

**U.S. Department of the Interior
Bureau of Land Management
Royal Gorge Field Office
3028 E. Main Street
Canon City, CO 81212**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-F02-2014-18 CX

CASEFILE/PROJECT NUMBER (optional):

PROJECT NAME: AML Safety Closures-Goat Park

PLANNING UNIT: Royal Gorge Resource Area, Arkansas River, Gold Belt Sub-Region 5,
May 1996

LEGAL DESCRIPTION: Colorado, Fremont County, Sixth Principal Meridian
T 19 S, R 72 W, Section 11 and 14

APPLICANT: BLM

DESCRIPTION OF PROPOSED ACTION The proposed action is to safeguard hazardous openings related to historic mining in the area. The hazardous mine openings are located in the Grape Creek Wilderness Study Area.

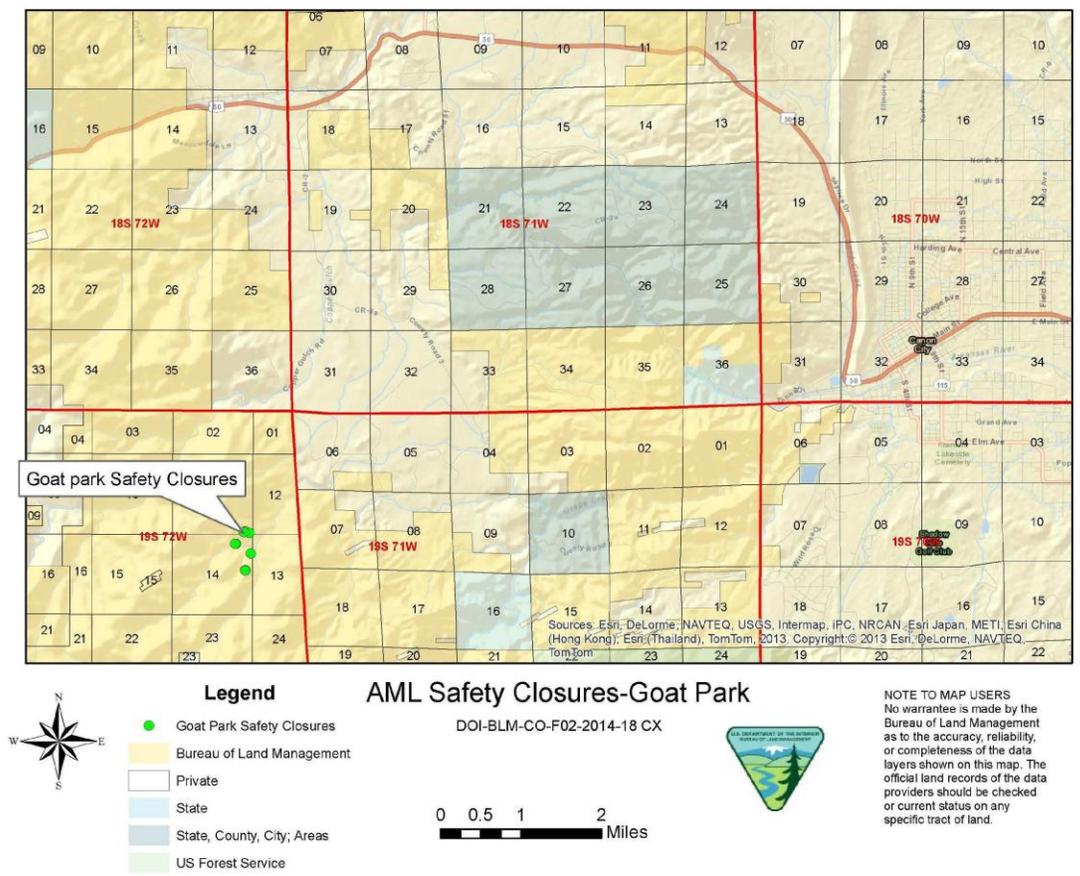
The Grape Creek Wilderness Study Area is located west of Canon City in Fremont County (Fig. 1). There are 8 hazardous mine openings that require safeguarding (Fig. 2) to remove hazards to public safety. Openings include vertical and horizontal openings that are also known as shafts and adits (See Appendix 1). These features will be safeguarded by hand or machine or with grate installation to cover the opening. Features and the proposed closure methods are outlined in Table 1. Designs for all proposed closures adhere to the [General Bid Specifications for the Colorado Inactive Mine Reclamation Program, Division of Reclamation, Mining & Safety, Department of Natural Resources, State of Colorado, March 2009](#). Several factors are considered when choosing a design for closure of abandoned mine features including type of opening, depth and condition of the mine opening and access to the feature. Because these particular closures are located within a Wilderness Study Area, the minimum tool requirements typically used for designated wilderness areas were also considered in order to preserve wilderness characteristics. The BLM's policy for actions within a Wilderness Study Area is to continue resource use in a manner that maintains suitability for preservation as wilderness. The BLM is permitted to take actions within the WSA to protect public safety including remediation of human-caused hazards (e.g. mine adits). No additional permanent surface disturbance would be allowed.

