United States Department of the Interior
Bureau of Land Management

Categorical Exclusion
DOI-BLM-CO-0000-2015-0001 CX

May 2015

Federal Register Notice – Initial Classification, State Indemnity Selection

Location: Chaffee, Custer, Dolores, Eagle, El Paso, Garfield, Grand, Huerfano, Jackson, Kiowa, La Plata, Moffat, Montezuma, Ouray, Park, Pueblo, Route, and San Miguel counties, Colorado

U.S. Department of the Interior
Bureau of Land Management
Colorado State Office
2850 Youngfield Street
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BLM

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CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-0000-2015-0001 CX

PROJECT NAME: Modification of Proposed Classification to Initial Classification of Public Lands/Minerals for State Indemnity Selection, Colorado

PLANNING UNIT: State Of Colorado

LEGAL DESCRIPTION: See Attached – Exhibit A

APPLICANT: Bureau of Land Management, State Office

BACKGROUND: The Colorado State Board of Land Commissioners (State) has filed a petition for classification and application to obtain public lands and mineral estate in lieu of lands to which the State was entitled but did not receive under its Statehood Act. The State did not receive title because the lands were encumbered by other rights or reservations before the State's title could attach. Under Section 7 of the Taylor Grazing Act of 1934, the Bureau of Land Management (BLM) may classify sufficient public lands and/or minerals in Colorado for title transfer to the State to satisfy this obligation to the State.

DESCRIPTION OF PROPOSED ACTION: The proposed action is to modify the original Federal Register Notice for the proposed classification to initial classification for state indemnity selection of in-lieu lands.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the resource management plans for the selected public lands, as required by 43 CFR 1610.5. This action is in full conformance with the land use direction pertaining to classification and land tenure actions.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number E.3, which allows "Withdrawal revocations, terminations, extensions or modifications; classification terminations or modifications; or opening actions where the lands would be opened only to discretionary land laws and where subsequent discretionary actions (prior to implementation) are in conformance with and are covered by a Resource Management Plan/EIS (or plan amendment and EA or EIA).

None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant adverse effects on public health and 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; 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. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	___	X
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places.	___	X
8. 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
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	___	X
10. Have disproportionately high and adverse effect on low income or minority populations.	___	X
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or 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 REVIEW:

Name	Title	Area of Responsibility
Jennifer Whyte	Lead Realty Specialist	Lands and Realty
Bruce Krickbaum	Planning and Environmental Coordinator	NEPA

REMARKS:
None

NAME OF PREPARER: Jennifer Whyte, Lead Realty Specialist

NAME OF ENVIRONMENTAL COORDINATOR: Bruce Krickbaum

DATE: May 28, 2015

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, E.3. 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 516 DM 2 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: John D Beck

John D. Beck
Chief, Branch of Lands and Realty

DATE SIGNED: 5/28/15

Attachments: Exhibit A – Legal Land Description

Exhibit A
State Indemnity Legal Land Descriptions

The lands and minerals included within this initial classification are in Chaffee, Custer, Dolores, Eagle, El Paso, Garfield, Grand, Huerfano, Jackson, Kiowa, La Plata, Moffat, Montezuma, Ouray, Park, Pueblo, Route, and San Miguel counties, Colorado and are described as follows:

New Mexico Principle Meridian, Colorado
T. 44 N., R. 8 W.,
sec. 11, lots 12 thru 14, excluding M.S. No. 9195;
sec. 13, lots 17, 28, 30, and 31;
sec. 14, E1/2SE1/4.

T. 42 N., R. 13 W.,
sec. 30, NE1/4NE1/4.

T. 40 N., R. 14 W.,
sec. 6, lot 13 and NE1/4SW1/4.

T. 41 N., R. 14 W.,
sec. 28, S1/2SW1/4;
sec. 29, SW1/4, NE1/4SE1/4, and S1/2SE1/4;
sec. 30, N1/2SE1/4;
sec. 31 N1/2SE1/4;
sec. 32, N1/2NW1/4 and SW1/4NW1/4.

