

CATEGORICAL EXCLUSION

DOI-BLM-CO-040-2016-0058 CX

Rifle Quarry Final Reclamation Plan



Prepared by:

United States Department of the Interior
Bureau of Land Management
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652



PROJECT NAME

Approve the final reclamation plan for the Rifle Quarry (COC-077876).

PERMIT/SERIAL/CASE FILE NUMBER

BLM Serial Number: COC-077876; Colorado DRMS Mine Permit Number: M-1985-038.

LOCATION

The Rifle Quarry is located in Garfield County, Colorado, approximately 12 miles north of the City of Rifle.

LEGAL DESCRIPTION

The Rifle Quarry is located in Township 4 South, Range 92 West, Section 15, 6th Prime Meridian.

APPLICANT

The Rifle Quarry operator is Colorado Lien Company (dba Pete Lien & Sons).

PURPOSE AND NEED FOR ACTION

The Rifle Quarry has been in operation by Colorado Lien Company since 1985. Within the last several years, the operator has initiated reclamation activities including backfilling, sloping, leveling, and grading. Colorado Lien Company has proposed to complete final reclamation of the Rifle Quarry and will request a full reclamation bond release from Colorado Division of Reclamation Mining & Safety.

This action is needed to determine whether or not to approve the final reclamation plan and if so under what terms and conditions to ensure that locatable operations do not cause any unnecessary or undue degradation to public lands and objectives for resource management are or will continue to be achieved.

DESCRIPTION OF PROPOSED ACTION

The Proposed Action is to approve the final reclamation plan for the Rifle Quarry. The operator proposes to import and apply alternative growth media and mulching material to a 1.65-acre area at a depth of two to four inches to establish a satisfactory bed for seeding and then apply an approved seed mixture. The final reclamation plan also proposes to barricade and reseed the access road. The Proposed Action is in accordance with 43 CFR 3809.401(b)(3) and meets the standards in 43 CFR 3809.420.

LAND USE PLAN CONFORMANCE.

Name of Plan: Colorado River Valley Field Office Record of Decision (ROD) and Approved Resource Management Plan (RMP) (BLM 2015).

Date Approved: June 2015.

Decision Number/Page/Language:

- Solid Minerals: Decision Number MIN-GOAL-02; Page 113:

Provide opportunities for development of locatable minerals, mineral materials, and non-energy leasable minerals while preventing unnecessary and undue degradation.

- Solid Minerals: Decision Number MIN-OBJ-02; Page 113:

Facilitate environmentally sound exploration and development of locatable minerals, salable minerals/mineral materials, and non-energy leasable minerals.

COMPLIANCE WITH NEPA

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the BLM NEPA Handbook H-1790-1, Appendix 4: BLM Categorical Exclusions, F. Solid Minerals, 3. *Approval of suspensions of operations, force majeure suspensions, and suspensions of operations and production.*

The Departmental Manual (516 DM 2.3A (3) & Appendix 2) requires that before any action described in the following list of categorical exclusions is used, the exceptions must be reviewed for applicability in each case. The proposed action cannot be categorically excluded if one or more of the exceptions apply, thus requiring either an EA or an EIS. When no exceptions apply, the following types of bureau actions normally do not require the preparation of an EA or EIS. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Table 1. Exclusions.

EXCLUSION	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; 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.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		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 (Executive Order 12898).		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 (Executive Order 13007).		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 (Federal Noxious Weed Control Act and Executive Order 13112).		X

INTERDISCIPLINARY REVIEW

Table 2. BLM Interdisciplinary Team Authors and Reviewers.

Name	Title	Areas of Participation
Jessica Lopez Pearce	Geologist	NEPA Lead, Solid Minerals, Paleontology, Abandoned Mine Lands
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern, Special Status Plants, Vegetation, Wetlands & Riparian Zones, Land Health Standards
Hilary Boyd	Wildlife Biologist	Terrestrial and Aquatic Wildlife (including Special Status Species), Migratory Birds
Kimberly Leitzinger	Outdoor Recreation Planner	Wilderness, Wild and Science Rivers, Recreation
Kristy Wallner	Range Management Specialist	Invasive, Non-native Species (Noxious Weeds)
Carmia Woolley	Hydrologist	Soil, Water, Air
Erin Leifeld	Archeologist	Cultural Resources and Native American Religious Concerns
Brian Hopkins	Assistant Field Manager	NEPA Compliance

REMARKS/MITIGATION

Cultural Resources and Native American Religious Concerns. A records search of the general project area, and a Class III inventory of the Area of Potential Effect (APE), as defined in the National Historic Preservation Act (NHPA), was completed by a BLM archaeologist (CRVFO CRIR# 1199-6). The inventory resulted in 6.3 acres of cultural resource inventory. One site, (5GF.2614) the Sunshine Mine, was documented during inventory. The site is a historic limestone quarry mine dating from 1960-1980 and is not eligible for the National Register of Historic Places (NRHP). The project inventory and evaluation is in compliance with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources. The project has a determination of *no historic properties affected*.

The Ute have a generalized concept of spiritual significance that is not easily transferred to Euro-American models or definitions. As such the BLM recognizes that the Ute have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. No traditional cultural properties, unique natural resources, or properties of a type previously identified as being of interest to local tribes, were identified during the cultural resources inventory of the project area. No additional Native American Indian consultation was conducted for the proposed project.

- A. Cultural Resources. If subsurface cultural values are uncovered during operations, all work in the vicinity of the resource will cease and the authorized officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the State Historic Preservation Officer (SHPO) and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected from further disturbance until mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.
- B. Native American Human Remains. Pursuant to 43 CFR 10.4(g), the holder 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 on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first.

