



Public Advisory

90th Missile Wing Public Affairs Office
5305 Randall Avenue Bldg. 250 Suite 201
F.E. Warren AFB, Wyo. 82005-2266
(307) 773-3381

FOR IMMEDIATE RELEASE
RELEASE NUMBER: 2021-04-16-01

DATE: April 16, 2021
TIME: 12:00 p.m.

F.E. Warren AFB reaches out to landowners

F.E. WARREN AIR FORCE BASE, Wyo. – As a precursor to the planned modernization of the nation’s Minuteman III Intercontinental Ballistic Missile system, the Air Force is conducting field surveys of the F.E. Warren missile field to identify and document potential threatened and endangered species and habitat suitable to support them, wetlands, or archaeological areas of concern that may impact project planning and implementation. Right-of-entry request letters were sent in March to landowners who may have a portion property that may need to be accessed to conduct these surveys. This is preliminary fact-finding work that will inform the development of an Environmental Impact Statement.

Background

In the fall of 2020, the Air Force began preparing an Environmental Impact Statement pursuant to its responsibilities under the National Environmental Policy Act and the Air Force Environmental Impact Analysis Process to analyze the potential effects on the human and natural environments from the deployment of the Ground Based Strategic Deterrent intercontinental ballistic missile system, and the decommissioning and disposal of the Minuteman III ICBM. The GBSD weapon system represents the continued modernization of the United States' land-based nuclear arsenal with the replacement of the aging Minuteman III. Deployment-related actions would primarily occur both on base and in the

COMMUNICATIONS
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cc: BG(TT), PW(JMIERICH),
CA(BB)
04/23/21

2021-1078

missile fields at F.E. Warren Air Force Base (AFB), Wyo.; Malmstrom AFB, Mont.; and Minot AFB, N.D.

Right of Entry Requests

In the spring of 2021, right-of-entry request correspondence from Lt. Col. Michelle L.E. Sterling, commander of the 341st Civil Engineer Squadron was sent to local landowners who may have a portion of their property that may need to be accessed by the government to conduct biological and cultural resource field surveys. The request is to allow the Air Force and its contractors to access private property to conduct the surveys.

The request is being made because all launch facilities, communication systems, infrastructure, and technologies would be modernized and replaced as necessary to support the GBSB system.

Approximately 1,780 miles of new utility corridors are proposed across the three missile fields at F.E. Warren AFB, Malmstrom AFB, and Minot AFB. Preliminary analysis indicates more than 90 percent of new corridors would be on private land.

Utility Corridors

Utility corridors would generally be aligned along established roads (50 feet on either side of the road). The government would acquire associated property easements from F.E. Warren AFB to and throughout the missile field. These utility corridors would be in addition to the existing utilities connection to the Launch Facilities and Missile Alert Facilities. Activities along the utility corridors would require clearing and grubbing sufficient to provide access to the area and enable installation of the utility lines.

The utilities would be installed in a 25-foot-wide temporary easement and maintained in a 16.5-foot permanent easement. Temporary easements would be sized to accommodate access and required equipment, and to provide temporary spoils storage. The utility trench would have a typical depth of 4-

8 feet with a finished footprint approximately 2-feet wide. Directional drilling would be used as needed to install utility lines beneath roadways and stream crossings, and near sensitive environmental resources. In cases in which directional drilling is required, the width of the easement and depth of the trench would depend upon the obstacle being avoided; additional temporary easements or workspace might be acquired. Upon completion of the new corridors and easements, disturbed areas would be reseeded and restored, as necessary.

Beginning in spring of 2021, the government will begin field surveys of these areas for both biological and cultural resources to assist in planning. These surveys would occur at proposed project areas both on base and in the missile fields, as well as on private property and parcels administered by federal and state agencies. In general, all survey work will be done by a field survey team consisting of two to four biologists or archaeologists who will walk through the survey area to identify and document potential threatened and endangered species and habitat suitable to support them, wetlands, or archaeological areas of concern.