Access to the site is up a dry creek bottom (Goat Park Gulch) and the work area is about one mile into the Wilderness Study Area. ATVs will be required to transport supplies such as concrete, water, a welder, and steel into the work site. A rubber tracked mini-excavator (Fig. 3) will also be required to backfill several of the deeper features. For any motorized vehicle, use will be restricted to dry conditions and the number of trips will be minimized, tracks will not be driven on more than once as terrain allows and all tracks created would be rehabilitated and seeded as necessary. The BLM will require that any motor vehicle tracks that remain visible after project completion be signed and physically closed on the ground

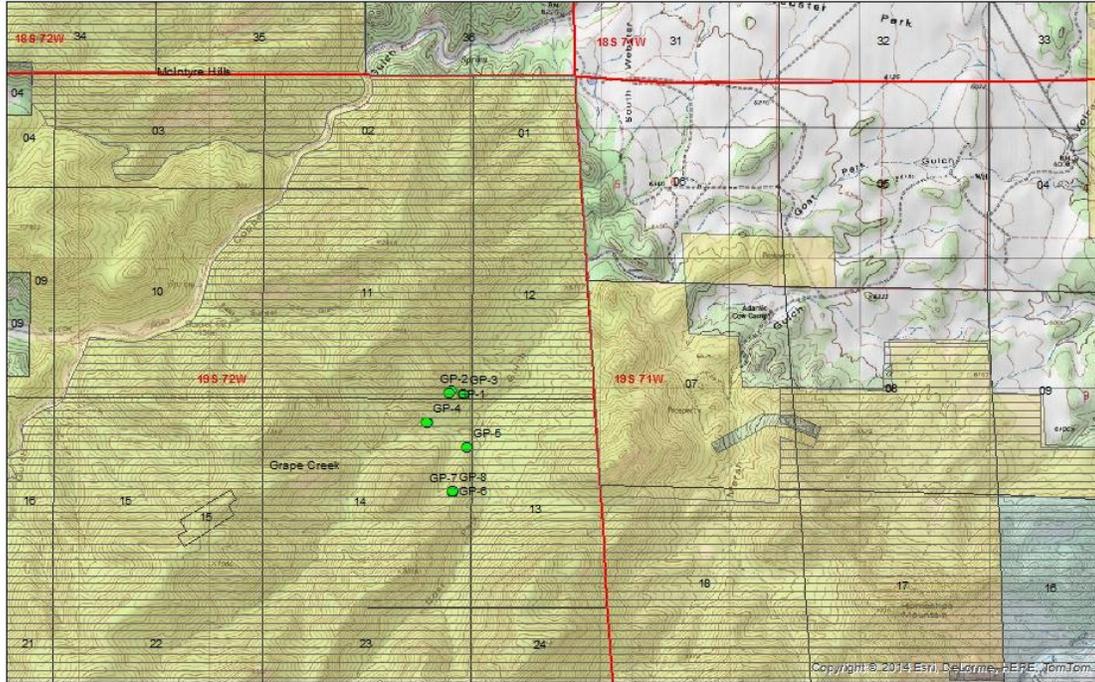
to prevent unauthorized use. The BLM will conduct at least quarterly monitoring during the restoration period to ensure that the tracks are rehabilitated. Mules or goats may be used to pack equipment into the site, and it is possible that a helicopter may be used to drop supplies, but a landing pad will not be constructed. Road and/or trail improvements are not being considered and will not be authorized, except for light pruning of trees. Work will be done summer/fall 2015.

