

**U.S. Department of the Interior  
Bureau of Land Management  
Little Snake Field Office  
455 Emerson Street  
Craig, CO 81625-1129**

## **CATEGORICAL EXCLUSION**

NUMBER: DOI-BLM-CO-N010-2016-0028CX

CASEFILE/PROJECT NUMBER (optional): COC76435

PROJECT NAME: Williams Fork Land Company Exploration Plan Modification

LEGAL DESCRIPTION: 6<sup>th</sup> P.M., T.5N., R.90W., various locations in Sec. 4; Sec. 34, SW¼.

APPLICANT: Williams Fork Land Company (WFLC)

DESCRIPTION OF PROPOSED ACTION: WFLC has an existing coal exploration license COC76435 effective 1/1/2015. WFLC has submitted a modification to their approved exploration plan. The proposed action would re-locate 11 exploration drill holes from their originally proposed locations. The surface is privately owned. No additional surface disturbance would result from the exploration plan modification; the 11 holes would be moved due to geologic conditions. The holes would be drilled using truck mounted drilling equipment. Existing roads would be used when possible. Where no roads or trails exist, the drill rig would travel over-land. Plugging of the drill holes would comply with BLM and State regulations. All drill sites would be reclaimed immediately after completion of drilling and plugging operations.

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The proposed action was reviewed for conformance (43 CFR 1610.5, BLM 1617.3) with the following plan:

Name of Plan: Little Snake Record of Decision and Resource Management Plan (RMP) as amended by the Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment.

Date Approved: October 2011 and September 2015

Results: The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP goals, objectives, and management decisions:

Section/Page: RMP-40

CATEGORICAL EXCLUSION REVIEW: The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with

43 CFR Part 46.210 and qualifies as a categorical exclusion under 516 DM 11.9, F(7). 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 Part 46.215 applies:

Extraordinary Circumstances	YES	NO
1. Have significant adverse effects on public health and safety.		<u>X</u>
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 (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		<u>X</u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		<u>X</u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		<u>X</u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		<u>X</u>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		<u>X</u>
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.		<u>X</u>
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.		<u>X</u>
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		<u>X</u>
10. Have the potential for a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		<u>X</u>
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 (Executive Order 13007).		<u>X</u>
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 (Federal Noxious Weed Control Act and Executive Order 13112).		<u>X</u>

INTERDISCIPLINARY REVIEW:

Title	Resource	Date
Archaeologist	Cultural Resources	06/17/2016
Rangeland Mgmt Spec	T&E Plants	06/03/2016
Wildlife Biologist	T&E Animals	06/06/2016

COMMENTS REGARDING CULTURAL RESOURCES:

Re-located Hole #1 will impact an archaeological site recorded as 5MF7727 during a survey of the proposed Trapper Mine expansion area, in compliance with the National Historic Preservation Act. The site was originally recorded in 2013 as a possible prehistoric site in need of further information to determine its eligibility to the National Register of Historic Places (NRHP). Test excavations at the site in 2015 determined that it is likely of recent Euroamerican origin and not eligible to the NRHP. Avoidance of the site is not required.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Jennifer Maiolo

NAME OF ENVIRONMENTAL COORDINATOR:

*Kathy McKinstry*

DATE:

*6/20/16*

COMPLIANCE WITH NEPA

This action is listed in the Department Manual (516 DM 2, Appendix 1 and 516 DM 11) as an action that may be categorically excluded. I have evaluated the action relative to the 12 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:

*Kathy McKinstry*  
Kathy McKinstry, Acting Field Manager

DATE SIGNED:

*6/20/16*

Contact Person

For additional information concerning this decision, contact Jennifer Maiolo, Mining Engineer, Little Snake Field Office, 455 Emerson Street, Craig, CO 81625, Phone (970) 826-5077.

**U.S. Department of the Interior  
Bureau of Land Management  
Little Snake Field Office  
455 Emerson St  
Craig, CO 81625**

## **DECISION RECORD**

### ***Williams Fork Land company Exploration Plan Modification DOI-BLM-CO-N010-2016-0028-CX***

#### **Decision**

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N010-2016-0028-CX, authorizing the modification of an existing coal exploration plan for exploration license COC76435.

#### **Terms and Conditions**

1. All exploration drill holes must be capped with at least five feet of cement and plugged with a permanent plugging material that is unaffected by water or hydrocarbon gases and will prevent the migration of gases and water in the drill hole under normal hole pressures. For exploration holes drilled deeper than stripping limits, the licensee, using cement or other suitable plugging material approved by the Little Snake Field Manager, shall plug the hole through the thickness of the coal bed(s) or mineral deposit(s) and through aquifers for a distance of at least 50 feet above and 50 feet below the coal bed(s) or mineral deposit(s) and aquifers or to the bottom of the drill hole. A lesser cap or plug may be approved by the Little Snake Field Manager. Item A illustrates the minimum requirements for plugging drill holes.
2. All drill holes will be geophysically logged with natural gamma, density, resistivity, and caliper curves.
3. The requirements for submission of geologic and abandonment information provided in Item B (attached) shall be followed.
3. If buried cultural or Paleontological resources are discovered during exploration operations under this license, the licensee shall immediately notify the Field Manager and shall not disturb such discovered resources until the Field Manager issues specific instructions.
  - a. Within 5 working days after notification, the Field Manager shall evaluate any cultural resources discovered and shall determine whether any action may be required to protect or to preserve such discoveries.