Further Information

The Air Force has collaborated with the U.S. Army Corps of Engineers (USACE) to obtain access to support the described survey work effort. If landowners have questions about the letter requesting right of entry or the right of entry agreement that they received, they may visit www.gbsdeis.com, speak with someone at the USACE office by calling 1-800-265-9309 or they can make contact via email at ROEhelpdesk@usace.army.mil.

Attached is an example of the correspondence sent to landowners and a copy of the Right of Entry Agreement.



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 341ST MISSILE WING (AFGSC)**

Dear Landowner,

The U.S. Government is undertaking biological and cultural resource field surveys pursuant to its responsibilities under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et. seq.) and the Air Force Environmental Impact Analysis Process (EIAP) (32 C.F.R. Part 989) in support of the Air Force's Ground Based Strategic Deterrent (GBSD) Program. The GBSD Program will support the future of the Air Force Global Strike Command's military deterrent mission and includes modernization or replacement of current weapons systems. GBSD is the most cost-effective option for maintaining safe, secure and effective systems. The Air Force is required to consider alternatives, including various locations to commence programs, before proceeding with a specific proposed decision or action. Additional information about the GBSD Program including project locations, on- and off-base activities, and the EIS process is available online at www.gbsdcis.com.

You are receiving this letter because the U.S. Government has identified a portion of your property that we wish to access for the purpose of conducting biological and/or cultural resource field surveys to assess the presence or absence of wetlands and other waters of the United States, threatened or endangered species, or historic or archaeological resources.

Two to four field biologists or archaeologists will enter the property to conduct the surveys. The surveyors will be wearing identification badges and safety vests. A placard will be placed on the dashboard of each vehicle to identify it as a vehicle associated with the project. Surveyors will park the vehicle(s) in a safe location to not impede traffic. Vehicles will not be parked over dry grass or other flammable material. Surveyors will not drive on muddy roads and will respect all posted parking restrictions. Fencing will not be altered or damaged during surveys and all gates will be left in the state found (opened or closed) when accessing survey areas.

All survey work will be done on site by a Field Surveyor Team. The Team will walk through the survey area to identify and document potential habitats or areas of concern. The Field Survey Team will use a handheld computer tablet to help them navigate and to take notes and photographs. In certain circumstances, small pits may be dug by hand to define wetland, cultural resource boundaries or to assist with ground visibility as described in more detail in the enclosed Right-of-Entry (ROE).

Work will generally occur on weekdays, but may occur on a weekend, between 7:00 a.m. and 6:00 p.m. The length of time spent at each property will depend on ease of access and the size of resource being evaluated. Generally, surveys will be completed in 2-4 hours. Based on seasonal variability and the resources to be evaluated, your property may need to be accessed multiple times. We expect all surveys to begin in the spring of 2021 when the ground is not frozen and the surface is snow free (April-October based on location). The surveys may extend through spring of 2023.

Enclosed for your review are three copies of a Right of Entry (ROE). By completing and signing the applicable signature block, you are granting written permission to the U.S. Government, its agents, employees, and contractors to conduct the described field assessment activities during the term of the permit. If you have no further questions, please retain one copy of the ROE form for your records and return two signed copies in the enclosed, pre-addressed and postage paid envelope. Upon receipt of your signed copies, the U.S. Government will complete and return a fully executed copy for your records.

The Air Force has collaborated with the U.S. Army Corps of Engineers (USACE) to obtain access to support the described survey work effort. If you have any questions regarding this letter, you may visit the GBSD web site, speak with someone at the USACE office by calling 1-800-265-9309 or you can make contact via email at ROEhelpdesk@usace.army.mil



MICHELLE E. STERLING, Lt Col, USAF
Commander, 341st Civil Engineer Squadron

Enclosure

RIGHT-OF-ENTRY AGREEMENT

FROM _____

TO THE

UNITED STATES OF AMERICA

THE UNDERSIGNED hereinafter referred to as the “Grantor,” hereby grants to the **UNITED STATES OF AMERICA**, hereinafter referred to as the “Grantee” or the “Air Force,” a right-of-entry (“ROE”) upon Grantor’s real property described and under the terms and conditions provided herein. The Grantor and Grantee are sometimes collectively referred to as the “Parties” or individually, a “Party.”