This is being done through a cooperative agreement with the Colorado Division of Reclamation, Mining, and Safety (DRMS). DRMS has done all project development and will oversee project construction. The BLM is responsible for notifying any unpatented mining claim owners of the proposed activity in accordance with WO IM 2010-0045.

Figure 1. Map showing location of project west of Canon City, Colorado.



Map showing detailed location of physical safety closures on BLM Wilderness Study lands in Fremont County, CO.

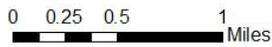


Legend

- Goat Park Safety Closures
- BLM Wilderness Study Area
- Bureau of Land Management
- Private
- State

AML Safety Closures - Goat Park

DOI-BLM-CO-F02-2014-18 CX
 6thPM, T19S R72W Sec. 11&14



NOTE TO MAP USERS
 No warrantee is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked or current status on any specific tract of land.

Figure 3. Photo of New Holland Mini Excavator, provided as an example of the type of equipment that may be used.



Table 1. Features and methods proposed for closure.

FEAT NO	FEATURE TYPE	DEPTH	CONDITION	BAT GRATE	REVISED CLOSURE METHOD	NOTES
GP-1	Shaft	35'	Partially collapsed	Not required, no bats found	Hand backfill	Not extremely dangerous
GP-2	Adit	25'	intact	Not required, no bats found	Hand backfill	competent wall rock
GP-3	Shaft	100'	intact	Not required, no bats found	Spread footer grates or PUF	timbered
GP-4	Shaft	25'+	intact	Not required, no bats found	Spread footer grate or PUF	Timbered; water at 17'
GP-5	Shaft	15'	Partially collapsed	Not required, no bats found	Hand backfill	
GP-6	Stope	15'+	Partially collapsed	Not required, no bats found	Hand backfill	
GP-7	Shaft	50'	intact	Not required, no bats found	Hand backfill or machine backfill	200c.y. dump; prob. deeper than 50'
GP-8	Shaft	25'	intact	Not required, no bats found	Hand backfill	

Name of Plan: Royal Gorge Resource Management Plan

Date Approved: May 1996

Decision Number: Gold Belt, Subregion 5, C-18 Decisions common to all subregions

Decision Language: Management Guidance/ Assumptions common to all Eco-Subregions, Hazards Management: Existing sites/areas from past mineral development considered to be potentially hazardous will be reclaimed in coordination with the Colorado Mined Land Reclamation Board hazard abatement program.

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11.9.J (8). Installation of minor devices to protect human life (e.g. grates across mines). None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion Criteria	YES	NO
1. Have significant impacts on public health or safety.		x
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; lands with wilderness characteristics; 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
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		x
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		x
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		x
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		x
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		x
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		x
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		x
10. Have a disproportionately high and adverse effect on low income or minority populations.		x
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.		x
12. 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 TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 1/14/2013
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	-----
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	-----
John Lamman	Range Management Spec.	Range, Vegetation, Farmland, Weeds	JL, 02/03/2014
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 1/14/14
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	-----
Melissa Smeins	Geologist	Minerals, Paleontology	MJS, 2/28/2014
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 1/13/14
Ty Webb	Prescribed Fire Specialist	Air Quality	TW, 1/14/14
Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 1/16/14
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	KL, 2/28/2014
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	-----
Ken Reed	Forester	Forestry	KR, 1/13/14
Monica Weimer	Archaeologist	Cultural, Native American	MMW, 1/14/14
Michael Troyer	Archaeologist	Cultural, Native American	-----
Greg Valladares	Realty Specialist	Realty	GV 02/27/2014
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	SC 2/28/2014
Dennis Page	Acting Fire Management Officer	Fire	DP 3/20/14

REMARKS:

Scoping: Because the project is located within a Wilderness Study Area, the RGFO conducted scoping on this project specifically with our wilderness conservation partners. We did receive comments from the Colorado Wilderness Coalition, on behalf of multiple local wilderness conservation groups. Appendix 2 contains the letter that the BLM received and BLM's responses to those comments.

