

**U.S. Department of Energy Office of Legacy Management  
National Environmental Policy Act Environmental Checklist**

**Project/Activity:** Reclamation Projects in Jo Dandy Lease Tract C-JD-7, Uranium Leasing Program

**A. Brief Project/Activity Description**

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) proposes to close a mine portal and the related vent located on the Aztec Claim on Least Tract C-JD-7. Independent contractors associated with Cotter Corporation, the leaseholder, would complete all work within an expected 2 days. The abandoned mine features, which DOE inherited when lease tract boundaries were reconfigured in 2007, are a public safety concern. The lease tract is in the Paradox Valley in western Montrose County, Colorado, approximately 10 miles west-northwest of the town of Naturita and south of State Highway 90. Access to the mine sites would be by all-terrain vehicle or on an existing dirt track road.

Twenty-four to 48 hours prior to closure, and in accordance with approved Colorado Division of Wildlife bat protocol, tarps would be placed across the portal opening, leaving open approximately 12 inches at the bottom to displace any bats that might be inhabiting the mine. Bats are nocturnal and would leave the mine once the tarps are in place. Closure activities include placing large rocks and boulders—and then mine-waste rock—into the portal; adding common borrow materials to attain the desired grade; and seeding with an approved seed mixture. Uranium Leasing Program personnel would identify an appropriate source for the borrow materials.

A vent associated with the mine would be permanently closed with a polyurethane foam plug, covered with surface soil materials, and seeded with an approved seed mixture.

The area was evaluated for the presence of cultural resources, and none were identified. The work is planned to be conducted after migratory bird season; there are no breeding or nesting birds known to be present on the site. No wetlands are present. All activities associated with this reclamation would disturb approximately 0.5 acre.

**B. Environmental Concerns**

Evaluate the following elements and indicate by checking "yes" or "no" if any phase of the project/activity would result in a change or impact that is subject to regulatory permits, controls, or plans or that would require additional evaluation. If the "yes" column is checked, provide a brief explanation below, and attach sheets with additional detail as necessary or appropriate.

Element	Yes	No	Element	Yes	No
Air emissions/air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exposure/impacts to public or workers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Need for public awareness/involvement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid waste generation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Transportation/traffic control required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mixed waste management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Access to/use of DOE property	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chemical storage on site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Visual resources impacted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pesticide/herbicide use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cultural/archaeological resources present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Toxic substances management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wetland/floodplain impacted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Regulated quantities of petroleum used or stored on site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Protected species present: federal, state, or tribe listed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Radioactive materials/soils	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Migratory birds breeding or nesting	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surface (ground) disturbance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wild/scenic rivers impacted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface water use/contamination	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Prime/unique farmlands present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface water quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Groundwater use/contamination	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Groundwater quality affected	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other considerations	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**C. Explanation and Qualification of All "Yes" Responses**

Air emissions/air quality: Backfilling the area around the portal may result in minor and temporary fugitive dust. This work is expected to take approximately 2 days to complete and would be in a remote area.

Noise: The use of heavy equipment to push boulders and mine-waste materials back into the mine would temporarily elevate noise levels. There are no near residences in this remote area.

Surface (ground) disturbance: Surface disturbance covering approximately 0.5 acre would be associated with backfilling the portal. After the reclamation, the area would be improved, and a safety issue would no longer be present.

Cultural/archaeological resources present: The affected site area was evaluated for the presence of cultural resources, and none were found eligible for nomination to the National Historic Record.

Protected species present: federal, state, or tribe listed: No listed species are known to be present in the affected area. However, sensitive bat species may inhabit the mine. Using tarps to displace the bats is an effective measure approved by the Colorado Division of Wildlife.

Migratory birds breeding or nesting: The proposed work would be conducted after migratory bird breeding and nesting season is over. In addition, the short-term disturbance at each of the work sites would not be considered intrusive if late nesters were in the area.

**D. Eligibility/Conditions**

The proposed action fits within a class of actions listed in Appendix A or B to Subpart D of Title 10 *Code of Federal Regulations* Part 1021 (10 CFR 1021). DOE has determined that these classes of actions do not individually or cumulatively have a significant effect on the human environment (see 10 CFR 1021.410). There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposed action, and the proposed action is not "connected" to other actions with potentially significant impacts. Finally, the action is not related to other proposed actions with cumulatively significant impacts and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

**E. Recommendation**

The proposed sealing of the mine portal and closing of a vent associated with the mine are allowable activities under Criterion B1.28 of Appendix B to Subpart D of 10 CFR 1021: "Minor activities that are required to place a facility in an environmentally safe condition where there is no proposed use for the facility." The reclamation of the disturbed areas is an allowable activity under Criterion B1.3 (k), "Erosion control and soil stabilization measures."

Meets Criteria

Does Not Meet Criteria

Unsure

**F. National Environmental Policy Act (NEPA) Determination**

The scope of actions proposed under Section A of this Environmental Checklist, and the information relevant to the potential for environmental impacts in Section B have been reviewed, and the following has been determined:

The proposed actions meet the criteria for categorical exclusion.

The proposed actions do not meet the criteria for categorical exclusion; therefore, I recommend that the LM NEPA Planning Board be convened based on my recommendation (see attached rationale) to complete:

an Interim Action.



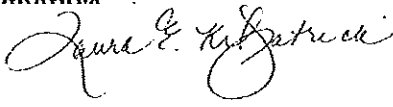

an Environmental Assessment.

an Environmental Impact Statement.

a Supplemental Analysis.

## Concurrences

Project/Activity: Reclamation Projects in Jo Dandy Lease Tract C-JD-7, Uranium Leasing Program

LM Site Name Cotter Corporation LT C-JD-7	LM Site Program Uranium Leasing Program	
Contractor NEPA Coordinator Sandy Beranich	Signature 	Date 6-21-2010
Contractor Program Lead Ed Cotter	Signature 	Date 6/21/2010
LM Program Manager Laura Kilpatrick	Signature 	Date Laura E. Kilpatrick DOE LM - Rocky Flats 2010.06.21 11:13:04 -06'00'
LM NEPA Compliance Officer Richard Bush	Signature 	Date 6/25/10

Distribution upon signature:

R. Bush, LM NEPA Compliance Officer  
L. Kilpatrick, LM Program Manager  
S. Beranich, Stoller NEPA Coordinator  
E. Cotter, Stoller Uranium Leasing Program Lead  
S. Osborn, Stoller Compliance Manager  
re-grand.junction