



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Glenwood Springs Field Office
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Glenwood Springs, Colorado 81601
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ENVIRONMENTAL ASSESSMENT

NUMBER: CO-140-2009-0031ea

CASEFILE NUMBER:

PROJECT NAME: Sutey Allotment

LEGAL DESCRIPTION: T07S, R88W, Sec 15, 16, 21, & 22

APPLICANT: Grazing Permittee

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Background:

The Sutey Livestock Grazing Allotment (Allotment #08320) consists of 715 acres of public BLM land. Barbara Sutey & Marion Finch (permittee #0500251) currently holds the preference for the allotment. Table 1 shows the active grazing preference and table 2 shows the grazing schedule of the permit issued to Barbara Sutey and Marion Finch.

Table 1 Grazing Preference

Allotment	Active AUMs	Suspended AUMs	Permitted Use
Sutey/08320	55	0	55

Table 2 Current Grazing Schedule

Allotment	Lvstk #	Kind	Begin	End	%PL	Type Use	AUMs
Sutey/08320	40	Cattle	06/01	06/30	100	Active	39
	3	Horse	06/01	09/30	100	Active	12

An individual has purchased the base property tied to the Sutey Allotment and has applied for the grazing preference within 90 days in accordance with CFR 43 Subpart 4110.2-3. That same individual has applied for the same preference listed in table 1 and the season-of-use and livestock numbers listed in table 3.

Table 3 Grazing Schedule from Application

Allotment	Lvstk #	Kind	Begin	End	%PL	Type Use	AUMs
Sutey/08320	55	Cattle	06/01	06/30	100	Active	55

Proposed Action:

The Proposed Action is to issue a term grazing permit for the above applicant. The grazing preference in animal unit months (AUMS) will remain unchanged from the previous permit issued to Barbara Sutey & Marion Finch. The 12 AUMs for horse use on the previous grazing schedule would be deleted and the AUMs added to the cattle grazing schedule as shown in the proposed scheduled grazing use. The permit would be issued for a 10-year period, unless the base property is leased for less, but for purposes of the EA, we are assuming 10 years of grazing by this or another applicant (in case of transfer). The proposed action is in accordance with 43 CFR 4130.2. The tables below summarize the level of scheduled grazing use and grazing preference for the proposed permit issuance.

Proposed Scheduled Grazing Use:

Allotment Name/No.	Livestock No./Kind	Grazing Period	%PL	AUMS
Sutey/08320	55 Cattle	06/01—06/30	100	55

Proposed Grazing Preference (AUMS)

Allotment Name/No.	Total	Suspended	Active
Sutey/08320	55	0	55

The following terms and conditions were included on the previous permit and will be included on the renewed permit:

- Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits. Maintenance shall be completed prior to turn out.

The following allotment term and condition will be included on the renewed permit.

- If an assessment of rangeland health results in a determination that changes are necessary in order to comply with the standards for public land health or the guidelines for livestock grazing management in Colorado, this permit will be reissued subject to revised terms and conditions.
- The permittee and all persons specifically associated with grazing operations must be informed that any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed, moved, or disturbed. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity and notify the BLM authorized officer of the findings. The discovery must be protected until notified in writing to proceed by the authorized officer (36CFR800.110 & 112, 43CFR 0.4).

Alternatives Considered but Eliminated:

The No Grazing alternative has been eliminated from further consideration. No unresolved conflicts involving alternative use of available resources have been identified. For this reason, discontinuance of grazing use (No Grazing) will not be considered or assessed.

The No Action alternative has also been eliminated from further consideration. The No Action alternative would involve reissuing the permit/lease with current terms and conditions and no additional stipulations would be added to the permit/lease. Reissuing the permit/lease without the new stipulations would be unrealistic due to current Washington Office and Colorado State Office policies.

Need for the Proposed Action:

This permit/lease is subject to renewal or transfer at the discretion of the Secretary of the Interior for a period of up to ten years. The U.S. Bureau of Land Management has the authority to renew the livestock grazing permits/leases consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, and Glenwood Springs Field Office's Resource Management Plan/Environmental Impact Statement. This Plan/EIS has been amended by Standards for Public Land Health in Colorado.

