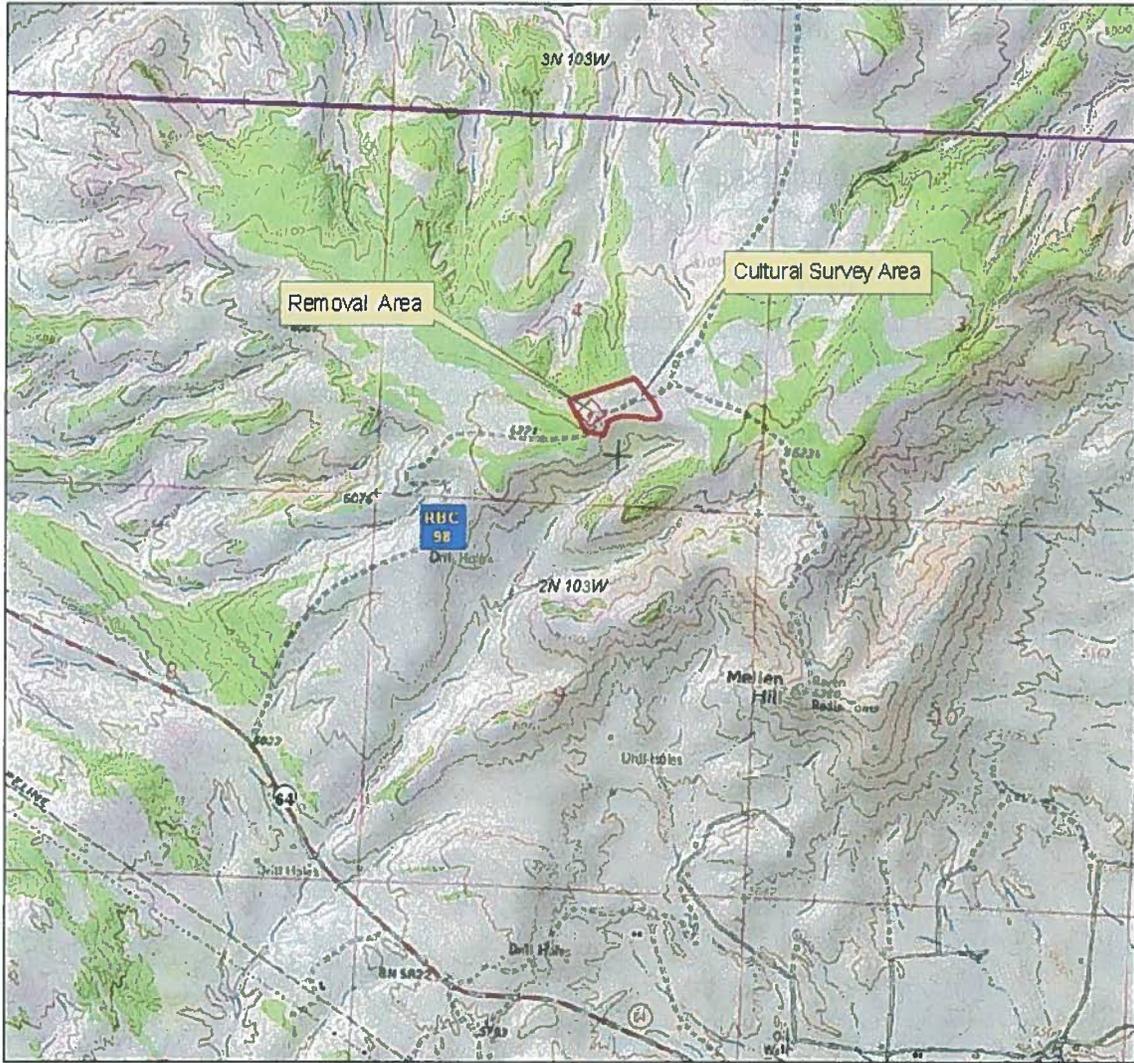
DATE SIGNED:

06/07/13

ATTACHMENTS:

- Map 1
- Map 2

## DOI-BLM-CO-110-2012-0101-CX TerraTek Sandstone Mineral Material Sale COC75526



T. 2 N., R. 103 W. 6th P.M.  
Section 4, W½SE

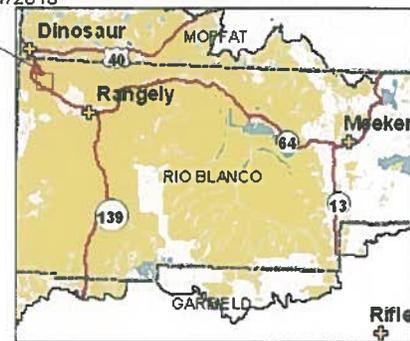


06/07/2013

0 0.1250.25 0.5 Miles

Sources:  
BLM, USGS, CDOW, etc.

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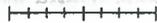


T. 2 N., R. 103 W. 6th P.M.  
Section 4, W½SE



06/07/2013

0 0.036.07 0.14 Miles



Source:  
BLM, USGS, CDOW, etc.

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**DECISION RECORD**

**PROJECT NAME:** TerraTek Sandstone Mineral Material Sale

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-2012-0101-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2012-0101-CX, authorizing Mineral Materials sales Contract COC75526 with the following mitigation measures.

**Mitigation Measures**

**BLM Mitigation**

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**Applicant Committed Design Features**

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8. Clean up the area and rake the ground to make it a no trace area.

**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 on 6/20/2012 by listing it on the online WRFO NEPA Register. A copy of the completed Categorical Exclusion will be posted on the WRFO website.

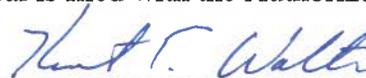
**RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Number F10. 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**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). 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:**



Field Manager

**DATE SIGNED:**

06/07/13