- b. The cost of data recovery for cultural resources discovered during exploration operations shall be borne by the licensee, if the licensee is ordered to take any protective measures. Ownership of cultural resources discovered shall be determined in accordance with applicable law.
  - c. There are seven known cultural sites that must be avoided by the exploration activities. These sites are as follows and their location has been communicated to Trapper Mining Company/Williams Fork Land Company. 5MF319, 5MF7762, 5MF7794, 5MF7795, 5MF7727, 5MF7691, 5MF7692.
4. All waste material will be contained on site in a trash cage or other portable storage device and hauled to a county approved landfill. No hazardous materials / hazardous wastes or trash shall be disposed of on lands under this license. If a release does occur, it shall be reported to this office immediately. All undesirable material (e.g. contaminated soil, drilling fluids) shall be isolated, removed or otherwise disposed of, as appropriate, in a manner providing for long-term stability and in compliance with all applicable State and Federal requirements.
5. No raptor nests are located within the plan area. There are no timing stipulations for nesting raptors. Should raptors begin to nest in the plan area, operations will not be allowed within 1/4 mile (line of site) of an occupied or unoccupied nest site except during the period between August 16 and January 31.
6. In order to avoid degradation of potential riparian conditions or water sources, no surface disturbance will be allowed within 200 feet of an active stream channel supporting riparian vegetation, springs, ponds, or reservoirs.
7. During periods of adverse conditions such as thawing, heavy rains, snow, or flooding, all activities off existing maintained roads that results in surface rutting in excess of 4 inches will be suspended. Restoration of excessive ruts that occur will be required.
8. No water shall be removed from BLM allotment reservoirs without approval of the Field Manager.
9. Control of noxious weeds will be required through successful vegetation establishment and/or herbicide application. If applications of herbicide are prescribed, however, it is the responsibility of the lease operator to insure compliance with all local, state and federal laws and regulations, as well as labeling directions specific to the use of any given herbicide.
10. Operations on sites on slopes greater than 35% will be conducted during periods of dry soil conditions and rehabilitated immediately upon completion.
11. Pursuant to 43 CFR 10.4(g) the Lessee must notify the authorized officer, by telephone, with 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), you must stop activities in the vicinity of the discovery and protect for 30

days or until notified to proceed by the authorized officer.

#### ITEM A

An abandonment report must be submitted after the drill holes have been properly conditioned for abandonment or converted to monitoring wells. The report should contain the following:

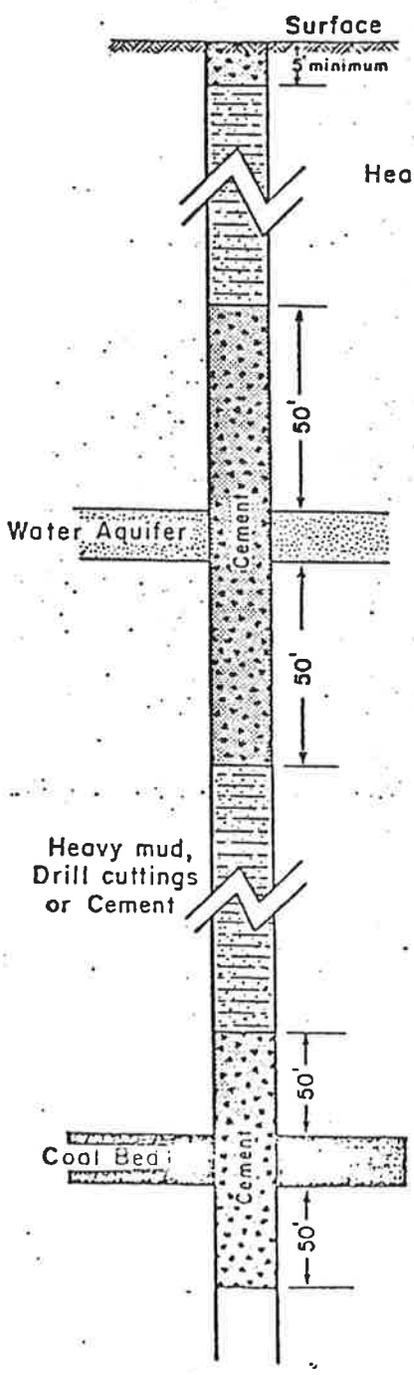
1. For abandoned holes, describe or illustrate the method by which each hole was plugged and conditioned for final abandonment.
2. For holes converted to monitoring wells<sup>1</sup>, describe or illustrate the well completion method (cementing, casing set, perforation interval, etc.), what aquifer(s) is being monitored, duration and frequency of monitoring, and types of tests planned (pH, conductivity, pump, cat ion, etc.)
3. Status of reclamation of all disturbed areas.
4. List of hole numbers and depths drilled.