The action is needed for the following reasons: (1) to meet the livestock grazing management objective of the Resource Management Plan of providing 56,885 animal unit months of livestock forage commensurate with meeting public land health standards, (2) to continue to allow livestock grazing on the specified allotment, (3) to meet the forage demands of local livestock operations, (4) to provide stability to these operations and help preserve their rural agricultural lands for open space and wildlife habitat, and (5) to allow use of native rangeland resource for conversion into protein suitable for human consumption.

Plan Conformance Review:

The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Glenwood Springs Resource Management Plan.

Date Approved: Jan. 1984, revised 1988, amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance.

Decision Number/Page: The action is in conformance with Administrative Actions (pg. 5) and Livestock Grazing Management (pg. 20).

Decision Language: Administrative actions states, “Various types of actions will require special attention beyond the scope of this plan. Administrative actions are the day-to-day transactions required to serve the public and to provide optimal use of the resources. These actions are in conformance with the plan”. The livestock grazing management objective as amended states, “To provide 56,885 animal unit months of livestock forage commensurate with meeting public land health standards.”

Standards for Public Land Health: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. The five standards cover upland soils, riparian systems, plant and animal communities, threatened and endangered species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands.

The Sutey Allotment is part of the Roaring Fork Landscape which is scheduled for a formal land health assessment in 2010. As such, we are deferring making a determination on conformance with the Standards on this allotment until the Land Health Assessment is completed. If the authorized officer determines that existing livestock grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform to the guidelines, the authorized officer shall take appropriate action as soon as practical (according to 43 CFR 4180.2) to achieve progress toward meeting the standards.

Because a standard exists for the five categories mentioned above, the impact analysis must address whether the proposed action or any alternatives being analyzed would result in impacts that would maintain, improve, or deteriorate land health conditions for that specific parameter. These analyses are located in specific elements listed below:

AFFECTED ENVIRONMENT /ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

CRITICAL ELEMENTS

This section provides a description of the human and natural environmental resources that could be affected by the proposed action and no action alternative. In addition, the section presents comparative analyses of the direct and indirect consequences on the affected environment stemming from the implementation of the various actions.

A variety of laws, regulations, and policy directives mandate the evaluation of the effects of a proposed action and alternative(s) on certain critical environmental elements. Not all of the critical elements that require inclusion in this EA are present, or if they are present, may not be affected by the proposed action and alternative (Table 2). Only those

mandatory critical elements that are present and affected are described in the following narrative.

In addition to the mandatory critical elements, there are additional resources that would be impacted by the proposed action and alternative. These are presented under **Other Affected Resources**.

Table 1 - Critical Elements of the Human Environment									
<i>Critical Element</i>	<i>Present</i>		<i>Affected</i>		<i>Critical Element</i>	<i>Present</i>		<i>Affected</i>	
	Yes	No	Yes	No		Yes	No	Yes	No
Air Quality		X		X	Prime or Unique Farmlands		X		X
ACECs		X		X	Threatened or Endangered Species	X			X
Cultural Resources	X		X		Wastes, Hazardous or Solid		X		X
Environmental Justice	X			X	Water Quality, Drinking and Ground	X		X	
Floodplains		X		X	Wetlands and Riparian Zones		X		X
Invasive, Non-native Species	X		X		Wild and Scenic Rivers		X		X
Native American Religious Concerns	X		X		Environmental Justice		X		X

CULTURAL RESOURCES and NATIVE AMERICAN RELIGIOUS CONCERNS

Affected Environment: Range permit renewals are undertakings under Section 106 of the National Historic Preservation Act. Additional range improvements (e.g., fences, spring improvements) are subject to compliance requirements under Section 106 and will undergo standard cultural resources inventory and evaluation procedures. During Section 106 review, a cultural resource assessment (GSFO #1009-7) was completed for the Sutey Allotment on December 17, 2008 following the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, CO-2001-026, and CO-2002-029. The results of the assessment are summarized in the table below. A copy of the cultural resource assessment is available at the GSFO office.

Allotment Number	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level	Percent (%) Allotment Inventory data Class III level	Number of Cultural Resources known in allotment	High Potential of Historic Properties (yes/no)	Management Recommendations (Additional inventory required and historic properties to be visited)
Sutey	68	647	10	5	Yes	No additional acres need to be inventoried. 63% of the allotment has 30%+ slopes.

