

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

CATEGORICAL EXCLUSION

Argali Exploration Company Pipeline Renewal **DOI-BLM-CO-N05-2015-0062-CX**

Identifying Information

Project Title: Argali Exploration Company Pipeline Renewal

Legal Description: Sixth Principal Meridian,
T. 2S., R 101W., sec. 21, Lot 1, NW¼SE¼, E½SW¼,
Rio Blanco County, Colorado.

Applicant: Argali Exploration Company

Casefile: COC39379

Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Land Use Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

Date Approved: July 1997

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 resource values.” (page 2-49)

Proposed Action

Project Components and General Schedule

Argali Exploration Company (Argali) has submitted an application for the renewal of right-of-way (ROW) grant COC39379 for a buried natural gas pipeline. This grant was issued to Schuh and Associates, Inc. on January 07, 1985 and serves the Schuh N-212-101 well. The pipeline is approximately 2,500 feet long and has 35 feet ROW width, containing 2.01 acres. Argali has been operating this ROW for the last 13 years. On January 06, 2015, ROW COC39379 expired, and this proposal would be to renew it for 30 years.

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.

Categorical Exclusion Review

The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E9: “*Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.*”

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 06/09/2015. 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 review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	6/9/2015

Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	6/11/2015
Heather Woodruff	Ecologist	Special Status Plant Species	6/10/2015
Keesha Cary	Realty Specialist	Project Lead	06/16/2015
Joe David	Planning and Environmental Coordinator	NEPA Compliance	07/07/2015

Cultural Resources: The renewal of a Right-of-Way grant that involves no new ground disturbance does not require any additional inventory and is exempt from identification and evaluation requirements of Section 106 of the National Historic Preservation Act of 1966 (as amended) under Attachment B(3) of the Colorado State Protocol with the Colorado State Historic Preservation Officer.

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.

Threatened and Endangered Wildlife Species: Continued operation of this pipeline would have no substantive influence on local wildlife resources. Non-emergency maintenance or abandonment operations would remain subject to the application of timing restrictions to prevent undue disruption of migratory bird nesting activity (e.g., May 15 to July 15) or raptor nest activity (e.g., February 1 to August 15), pending the results of site-specific survey.

Threatened and Endangered Plant Species: There are no special status plant species issues or concerns associated with the Proposed Action.

Mitigation

1. All applicable terms, conditions, and stipulations contained in the original ROW grant and any amendments will be carried forward and remain in full force and effect. No new construction is authorized.
2. At least 90 days prior to termination of the right-of-way, the holder will contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan will include, but is not limited to, removal of facilities, drainage structures, and surface material; recontouring; topsoiling; or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
3. The holder will conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
4. Any proposal involving additional surface disturbance outside of the existing right-of-way disturbance requires an application to the BLM for analysis and authorization. New stipulations for construction would be applied to projects subject to the regulations and policies existing at the time of authorization.
5. The holder will monitor all disturbed and reclaimed areas through final abandonment for the presence of invasive, non-native, and/or noxious plant species. The holder will be

responsible for eradication of noxious weeds that occur on site using materials and methods approved in advance by the Authorized Officer.

6. The holder will notify the authorized officer at least 60 days prior to non-emergency activities that would cause surface disturbance in the right-of-way. A "Notice to Proceed" will be required prior to any non-emergency activities that would cause surface disturbance on the right-of-way. Any request for a "Notice to Proceed" must be made to the authorized officer, who will review the Proposed Action for consistency with resource management concerns such as wildlife, big game winter range, paleontology, special status species, and cultural resource protection. The authorized officer may require the completion of special status species surveys or other resource surveys. Additional measures may be required to protect special status species or other resources.
7. Non-emergency maintenance or abandonment operations would be subject to application of timing restrictions to prevent undue disruption of migratory bird nesting activity (e.g., May 15 to July 15) or raptor nest activity (e.g., February 1 to August 15), pending the results of site-specific survey.

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, E9: "*Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.*" 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.