CONSULTATION

The following stakeholder was contacted:

- Colorado Department of Natural Resources – Division of Reclamation Mining & Safety

REFERENCES

Bureau of Land Management (BLM). 2015. Colorado River Valley Field Office Record of Decision and Approved Resource Management Plan. Website: http://www.blm.gov/co/st/en/BLM_Programs/land_use_planning/rmp/kfo-gsfo/colorado_river_valley0.html. Accessed on 5/16/2016.

SUMMARY OF FINDINGS.

The Proposed Action is categorically excluded from further documentation under National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E. 19. 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.

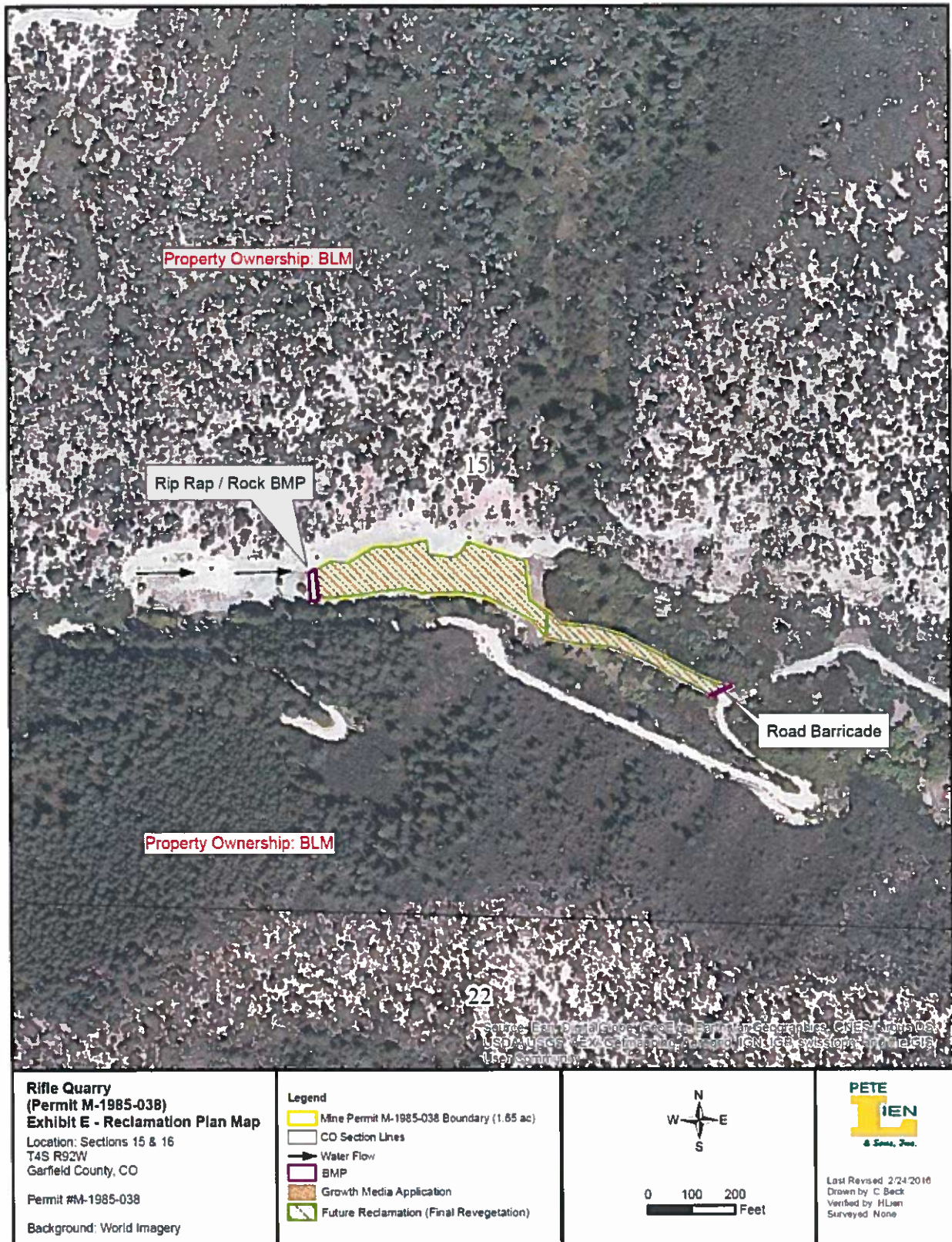
Authorizing Official: 

Gloria Tibbetts, Assistant Field Manager

Date: 7/1/2016

Contact Person. For additional information concerning this review, contact Jessica Lopez Pearce, Geologist, at 970-876-9018, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652.

Appendix A – Map of Rifle Quarry



**United States Department of the Interior
Bureau of Land Management**

**Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652**

DECISION RECORD

for

DOI-BLM-CO-040-2016-0058 CX

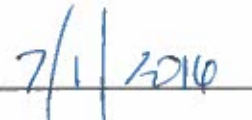
Rifle Quarry Final Reclamation Plan

DECISION. I have considered this action and determined that the approval of the final reclamation plan for the Rifle Quarry meets the criteria for application of a Categorical Exclusion under the amended Section 402 of FLPMA. Furthermore, I have evaluated the Proposed 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. The proposed action is in conformance with the 2015 Colorado River Valley Field Office Record of Decision and Approved Resource Management Plan. It is my decision to approve and implement the project as described in the Categorical Exclusion.

Authorizing Official:


Gloria Tibbetts, Assistant Field Manager

Date:



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 the Bureau of Land Management, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, Colorado 81652 with copies sent to the: Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, Colorado 80215; Department of the Interior, Office of Hearings and Appeals, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. See Information on Taking Appeals to the Interior Board of Land Appeals (Form 1842-1) for further information.