Allotment Number	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level	Percent (%) Allotment Inventory data Class III level	Number of Cultural Resources known in allotment	High Potential of Historic Properties (yes/no)	Management Recommendations (Additional inventory required and historic properties to be visited)
Total	68	647	10	5	Yes	

Three Class III cultural resource inventories (5400-1, 15404-4, and 15304-1) have been conducted within this allotment resulting in at least ten percent being surveyed, in many cases the percent inventoried is much higher once the steep slopes (greater than 30%) have been removed from the analysis. Two historic properties have been identified. Historic properties are cultural resources that are considered eligible or potentially eligible for listing on the National Register of Historic Places. Undiscovered historic era sites within this allotment could represent a time frame from the late 1800's through the 1950's; Native American sites could represent a time range from 200 to 10,000 years before present. Based on available data, there is a moderate potential for historic properties within the allotment.

Subsequent site field visits, inventory, and periodic monitoring may have to be done to identify if additional historic properties are present within the term of the permit and as funds are made available. If the BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

At present, there are is one known area of Native American concern within this allotment. On November 7, 2008 the Glenwood Springs Field Office mailed an informational letter and maps to the Ute Tribe (Northern Ute Tribe), Southern Ute Tribe, and the Ute Mountain Ute Tribes, identifying the proposed 2009 grazing permit renewals. No response has been received. If new data is disclosed, new terms and conditions may have to be added to the permit to accommodate their concerns. The BLM will take no action that would adversely affect these areas or location without consultation with the appropriate Native Americans.

Environmental Consequences: The direct impacts that occur where livestock concentrate include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gulying, and increased potential for unlawful collection and vandalism. Continued grazing may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties.

Two historic properties were identified during the inventories for this allotment. A determination of **Conditional No Adverse Affect** has been made for this renewal. The cultural resource specialist should be involved in discussions about

improvements, maintenance, supplemental feeding areas, etc to ensure that the historic properties and area of concern is avoided.

Mitigation:

New improvements or maintenance of existing range improvements, additional feeding areas, etc may require cultural resource **inventories, monitoring, and/or data recovery**. In order to mitigate this potential affect to historic properties all ground disturbing activity and the placement of supplemental feed, etc, must be at least 100 m from the areas of concern. The cultural resource specialist should be involved in discussions for improvements, maintenance, supplemental feeding areas, etc to ensure that the historic properties and area of concern is avoided. This allotment may also contain other undiscovered historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM may require modification to development proposals to protect such properties, or disapprove any activity that is likely to result in damage to historic properties or areas of Native American concern.

Education/Discovery stipulation: The permittee and all persons specifically associated with grazing operations must be informed that any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed, moved, or disturbed. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until notified in writing to proceed by the authorized officer (36CFR800.110 & 112, 43CFR 0.4).

ENVIRONMENTAL JUSTICE

Review of 2004 data from US Census Bureau indicates the median annual income of Garfield County averages \$50,119 and is neither an impoverished or wealthy county. U.S. Census Bureau data from 2006 shows the minority population of Garfield County comprises less than 0.7 % of the total population of Colorado¹.

Garfield County
Median Household Income (2004)
Estimate
\$50,119

¹ Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, Census of Population and Housing, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report
Last Revised: Wednesday, 02-Jan-2008 15:11:03

Environmental Consequences/Mitigation: The proposed action and alternatives are not expected to create a disproportionately high and adverse human health impact or environmental effect on minority or low-income populations within the area.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: Past weed reports identifies infestations of tamarisk and Canada thistle in one location within the Sutey grazing allotment. The location is within a drainage in the south portion of the allotment.

Environmental Consequences/Mitigation: Weeds generally germinate and become established in areas of surface disturbing activities such as road construction and maintenance, vehicular traffic, big game and livestock grazing. Livestock grazing can contribute to the establishment and expansion of noxious weeds through various mechanisms. Improperly managed grazing, (over-grazing), can cause a decline in desirable native plant species and ground cover which provides a niche for noxious weed invasion. In addition, noxious weed seed can be transported and introduced to new areas by fecal deposition or by seed that clings to the animal's coat. Conversely, properly managed livestock grazing which does not create areas of bare ground and which maintains the vigor and health of native plant species, particularly herbaceous species, is not expected to cause a substantial increase in noxious weeds. Since the proposed action was designed to sustain and/or improve land health, no significant impacts to non-native, invasive species are expected.