Field Manager

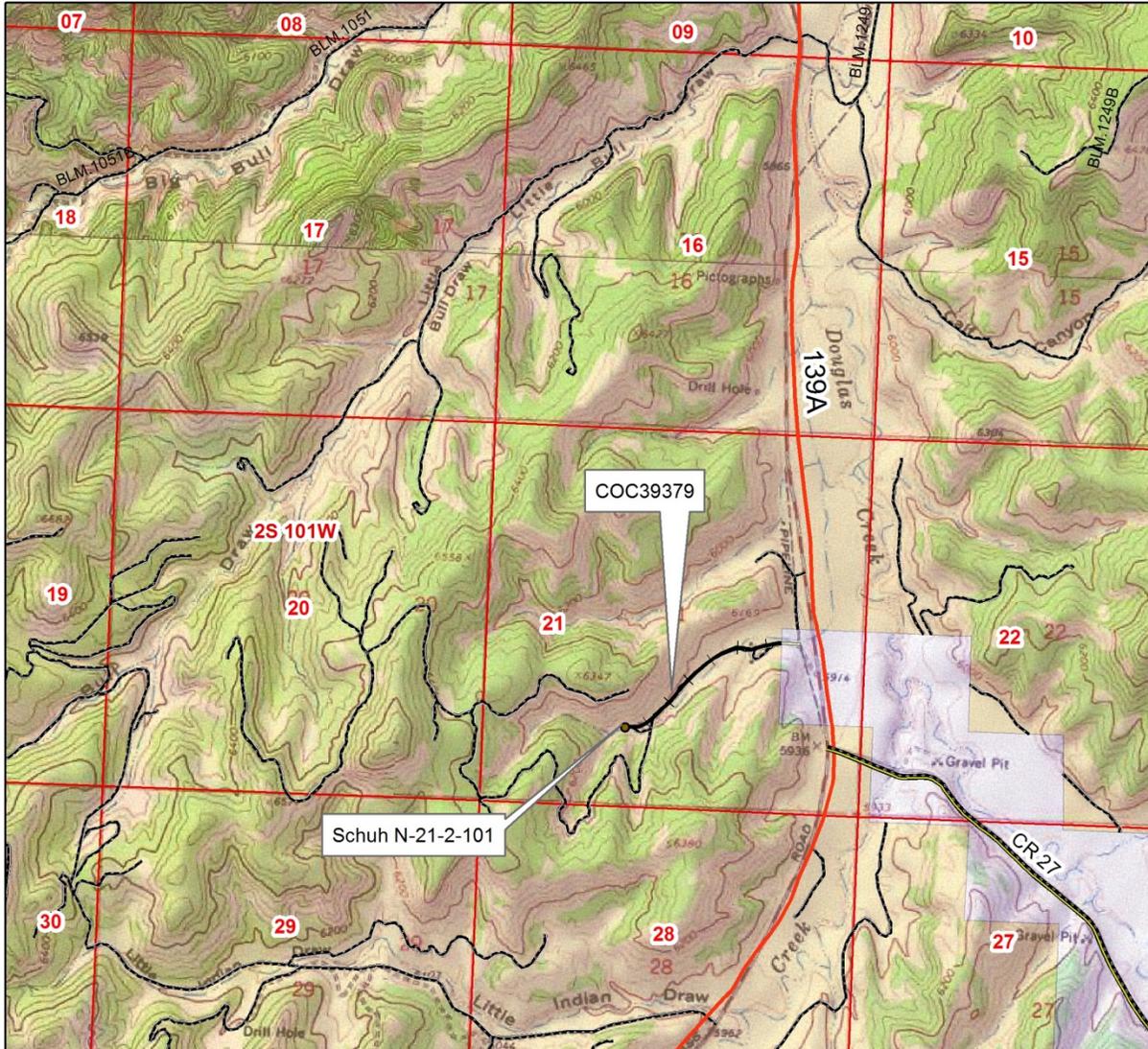
07/08/2015
Date

Appendix A. Figures

Exhibit A

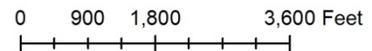
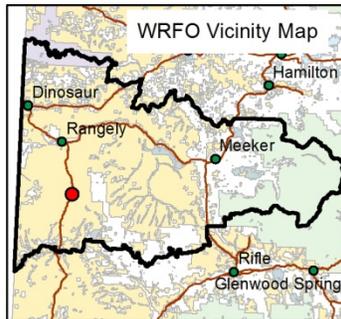
06/2015

COC39379 - Argali Exploration Company
 6TH PM, T. 2S., R. 101W.,
 sec. 21, Lot 1, NW1/4SE, E1/2SW1/4,
 Rio Blanco County, Colorado.



Legend

- Pipelin ROW COC39379
- Bureau of Land Management
- Bureau of Reclamation
- Indian Reservation
- Military Reservation
- National Grasslands
- National Park Service
- Other Federal
- Private
- State
- State, County, City, Areas
- Bankhead-Jones Land Use Lands
- US Fish and Wildlife Service
- US Forest Service



Sources:
 BLM, USGS, CDOW, etc.

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