Cultural Resources: Six sites that were determined ineligible for the NRHP (5FN2222-2227) were recorded during the cultural resources inventory (CR-RG-07-147 P). Therefore, the proposed undertaking will have no effect on historic properties.

Native American Religious Concerns: No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

Threatened and Endangered Species: The proposed action follows the recommendation of the Bats/Inactive Mines Project: 2006 Mine Evaluations Report. The report states that no features within the proposed action would provide suitable habitat for bats in Colorado and recommends closure for all. Threatened and/or endangered species will not be impacted as a result of this project.

Migratory Birds: To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a “take” of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within 30 meters (100 feet) of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

Wilderness Study Areas: BLM Manual 6330 – Management of Wilderness Study Areas identifies that the BLM may take actions that would otherwise violate the non-impairment standard to protect public safety. These actions are limited to remediation of human-caused hazards in the WSA. In addition to correcting the public safety issue, the impacts of the hazard should be mitigated and the area restored, to the extent possible, as part of the authorized action. This action is in direct response to addressing public safety concerns. However, the action does not allow for additional permanent impairments and requires minimal trips with motorized vehicles to only the extent necessary and tracks would be rehabilitated and seeded. This action is in conformance with Wilderness Study Area management.

Minerals: Prior to closing any mines, the BLM must notify any active mining claimants. As part of the process a notice is also posted at the site of the planned closures even when there are no mining claimants on record in order to inform the individual that may be in the process of staking a claim. The notice is intended to inform claimants of the closure and to inform the claimant that any mining activity that includes use of an abandoned mine feature is greater than casual use and therefore requires a plan or notice under the 1872 Mining Law.

There are no active mining claims in this area so a notice will be posted near each proposed closure 30 days prior to closure.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Melissa Smeins

SUPERVISORY REVIEW: /s/ Martin Weimer

NAME OF ENVIRONMENTAL COORDINATOR: Jay Raiford

DATE: 9/3/14

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:

/s/ Keith E. Berger
Keith E. Berger, Field Manager

DATE SIGNED: 9/3/14

Appendix 1-Goat Park Feature Photos

GP-1-no photo

GP-2, Adit, hand backfill proposed



GP-3, timbered shaft-PUF or hand backfill



GP-4 timbered shaft-PUF



GP-5 15' deep shaft, hand backfill



GP-6 partially collapsed stope, hand backfill



GP-7 shaft, deeper than 50' because large dump pile associated with this, hand or machine backfill



GP-8 shaft, hand backfill



Appendix 2-Central Colorado Wilderness Coalition Comment Letter



RECEIVED

JUN 05 2014

Keith
Melissa G.
Jay
Kaleem
Melissa S
Stephanie

P.O. Box 588, Monument, CO 80132
303-660-5849; jorcstan@juno.com

Mr. Keith E. Berger, Field Manager
Bureau of Land Management
Royal Gorge Field Office
3170 East Main Street
Canon City, Colorado 81212

Dear Mr. Berger:

Grape Creek contains outstanding wilderness values admired by many outdoor enthusiasts in Colorado and around the country. On behalf of the undersigned organizations, I want to thank you for the opportunity to comment on the proposed Safety Closures of Abandoned Mines in the Goat Park Gulch section of the Grape Creek Wilderness Study Area (WSA). We understand that you are planning to analyze this action using a categorical exclusion for installation of minor devices to protect human life. We agree that a categorical exclusion is an appropriate means for this particular action.

Our organizations have reviewed the maps, text, table, and photos sent by your office. We are in general agreement with the mine closures plan as proposed. The closures will be a benefit to humans, wildlife, and any domestic animals using the area. Project timing proposed for summer/fall 2015 should avoid interference with resident and migratory bird nesting/fledging and the birthing of other wildlife. We share your stated concern for minimizing impacts on the WSA during the project and for post-activity restoration of the work sites and access routes.