1. The Grantor hereby attests that Grantor is the legal owner of or holder of legal authority over the property to allow access to the property described herein.
2. Description: The property that is the subject of this agreement is located in the State of _____ in (City/Town): _____, located at (address/Property ID#): _____ (hereafter, “the Premises”).
3. The Grantor hereby grants to the Grantee, including Grantee’s officers, representatives, employees, agents, or contractors (“Authorized Persons”) a right to enter upon and access the Premises at any time in order to conduct **field surveys to assess the presence or absence of various Threatened & Endangered (T&E) Species, Wetlands, and Cultural Resources. All survey work will be done on foot.**

3.1. Biological surveys would be conducted on the Premises to identify T&E Species of wildlife and vegetation and their habitats along the potential utility corridors, and to support United States Air Force (USAF) compliance with the Endangered Species Act and other biological resource-related regulations. The surveys would not be conducted continuously, but rather would occur at discreet times and locations depending on the appropriate time to investigate for a certain species and the likelihood for the species to occur in a specific area. Biological surveys would consist of the Field Survey Team walking over and conducting visual observations of the Premises, identifying species, and recording data with handheld computer tablets, notes, photographs, and global positioning system (GPS) coordinates.

3.2. Wetland delineations would be conducted on portions of the Premises identified as having confirmed or potential Wetland areas. Wetlands are defined based on the presence of wetland vegetation, wetland hydrology, and hydric soils. Methods for determining their presence or absence are outlined in the U.S. Army Corps of Engineers’ Wetland Delineation Manual. Wetland delineations for project planning are anticipated to occur during the months of July, August, and September. The work would include recording the locations with a GPS unit and photographing the wetlands at representative locations on the Premises to illustrate conditions on the ground. To

evaluate vegetation conditions, the Field Survey Team would observe and identify vegetation species. Hydrology would be determined through visual observations of surface conditions such as surface water, evidence of recent flow, or water-deposited debris. To evaluate the presence of hydric soils, test pits approximately 6 inches in diameter and up to 24 inches deep may be dug by hand using a tile spade at each wetland location and the soil observed; the soil would then be placed back into the pit. If hydric soils are present, indicating a wetland, additional test pits would be dug in an adjacent upland area to define the wetland boundary. For a listing of Wetland areas of interest on the Premises to be assessed during this survey, please refer to Attachment 1 of the letter provided.

3.3. For Cultural Resource field surveys, the Field Survey Team will walk the Premises and conduct visual observations to identify cultural resources. Resources that are identified will be recorded using hand-held computer tablets, notes, forms, drawings, photographs, and GPS coordinates. No artifacts will be collected. In certain circumstances, to identify the boundaries of an identified cultural resource, small hand-dug subsurface trowel or shovel probes may be required. These areas will not exceed six pits, 20 inches diameter by 20 inches deep, per identified resource. If probes are necessary, all excavated soil will be placed back into the pits. If surface visibility is at 30 percent or lower in the survey area due to thick vegetation, such as near streams or water bodies, similar shovel probes will be excavated periodically to observe subsurface conditions. If such probes are necessary, all excavated soil will be placed back into the pits. Pits will not be left open overnight.

3.4. For all surveys, fencing will not be altered or damaged. All gates will be left in the state found (opened or closed) when accessing the Premises.