T. 43 N., R. 14 W.,
sec. 2, lots 1 and 2, and S1/2NE1/4.

T. 40 N., R. 15 W.,
sec. 1, lots 1 thru 4;
sec. 3, lots 3 and 4;
sec. 4, lots 1 thru 4;
sec. 10, N1/2NE1/4 and E1/2NW1/4;
sec. 11, N1/2, N1/2SW1/4, and SW1/4SW1/4.

T. 50 N., R 8 E.,
sec. 7, NE1/4NE1/4.

Sixth Principle Meridian, Colorado
T. 19 S., R. 45 W.,
sec. 10, S1/2NE1/4;
sec. 11, SW1/4;
sec. 14, N1/2 and SE1/4;
sec. 15, NE1/4.

T. 20 S., R. 47 W.,
sec. 4, S1/2NW1/4, SW1/4, and W1/2SE1/4;
sec. 5;
sec. 8, NW1/4NE1/4, W1/2NE1/4, SE1/4NE1/4, NW1/4, NE1/4SW1/4, and NW1/4SE1/4;
sec. 9, NE1/4, NW1/4, N1/2SW1/4, SE1/4SW1/4, and SE1/4;
sec. 10, SW1/4 and SW1/4SE1/4;
sec. 15, NW1/4NE1/4;
sec. 22, SE1/4NE1/4 and E1/2SE1/4;
sec. 23, S1/2NW1/4 and SW1/4;
sec. 26, W1/2NE1/4, NW1/4, N1/2SW1/4, and NW1/4SE1/4;
sec. 27, NE1/4NE1/4.

T. 20 S., R. 48 W.,
sec. 10, W1/2SW1/4;
sec. 13, S1/2NW1/4, SW1/4, and W1/2SE1/4;
sec. 14, SE1/4SW1/4 and SE1/4;
sec. 15, W1/2NW1/4 and NW1/4SW1/4;
sec. 22, E1/2SE1/4;
sec. 23;
sec. 24, NW1/4NE1/4, NW1/4, N1/2SW1/4, and SW1/4SW1/4;
sec. 26, NE1/4, NW1/4, and W1/2SW1/4;
sec. 27, E1/2NE1/4.

T. 18 S., R. 61 W.,
sec. 8, SE1/4SE1/4;
sec. 19, lots 3 and 4, E1/2SW1/4, and SE1/4;
sec. 30, lots 2 thru 4, SE1/4NW1/4, E1/2SW1/4, and W1/2SE1/4;
sec. 32.

T. 19 S., R. 61 W.,
sec. 6;
sec. 7, E1/2NE1/4 and E1/2SE1/4;
sec. 8, W1/2NW1/4 and W1/2SW1/4;
sec. 18;
sec. 19, lots 1 thru 4, NE1/4, E1/2NW1/4, and E1/2SW1/4;
sec. 20;
sec. 28, E1/2;
sec. 29, W1/2;
sec. 32, E1/2;
sec. 33.

T. 20 S., R. 61 W.,
sec. 4;
sec. 5, lots 1 and 2, S1/2NE1/4, and SE1/4;
sec. 7, lots 2 and 3, and SE1/4SW1/4;
sec. 9, E1/2;

sec. 18, SW1/4SE1/4.

T. 16 S., R. 62 W.,
sec. 24, NW1/4NW1/4.

T. 17 S., R. 62 W.,
sec.1, lot 1 and SE1/4NE1/4;
sec. 9, SE1/4SE1/4.

T 29 S., R. 69 W.,
sec. 31, lots 3 and 4, NE1/4NE1/4, NE1/4NW1/4, E1/2SW1/4, and SE1/4;
sec. 32, SW1/4NW1/4, W1/2SW1/4, SE1/4SW1/4, and SE1/4SE1/4.