Project methodology as described in the proposal seems appropriate to achieve the project's ends. We request that, throughout the project, the minimum tool analysis, as in the BLM wilderness management manual, be utilized to minimize impact. For example, if "hand backfill" will suffice for some or all of features GP-5, GP-6, and GP-8 (Table 1), this fill method is preferred. Temporary uses of ATVs, a rubber tracked mini-excavator, and possibly a helicopter may be acceptable provided best management practices are applied during the work phase with successful restoration to follow.

In addition to the above general comments, we have some specific comments and questions:

We request that BLM require that any motor vehicle tracks that remain visible after project completion be signed and physically closed on the ground to prevent unauthorized motorized use. Rehabilitation and reseeding in this dry site may take a few years to fully take hold. Visible vehicle tracks or a visible route corridor may invite unwanted use until they become fully unnoticeable. Agency monitoring during the successful restoration period is also recommended. We are basing this request on past experience with similar work conducted to close mines on BLM lands near Wellsville.

The document is unclear as to whether there is past or current bat usage at any of the inactive mines. Please describe the evidence of this usage, if any.

We are unfamiliar with the term "spread footer grates" (Table 1) proposed for closure of shafts GP-3 and GP-4. Please let us know how these grates are configured and, if shafts below them are to be left partially or completely unfilled, will the shafts be available for bat usage in the future?

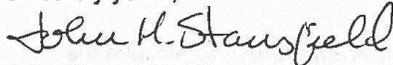
Regarding cultural resources, the statement "No possible traditional cultural properties were located during the cultural resources inventory..." is confusing. Does it mean that possible traditional cultural properties were not located? There were six sites recorded that were determined ineligible for the NRHP (5FN2222-2227). Please give us a brief explanation of the criteria by which ineligibility of these sites was determined.

Were there any access routes constructed in the past to establish the now abandoned mines? If so, are there plans to decommission the routes along with the mines?

The general area surrounding Grape Creek is known for some past mining of radioactive materials. Do you know if any of mines GP1 to GP8 produced radioactive materials? Are there any radioactive tailings that might present disposal problems?

We look forward to working with you through to the culmination of this significant project.

Sincerely yours,



John Stansfield, Director
Central Colorado Wilderness Coalition

James Lockhart, Conservation Chair
Pikes Peak Group of Sierra Club
522 N. Royer St.

Appendix 2-BLM response letter to comments



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Royal Gorge Field Office
3028 East Main Street
Cañon City, Colorado 81212



In Reply Refer To:
1620 (COF020, mjs)

AUG 28 2014

Mr. John Stansfield
Director
Central Colorado Wilderness Coalition
P.O. Box 588
Monument, CO 80132

Dear Mr. Stansfield:

Thank you for your response to the BLM's proposal to safeguard historic mine features located within the Grape Creek Wilderness Study Area (WSA). Please find that we have addressed your concerns in our Categorical Exclusion number DOI-BLM-CO-F02-2014-18 CX. In addition, each concern is addressed below.

We request that, throughout the project, the minimum tool analysis, as in the BLM wilderness management manual, be utilized to minimize impact.

The minimum tool analysis is required for actions in designated wilderness. However, in consideration of the minimum tool analysis, the BLM will minimize impacts associated with reclamation of all abandoned mine features and specifically the BLM will first consider the hand backfill method over the machine backfill method for features GP-5, GP-6, and GP-8. The BLM is authorized to take actions that would otherwise violate the non-impairment standard within the WSA to protect public safety when actions include remediation of human caused hazards.

We request that BLM require that any motor vehicle tracks that remain visible after project completion be signed and physically closed on the ground to prevent unauthorized motorized use....Agency monitoring during the successful restoration period is also recommended.

The BLM will require that any motor vehicle tracks that remain visible after project completion be signed and physically closed on the ground to prevent unauthorized motorized use. The BLM will monitor the site at least quarterly during the restoration period to ensure that restoration is complete.

The document is unclear as to whether there is past or current bat usage...

The Bats/Inactive Mines Project evaluated the Goat Park abandoned mine features in 2006 for potential for bat habitat. These sites were dropped from further bat evaluation due to low potential for providing suitable habitat because most of these features are shallow shafts and plugged features with no air flow.