4. The Grantor hereby also grants to Authorized Persons a right to enter upon and access the Premises to engage in real estate planning activities, e.g. conduct appraisals or surveys, in the event the Grantee may request use of the Premises at some future date.
5. This ROE includes the right of ingress and egress on other lands of the Grantor, provided such ingress and egress is necessary and access to the Premises is not otherwise conveniently available to the Grantee.
6. The term of this ROE is five (5) years, commencing on the date of the signed right-of-entry. This ROE may be renewed for an additional five (5) year term by mutual agreement of the Parties. An original shall be maintained in the Air Force real property records.
7. Grantor agrees it will maintain reasonably safe Premises and a safe means of ingress and egress to the Authorized Persons and safe access for the purposes provided in this agreement.
8. Grantee shall have sole responsibility for all costs and expenses relating to the Surveys.
9. Grantee agrees to take reasonable measures to avoid interference with normal activity on the Property.
10. Any tools, equipment, and other property taken upon or placed upon the Premises by the Grantee shall remain the property of the Grantee and may be removed by the Grantee at any time within a reasonable period after the expiration of this ROE, unless an alternative disposition of the tools, equipment, and other property placed on the land by the Grantee is agreed to in a separate transaction. Such disposition shall be in compliance with applicable laws.

11. If any action of an Authorized Person in the exercise of this right-of-entry results in damage to the Premises, the Grantee will, at its option, either repair such damage, ensure such damage is repaired, or make an appropriate settlement with the Grantor. In no event shall such repair or settlement exceed the fair market value of the fee interest of the Premises at the time immediately preceding such damage. Nothing contained in this Agreement is intended to limit or waive the Government's protections or defenses under the Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680. The Grantee's liability under this clause may not exceed appropriations available for such payment, and nothing contained in this right of entry may be considered as implying that Congress will, at a later date, appropriate sufficient funds to continue the purposes of this right of entry. The provisions of this clause are without prejudice to any rights the Grantor may have to make a claim under applicable laws for any other damages than provided herein.

12. Consistent with the Anti-Deficiency Act, any requirement for the payment or obligation of funds by the Grantee in connection with this right-of-entry shall be subject to the availability of appropriated funds, and nothing herein shall be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, 31 U.S.C. §§ 1517, 1541-1542, and nothing in this ROE is intended to bind the Grantee to commit, obligate, appropriate or spend funds in violation of the Anti-Deficiency Act and other applicable law respecting Federal funding.

13. This agreement may be amended at any time by mutual agreement of the Parties in writing and signed by a duly authorized representative of each of them

Please visit us at <https://www.gbsdeis.com/>.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES.]

IN WITNESS whereof, this Right-of-Entry is made by Grantor this ____ day of _____,
20__.

[Complete applicable Option Below]

If Grantor Is an Individual owner:

(Sign):

Print Name:

Phone Number:

Email Address:

If Grantor Is a Company:

(Sign):

Print Name:

Title:

Legally Authorized Representative

Name of Company:

If Grantor Is not the property resident list the resident's information:

Print Name: _____

Phone Number: _____

Email Address: _____

IN WITNESS whereof, I have hereunto set my hand by authority of the Secretary of the Air Force.

THE UNITED STATES OF AMERICA

MICHELLE L.E. STERLING, Lt Colonel, USAF
Commander, 341st Civil Engineer Squadron
Malmstrom Air Force Base

Esther Gesick

From: Bruce Barker
Sent: Wednesday, April 21, 2021 8:27 AM
To: Toby Taylor; Esther Gesick
Cc: Don Warden; Ryan Rose; Jennifer Finch; Karla Ford
Subject: RE: GBSD Right of Entry Request Letters

I agree with Toby.

Bruce T. Barker, Esq.
Weld County Attorney
P.O. Box 758
1150 "O" Street
Greeley, CO 80632
(970) 400-4390
Fax: (970) 352-0242



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From: Toby Taylor <ttaylor@weldgov.com>
Sent: Wednesday, April 21, 2021 8:14 AM
To: Esther Gesick <egesick@weldgov.com>
Cc: Don Warden <dwarden@weldgov.com>; Ryan Rose <rrose@weldgov.com>; Bruce Barker <bbarker@weldgov.com>; Jennifer Finch <jfinch@weldgov.com>; Karla Ford <kford@weldgov.com>
Subject: RE: GBSD Right of Entry Request Letters

I would think listing it as an item of communication would be fine.

This project is the replacement of the Minuteman III nuclear missile system that has facilities located in Weld County.