T. 29 S., R. 70 W.,
sec. 35, lot 1.

T. 22 S., R. 71 W.,
sec. 5, lots 20 thru 23;
sec. 6, lot 13;
sec. 8, NW1/4NW1/4;
sec. 17, lot 24.

T. 22 S., R. 72 W.,
sec. 4, lots 41, 42, and 47, and NE1/4SE1/4, and remaining public lands in SW1/4NW1/4, W1/2SW1/4, SE1/4SW1/4, and SW1/4SE1/4;
sec. 5, remaining public lands in S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SE1/4, and NW1/4SW1/4;
sec. 8, remaining public lands in SE1/4SE1/4;
sec. 9, remaining public lands in W1/2;
sec. 12, lot 3 and SE1/4SE1/4;
sec. 16, lot 20, lots 23 thru 36, and lot 38;
sec. 17, remaining public lands in NW1/4NE1/4;
sec. 22, N1/2NE1/4;
sec. 26, SE1/4SW1/4;
sec. 28, N1/2SW1/4, SE1/4SW1/4, W1/2SE1/4, and SE1/4SE1/4.

T. 11 S., R. 74 W.,
sec. 20, NE1/4;
sec. 21, W1/2.

T. 12 S., R. 75 W.,
sec. 17, SW1/4;
sec. 18, lots 1 thru 4, E1/2NW1/4, E1/2SW1/4, and SE1/4;
sec. 19, lots 1 and 2, N1/2NE1/4, SW1/4NE1/4, and E1/2NW1/4.

T. 12 S., R. 76 W.,

sec. 13, E1/2SE1/4;
sec. 24, NE1/4.

T. 13 S., R. 76 W.,
sec. 4, lots 2 thru 4, SW1/4NW1/4, and NW1/4SW1/4;
sec. 5;
sec. 6, lots 6 and 7, and E1/2SW1/4.

T. 12 S., R. 77 W.,
sec. 23, N1/2SW1/4 and N1/2SE1/4;
sec. 25, S1/2SE1/4;
sec. 34, NW1/4SW1/4.

T. 15 S., R. 78 W.,
sec. 17, SW1/4NW1/4, including geothermal steam;
sec. 18, N1/2SE1/4 and SW1/4SE1/4, including geothermal steam.

T. 4 S., R. 83 W.,
sec. 17, lots 2 and 5, NE1/4SW1/4, and NW1/4SE1/4;
sec. 22, SE1/4SE1/4;
sec. 23, lots 6 thru 8, and W1/2SW1/4.

T. 7 S., R. 88 W.,
sec. 7, lots 12 and 13;
sec. 8, lot 7, SW1/4NE1/4, and SE1/4NW1/4;
sec. 17, lots 3 and 19.

T. 7 S., R. 89 W.,
sec. 3, lot 1, SE1/4NE1/4, E1/2NW1/4SE1/4, E1/2W1/2NW1/4SE1/4, and E1/2SE1/4;
sec. 12, lot 22 and W1/2SW1/4;
sec. 13, NW1/4;

T. 5 S., R. 92 W.,
sec. 30, W1/2SE1/4.

T. 5 S., R. 93 W.,
sec. 36, NW1/4NE1/4, N1/2NW1/4, and NE1/4SW1/4.

T. 1 N, R. 76 1/2 W.,
sec. 1, lots 15 and 16;
sec. 12, lots 1 thru 6, and lots 11 and 12.

T. 1 N., R 77 W.,
sec. 12, E1/2NE1/4 and NE1/4SE1/4.

T. 3 N., R. 77 W.,

sec. 25, S1/2SW1/4 and SW1/4SE1/4.

T. 4 N., R. 81 W.,
sec. 34, W1/2NW1/4 and NW1/4SW1/4.

T. 6 N., R. 81 W.,
sec. 18, lot 5.

T. 3 N., R. 82 W.,
sec. 26, lot 1.

T. 6 N., R. 82 W.,
sec. 13, SE1/4SE1/4;
sec. 23, N1/2NE1/4 and SE1/4NE1/4.

T. 6 N., R. 84 W.,
sec. 27, SE1/4SE1/4.

T. 7 N., R. 85 W.,
sec. 17, W1/2NE1/4.

T. 8 N., R. 85 W.,
sec. 16, lots 4 and 5.

T. 6 N., R. 86 W.,
sec. 33, SW1/4SW1/4.

T. 7 N., R. 88 W.,
sec. 2, SE1/4NW1/4.

T. 8 N., R. 88 W.,
sec. 34, lots 12 thru 15.

T. 7 N., R. 93 W.,
sec. 36.

The areas described aggregate 23,077 acres.
The State's application requests conveyance of title to Federal mineral estate under surface owned by the State, described as follows:

Sixth Principle Meridian, Colorado
T. 9 N., R. 56 W.,
sec. 24, SW1/4.