We are unfamiliar with the term "spread footer grates" (Table 1)....Please let us know how these grates are configured and, if shafts below them are to be left partially or completely unfilled, will the shafts be available for bat usage in the future?

The "spread footer grates" that are proposed for GP-3 and GP-4 will cover the open shafts blocking access rather than backfilling the shafts. This type of closure is typically chosen for deeper features where there is insufficient material for a backfill. For a better idea on what a standard steel grating shaft closure looks like, see page 8-1 in the General Bid Specifications document used by the Colorado Inactive Mine Reclamation Program. These features were not found to be suitable bat habitat during the BIMP study in 2006. The spread footer grates may be replaced with a polyurethane foam closure (PUF) to minimize the use of mechanical equipment in the Wilderness Study Area, depending on available access for this construction. For details on this type of closure, see page 9-1 in the General Bid Specifications document used by the Colorado Inactive Mine Reclamation Program. The PUF material will be dropped in by helicopter. It should also be noted that the PUF closure is not preferred because it has a higher maintenance need.

Link to General Bid Specifications document used by the Colorado Inactive Mine Reclamation Program:(<http://mining.state.co.us/Programs/Abandoned/Documents/General%20Bid%20Specifications.pdf>).

Regarding cultural resources, the statement "No possible traditional cultural properties were located during the cultural resources inventory ... " is confusing. Does it mean that possible traditional cultural properties were not located?

We are using the term "located" to mean the same thing as "found". This means that no traditional cultural properties ("TCPs") are found in the area. When we inventory areas of potential effects of this nature (confined to the historic sites themselves), we always make sure that they are not within a larger area that might constitute a TCP.

There were six sites recorded that were determined ineligible for the NRHP (5FN2222-2227). Please give us a brief explanation of the criteria by which ineligibility of these sites was determined.

Author Eric Twitty of Mountain States Historical summarized the significance of the sites this way:

"All the sites are recommended ineligible because they failed to meet the NRHP and SRHP Criteria. In terms of Criterion A, the sites were relatively unimportant and apparently not associated with significant trends. Due to a lack of archival information, the sites are not eligible under Criterion B because the association of important persons remains unknown. The sites are also ineligible under Criterion C

for various reasons. In general, all the sites possessed marginal to poor integrity due to natural decay, lacked important attributes, and represented relatively common resource types. In particular, the prospect complex (Site 5FN2222) is not a sound example of an organized or planned search for a mineralized ore vein. The prospect shaft (Site 5FN2225) and the Copper Queen Mine (Site 5FN2226) are not well-preserved archaeological examples of their respective types of resources due to natural decay. In terms of Criterion D, all the sites lacked the potential for meaningful buried deposits, accessible underground workings, archival information, and other sources of data for further studies. Last, the sites are not components of a compelling historic landscape and lack district potential.”¹

Were there any access routes constructed in the past to establish the now abandoned mines? If so, are there plans to decommission the routes along with the mines?

Access to these abandoned mines is up a dry wash, there are no known constructed access routes that lead to these mines.

Are there any radioactive tailings that might present disposal problems?

This area known as Goat Park was historically mined for copper and silver. These types of deposits are not typically associated with higher than background radiation signals and therefore the waste rock piles are not expected to be radioactive.

If you have any further questions or comments, please contact Melissa Smeins of my staff (719) 269-8523.

Sincerely,



Keith E. Berger
Field Manager
Royal Gorge Field Office

Enclosure(s)

-- Categorical Exclusion number DOI-BLM-CO-F02-2014-18 CX

cc: James Lockhart, Conservation Chair, Pikes Peak Group of Sierra Club
Deb Overn, President, Wild Connections
Tom Sobal, Director, Quiet Use Coalition
Sloan Shoemaker, Executive Director, Wilderness Workshop
Roz McClellan, Rocky Mountain Recreation Initiative
Delia G. Malone, Wildlife Committee Chair, Sierra Club, Rocky Mountain Chapter
Juli Slivka, Planning Specialist, The Wilderness Society

¹ Twitty, Eric. 2007. Class III Inventory of Select Mine Sites in Goat Park Gulch, Fremont County, Colorado. Unpublished manuscript, Bureau of Land Management, Cañon City, Colorado.