

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

DECISION RECORD

*Temporary Work Area for Colorado Interstate Gas Company's 155A
Pipeline's 3 Anomaly Dig Sites*
DOI-BLM-CO-N05-2015-0048-CX

Decision

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2015-0048-CX, authorizing the construction, operation, and maintenance of a temporary work space adjacent to existing right-of-way (ROW) for the inspection and repair of 155A Uinta Lateral pipeline (COC52705).

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

1. 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.
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 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.
3. 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 operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

4. The applicant 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 or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. If any paleontological resources are discovered as a result of operations under this authorization, the applicant 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 operator 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.
6. If it becomes necessary to excavate into the underlying sedimentary rock to expose the sections of the pipeline that need repair a paleontological monitor will be required. The paleontological monitor will be present before the excavations begin and remain until the excavations are backfilled.

Mitigation Measures

1. For reclamation, the BLM recommends Seed Mix #3 outlined below. It is recommended that seeding occur between September 1 and March 31. If an alternate date of seeding is requested, contact the designated Realty Specialist prior to seeding for approval. Drill seeding is the preferred method of application and drill seeding depth must be no greater than ½ inch. If drill seeding cannot be accomplished, seed should be broadcast at double the rate used for drill seeding, and harrowed into the soil.

3	Rosana	Western Wheatgrass	<i>Pascopyrum smithii</i>	4
	Whitmar	Bluebunch Wheatgrass	<i>Pseudoroegneria spicata</i> ssp. <i>inermis</i>	3.5
	Rimrock	Indian Ricegrass	<i>Achnatherum hymenoides</i>	3
		Needle and Thread Grass	<i>Hesperostipa comata</i> ssp. <i>comata</i>	2.5
	Maple Grove	Lewis Flax	<i>Linum lewisii</i>	1
		Scarlet Globemallow	<i>Sphaeralcea coccinea</i>	0.5

2. All seed tags will be submitted via Sundry Notice (SN) to the designated Realty Specialist within 14 calendar days from the time the seeding activities have ended. The SN will include the purpose of the seeding activity (i.e., seeding well pad, cut and fill slopes, seeding pipeline corridor, etc.). In addition, the SN will include the well or well pad number associated with the seeding activity, if applicable, the name of the contractor that performed the work, his/her phone number, the method used to apply the seed (e.g., broadcast, hydro-seeded, drilled), whether the seeding activity represents interim or final reclamation, the total acres seeded, an attached map that clearly identifies all disturbed areas that were seeded, and the date the seed was applied.

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 on-line National Environmental Policy Act (NEPA) register on 05/06/2015. No comments or inquiries have been received.

Rationale

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E19: "*Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary, sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition*". 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.

Monitoring and Compliance

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, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

Administrative Remedies

This decision will take effect immediately upon the date it is signed by the Authorized Officer and will 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

Est M M. Gyl
ACTING Field Manager

7/21/15
Date