T. 12 N., R. 56 W.,
sec. 28, E1/2.

T. 11 N., R. 59 W.,
sec. 15, NE1/4.
T. 5 N., R. 61 W.,
sec. 33, SW1/4.

T. 3 N., R. 62 W.,
sec. 1, SE1/4.

T. 17 S., R. 48 W.,
sec. 18, NW1/4NE1/4.

T. 21 S., R. 51 W.,
sec. 35, NW1/4SW1/4 (oil and gas only).

T. 22 S., R. 52 W.,
sec. 15, SW1/4NE1/4, NW1/4SW1/4, and NW1/4SE1/4 (oil and gas only).

T. 28 S., R. 69 W.,
sec. 17, SE1/4SE1/4;
sec. 20, NE1/4 and NE1/4NW1/4;
sec. 21, NE1/4, N1/2NW1/4, SE1/4NW1/4, and NE1/4SE1/4;
sec. 22, W1/2SW1/4, SE1/4SW1/4, and SW1/4SE1/4;
sec. 27, NW1/4NE1/4 and NE1/4NW1/4.

T. 6 N., R. 79 W.,
sec. 3, SW1/4SW1/4;
sec. 4, lots 3 and 4, SW1/4NE1/4, S1/2NW1/4, SW1/4, and SE1/4;
sec. 5, lots 1 and 2, S1/2NE1/4, and SE1/4;
sec. 8, N1/2NE1/4, SE1/4NE1/4, and E1/2SE1/4;
sec. 9;
sec. 10, W1/2NW1/4 and W1/2SW1/4.

T. 7 N., R. 79 W.,
sec. 32, SE1/4;
sec. 33, W1/2SW1/4.

T. 5 N., R. 88 W.,
sec. 12, NW1/4 and SW1/4.

T. 7 N., R. 88 W.,
sec. 1, SW1/4NW1/4, W1/2SW1/4, and SE1/4SW1/4, and those portions of SE1/4NW1/4, NE1/4SW1/4, NW1/4SE1/4, and SW1/4SE1/4 lying west of Routt County Road 80A;
sec. 2, S1/2NE1/4 and SE1/4;
sec. 10, NE1/4 and NW1/4;
sec. 11, N1/2 and SE1/4;

sec. 12, those portions of W1/2 lying west of Routt County Road 80.

The areas described aggregate 6,354 acres.

U.S. Department of the Interior
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Decision Record

(DOI-BLM-CO-0000-2015-0001 CX)

PROJECT NAME: Modification of Proposed Classification to Initial Classification of Public Lands/Minerals for State Indemnity Selection, Colorado

DECISION: It is my decision to modify the proposed classification of state indemnity selected lands to initial classification of state indemnity selection though a Federal Register Notice.

RATIONALE:
The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E.3. 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 516 DM 2 apply.

COMPLIANCE WITH MAJOR LAWS and CONFORMANCE WITH LAND USE PLAN:
The decision is in compliance with applicable laws, regulations and policy, including the Endangered Species Act, Migratory Bird Treaty Act and National Historic Preservation Act. It is also in conformance with the resource management plans for the selected public lands, as required by 43 CFR 1610.5. This action is in full conformance with the land use direction pertaining to classification and land tenure actions.

PUBLIC COMMENT:
The BLM informed the public about this project by listing it on the online NEPA Register and a copy of the completed Categorical Exclusion will be posted on the NEPA website.

ADMINISTRATIVE REMEDIES:
If you are adversely affected by this decision, within 30 days of receipt of this decision you have the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR §4.400.

NAME OF PREPARER: Jennifer Whyte, Lead Realty Specialist

NAME OF ENVIRONMENTAL COORDINATOR: Bruce Krickbaum

DATE May 28, 2015

SIGNATURE OF AUTHORIZED OFFICIAL _____

John D. Beck
Chief, Branch of Lands and Realty

DATE SIGNED 5/28/15