The construction effort will undoubtedly affect landowners for utility easements and Public Works maintained roadways over the course of the next 2-5 years.

Toby Taylor
Director
Weld County Facilities Department
Weld County Veterans Services
1105 H Street
P.O. Box 758

Greeley, CO 80632
P: 970.400.2023
F: 970.304.6532
ttaylor@weldgov.com

From: Esther Gesick <egesick@weldgov.com>
Sent: Monday, April 19, 2021 8:20 AM
To: Toby Taylor <ttaylor@weldgov.com>
Cc: Don Warden <dwarden@weldgov.com>; Ryan Rose <rrose@weldgov.com>; Bruce Barker <bbarker@weldgov.com>; Jennifer Finch <jfinch@weldgov.com>; Esther Gesick <egesick@weldgov.com>; Karla Ford <kford@weldgov.com>
Subject: FW: GBSD Right of Entry Request Letters

Hi Toby,

Forwarding this along to you as Facilities Director, and also inquiring of the group if this would be useful as an item of Communications for public record?

Please advise.

Thanks,

Esther E. Gesick


Clerk to the Board
1150 O Street | P.O. Box 758 | Greeley, CO 80632
tel: (970) 400-4226



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From: Karla Ford <kford@weldgov.com>
Sent: Monday, April 19, 2021 7:21 AM
To: Commissioners <COMMISSIONERS@co.weld.co.us>; Don Warden <dwarden@weldgov.com>; Ryan Rose <rrose@weldgov.com>; Bruce Barker <bbarker@weldgov.com>; Jennifer Finch <jfinch@weldgov.com>; Esther Gesick <egesick@weldgov.com>
Subject: FW: GBSD Right of Entry Request Letters

FYI... Please see email below and also the attachments. I believe this is just to let you all know and what to do if you receive questions.

Karla Ford 

Office Manager, Board of Weld County Commissioners
1150 O Street, P.O. Box 758, Greeley, Colorado 80632
:: 970.336-7204 :: kford@weldgov.com :: www.weldgov.com ::

****Please note my working hours are Monday-Thursday 7:00a.m.-5:00p.m.****



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From: SEATON, EMILY R 2d Lt USAF AFGSC 90 MW/PA <emily.seaton.1@us.af.mil>
Sent: Friday, April 16, 2021 5:00 PM
Cc: COSLETT, JOSEPH A JR GS-12 USAF AFGSC 90 MW/PA <joseph.coslett.1@us.af.mil>; HIGGINS, TERRY W GS-09 USAF AFGSC 90 MW/PA <terry.higgins.1@us.af.mil>; JACKSON, JUAACKLYN R MSgt USAF AFGSC 90 MW/PA <juaacklyn.jackson@us.af.mil>; PAMPE, CARLA A CIV USAF AFGSC AFGSC/PA <carla.pampe.3@us.af.mil>
Subject: GBSD Right of Entry Request Letters

Caution: This email originated from outside of Weld County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

The Air Force has recently sent right-of-entry letters to landowners in missile field areas to begin the process for preparing for missile modernization, GBSD. As county and state officials, you may receive queries about these letters.

A part of the prep for GBSD is the Environment Impact Survey (EIS) to fulfill responsibilities within the National Environmental Policy Act. The government needs permission from landowners to enter private property in order to conduct biological and cultural surveys for the EIS.

The attached public advisory is provided for your information and is releasable to the general public. Also attached is a copy of the letter that went out to landowners who MAY be affected by the modernization proposal, as well as, the right of entry agreement.

Queries from landowners about the specific scope or nature of the surveys should be directed to the U.S. Army Corps of Engineers (USACE) office. They may visit the GBSD web site: www.gbsdeis.com, speak with someone at the USACE office by calling 1-800-265-9309, or make contact via email at ROEhclpdesk@usace.army.mil

Very respectfully,

EMILY R. SEATON, 2d Lt, USAF
Media Operations Chief
90th Missile Wing Public Affairs
F.E. Warren AFB, Wyo
COM: 307-773-2886