---

<sup>1</sup> Completion of additional drill holes as hydrologic monitoring wells is considered to be a modification to the exploration plan and must be approved in advance by the authorized officer.

# Typical Drill Hole Abandonment

ITEM A



Cement plug or comparable plug

Heavy mud, Drill cuttings or Cement

### SHALLOW HOLES (Drilled within stripping limit)

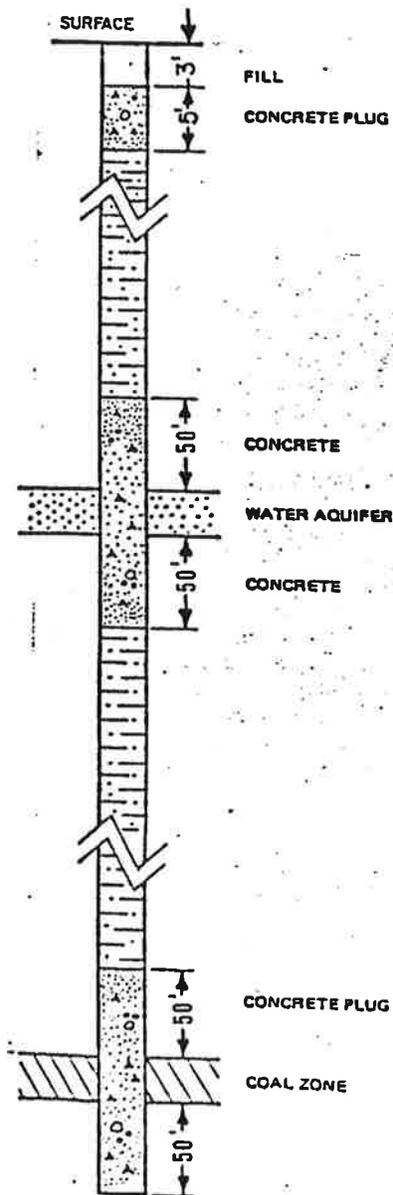
Holes must be backfilled with as many cuttings as possible and surface plug set.

### DEEP HOLES (Drilled beyond stripping limit)

All water aquifers and minable coal beds must be cemented off and surface plug set.

### ALL HOLES

1. Stripping limit is determined by District Manager.
2. The surface plug must be set to ground surface, except in plowed fields, where the plug must be set below plow depth.
3. Holes must be backfilled with as many cuttings as possible.
4. Excess cuttings must be leveled and dispersed evenly over the surface surrounding the hole, or cuttings may be hauled away to an approved disposal site.



1. Hole must be backfilled with as many cuttings as possible. All remaining cuttings must be dispersed evenly over the surrounding surface.
2. Hole must be blocked to a depth of five (5) feet below collar with a short hole plug. If water is encountered in the drill hole, a concrete plug must be set below ground three (3) feet. The upper three (3) feet of the hole is then filled with cuttings and soil.
3. All water bearing zones will be concreted if a well is not developed. If coal seams are encountered, they must be concreted.
4. All sump holes used during drilling must be drained and backfilled.
5. The site around the hole must be cleaned up and surplus cuttings leveled. Seeding of disturbed area may be required.

**ABANDONMENT OF SHALLOW DRILL HOLES  
NORTHERN ROCKY MOUNTAIN REGION**

To clarify 43 CFR 3485.1 (b), please submit one copy of the following within 30 days after each calendar year:

1. Lithologic and geophysical logs and any other required logs of strata penetrated and conditions encountered appropriately identified by hole number.
2. Analyses of coal and other pertinent tests appropriately identified by drill hole number. Identify types of tests that were run (proximate, ultimate, moisture-mineral-matter free basis, etc.), and whether the reported results were analyzed or calculated as composite or incremental samples.
3. Drill hole location map showing lease or license boundary, coal crop lines, drill hole numbers, and township, range and section lines and numbers.
4. List of hole numbers and depths drilled.

### **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 2011 Little Snake Record of Decision/Approved Resource Management Plan as amended by the 2015 Northwest Colorado Greater Sage-Grouse Approved Resource Management Plan Amendment.

### **Public Involvement**

This project was posted on the LSFO's on-line National Environmental Policy Act (NEPA) register on 05/26/2016. 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 43 CFR Part 46.210 and qualifies as a categorical exclusion under 516 DM 11.9, F(7): "Approval of minor modifications to or minor variances from activities described in an approved exploration plan for leasable, salable, and locatable minerals (e.g., the approved plan identifies no new surface disturbance outside the areas already identified to be disturbed). 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 Part 46.215 applies.

### **Monitoring and Compliance**

Monitoring to determine the effectiveness of the project will be conducted by the BLM Little Snake Field Office staff along with staff from the Colorado Division of Reclamation, Mining and Safety during drilling operations and after reclamation has been completed .

**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 thirty (30) days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at Little Snake Field Office, 455 Emerson St., Craig, CO 81625, 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 thirty (30) days after the Notice of Appeal is filed with the Authorized Officer.

**Signature of Authorized Official**

  
Acting Field Manager

  
Date