

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-110-2013-0106-CX

CASEFILE/PROJECT NUMBER: Amend COC73844

PROJECT NAME: Pig Receiver Within Pitcher's Mound Pipeline ROW

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado  
T. 1 S., R. 98 W.,  
sec. 33, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

APPLICANT: Bargath LLC

DESCRIPTION OF PROPOSED ACTION: Bargath LLC proposes to install pig receiver equipment within the "Pitcher's Mound" natural gas pipeline system (analyzed in DOI-BLM-CO-110-2009-105-EA). Right-of-way (ROW) COC73844 was authorized on December 11, 2009. The pig receiver equipment would be constructed on a concrete foundation and would be constructed entirely within the 50 ft wide pipeline ROW. The pig receiver equipment and foundation would be approximately 37 ft long, 5 ft wide, and contain 0.004 acres (see Exhibit A).

No additional disturbance outside of the existing ROW would be necessary and access would be by existing roads and the pipeline ROW. All applicable terms and conditions of the original ROW grant would be carried forward and remain in full force and effect.

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 2-49

Decision Language: "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resources values."

**CATEGORICAL EXCLUSION REVIEW:** The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E13: “*Amendments to existing rights-of-way, such as the upgrading of existing facilities, which entail no additional disturbances outside the right-of-way boundary*”.

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 7/23/2013. 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	8/1/2013
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	7/23/2013
Heather Woodruff	Range Management Specialist/Ecologist	Special Status Plant Species	7/24/2013

REMARKS:

*Cultural Resources:* The proposed pig launcher location has been inventoried by at least three Class III (100 percent pedestrian) inventories (Conner 2008 compliance dated 4/3/2008; Conner et al 2004 compliance dated 9/13/2004; 2008 compliance dated 5/26/2009; and Schwendler et al 2008 compliance dated 2/11/2009) that have not identified any surface indications of cultural resources. However, there is some limited potential for previously undetected subsurface remains which could be adversely impacted if disturbed by construction. Any impacts to previously unknown cultural resources could be considered an irreversible, irretrievable, and permanent loss of data from the regional archaeological database.

*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.

*Paleontological Resources:* The proposed pig launcher is located in an area generally mapped as the Uinta Formation (Tweto 1979), which the BLM has classified as a Potential Fossil Yield Classification (PFYC) 5 formation meaning it is known to produce scientifically noteworthy fossil resources (c.f., Armstrong and Wolny 1989). If it should become necessary to excavate into previously undisturbed sedimentary rock to install the pig launcher, there is a potential to impact significant fossil resources (WO-IM 2009-11). Any impacts to fossil resources as a result of installation of the pig launcher would likely result in some level of irreversible, irretrievable, and permanent loss of data from the regional paleontological database.

*Special Status Wildlife Species:* No substantive wildlife issues or concerns. The proposed project is encompassed by big game severe winter range, but lies immediately adjacent to CR24, a paved and frequently travelled access corridor, and as such would not exert any additive influence on

the utility of surrounding big game winter ranges. Further, work is expected to be conducted in the fall of 2013, prior to associated timing restrictions that extend from December 1st to April 30th.

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

#### REFEENCES CITED:

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources on Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Conner, Carl E.

2008 Class III Cultural Resources Inventory for the Proposed Expansion of the RGU #23-33-198 Well Location in Rio Blanco County, Colorado for Williams Production RMT. Grand River Institute, Grand Junction, Colorado. (08-11-01: SHPO # RB.LM.NR1959)

Conner, Carl E., Curtis Martin, Barbara Davenport Nicole Darnell and Jim Conner

2004 A Class III Cultural Resources Inventory for the Proposed Ryan Gulch Gathering System and Compressor Station in Rio Blanco County, Colorado for Williams Production RMT Company. Grand River Institute, Grand Junction, Colorado,(04-11-24: SHPO # RB.LM.R921)

Conner, Carl E., Nicole Darnell, Curtis Martin, Barbara Davenport, James C. Miller, and Thomas F. Rome

2008 Addendum: Class III Cultural Resources Inventory for the Proposed Colorado Hub Connection Project in Rio Blanco County, Colorado, for Northwest Pipeline GP. Grand River Institute, Grand Junction, Colorado. (09-11-16: SHPO # RB.LM.R1102)

Schwendler, Rebecca, Sarah Baer, Karen Reed, Scott Phillips, Scott Slessman, Matthew Bandy, Nicole Kromarek, Scott Bowen, Max Wolk, Caryn M. Berg, Paul Burnett, Tom Witt, Sean Doyle, Michelle Delmas, Michael Cregger, John Kennedy, Judy Cooper, Zonna Barnes, Amanda Cohen, Cynthia Manseau, Michael Retter, Dan Shosky, and Erin Salisbury

2008 A Class III Cultural Resource Inventory for the Ryan Gulch 3-D Geophysical Exploration Project, Rio Blanco County, Colorado. SWCA Environmental Consultants, Broomfield, Colorado. (09-127-01: SHPO # RB.LM.R1083)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

## MITIGATION:

1. All applicable terms and conditions of right-of-way COC73844 shall be carried forward and remain in full force and effect.
2. The holder shall conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
3. The holder 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.
4. 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 holder 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 holder, 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.
5. Pursuant to 43 CFR 10.4(g), the holder 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 holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
6. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.
7. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the holder will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions

for mitigating impacts to the fossil resource prior to continuing construction through the project area.

8. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

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 holder 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: Stacey Burke

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, E13. 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:

08/20/13

ATTACHMENTS: Exhibit A - Map of Proposed Action



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

**DECISION RECORD**

**PROJECT NAME:** Pig Receiver Within Pitcher's Mound Pipeline ROW

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-110-2013-0106-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0106-CX, authorizing the construction, operation, maintenance, and termination of pig receiver equipment within the existing Pitcher's Mound pipeline right-of-way.

**Mitigation Measures**

1. All applicable terms and conditions of right-of-way COC73844 shall be carried forward and remain in full force and effect.
2. The holder shall conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
3. The holder 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.
4. 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 holder 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 holder, 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.
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proceed by the AO.

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8. Any excavations into the underlying native sedimentary stone must be monitored by a permitted paleontologist. The monitoring paleontologist must be present before the start of excavations that may impact bedrock.

#### **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 July 29, 2013 and a copy of the completed Categorical Exclusion will be posted on the WRFO website.

#### **RATIONALE**

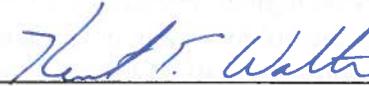
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#### **ADMINISTRATIVE REMEDIES**

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:**

08/20/13