MIGRATORY BIRDS

Affected Environment:

BLM Instruction Memorandum No. 2008-050 provides guidance toward meeting the Bureau of Land Management's (BLM) responsibilities under the Migratory Bird Treaty Act (MBTA) and the Executive Order (EO) 13186. The guidance directs Field Offices to promote the maintenance and improvement of habitat quantity and quality. To avoid, reduce or mitigate adverse impacts on the habitats of migratory bird species of conservation concern to the extent feasible, and in a manner consistent with regional or statewide bird conservation priorities.

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service (USFWS) to "identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act (ESA) of 1973." *Birds of Conservation Concern 2008*

(<http://www.fws.gov/migratorybirds/reports/BCC2008/BCC2008m.pdf>) is the most recent effort to carry out this mandate.

The conservation concerns may be the result of population declines, naturally or human-caused, small ranges or population sizes, threats to habitat, or other factors. Although there are general patterns that can be inferred, there is no single reason why any species is on the list. Habitat loss is believed to be the major reason for the declines of many species. Continued private land development, surface disturbing actions in key habitats (e.g. riparian areas) and the proliferation of roads, pipelines, powerlines and trails are local factors that reduce habitat quality and quantity for many species.

The Glenwood Springs Field Office is within the Southern Rockies/Colorado Plateau Bird Conservation Region (BCR). The 2008 list include the following birds: Gunnison Sage Grouse, American Bittern, Bald Eagle, Ferruginous Hawk, Golden Eagle, Peregrine Falcon, Prairie Falcon, Snowy Plover, Mountain Plover, Long-billed Curlew, Yellow-billed Cuckoo, Burrowing Owl, Lewis's Woodpecker, Willow Flycatcher, Gray Vireo, Pinyon Jay, Juniper Titmouse, Veery, Bendire's Thrasher, Grace's Warbler, Brewer's Sparrow, Grasshopper Sparrow, Chestnut-collared Longspur, Black Rosy-Finch, Brown-capped Rosy-Finch, and Cassin's Finch.

The GSFO planning area provides both foraging and nesting habitat for a variety of migratory birds that summer, winter, or migrate through the area. The habitat diversity provided by the broad expanses of sagebrush, mixed mountain shrub, oakbrush, aspen, pinyon-juniper woodlands, other types of coniferous forests and riparian and wetland areas support many bird species. The Gray Vireo, Pinyon Jay, Juniper Titmouse, Lewis's Woodpecker and Grace's Warbler are characteristically found in pinyon/juniper woodlands and the Brewer's sparrow (*Spizella breweri*) is found within sagebrush habitats. Other Birds of Conservation Concern 2008 may also occur locally. Many species of raptors (red-tailed hawks, golden eagles, northern goshawks, Cooper's hawks, kestrels and owls) not on the Fish & Wildlife Service's Birds of Conservation Concern list also could occur in the area.

Bald eagle (*Haliaeetus leucocephalus*). Bald eagles are known to winter along portions of the Colorado, Eagle and Roaring Fork Rivers and its major tributaries. Wintering bald eagles are generally present from mid-November to mid-April. Large mature cottonwood trees along the the rivers and their major tributaries are used as roosting and perching sites, and these waterways provide the main food sources of fish and waterfowl. Upland habitats adjacent to these waterways are used as scavenging areas primarily for winter killed mule deer and elk. Major threats include habitat loss, human disturbance and illegal shooting. Bald eagles are increasing in numbers throughout their range and were removed from the federal threatened and endangered species list in 2007 however bald eagles are still protected under the Migratory Bird Treaty Act.

Proposed Action

Environmental Consequences/Mitigation:

Impacts to Individuals. The proposed project does have some potential to impact migratory bird species however limited bird count or species data exists for the area. The Brewer's Sparrow is the BCC species potentially affected by grazing in this allotment because improper or season-long grazing could overtime change the physical structure of the habitat in which they nest and forage. Brewer's Sparrows are closely associated with sagebrush, preferring dense stands broken up with grassy areas. Breeding takes place in mid-April through early August, and can occur in high densities. The nest is placed on or near the ground. They forage on or close to the ground. A major difficulty in assigning shrubsteppe birds to grazing response categories is the need to distinguish between historical and current livestock activities. For example, certain birds requiring shrubs as nest sites may have benefitted from grazing-related early increases in woody vegetation, yet may now be harmed by heavy present grazing that removes understory grasses. The Brewer's Sparrow may be one such example (Bock, Carl E.; Saab, Victoria A.; Rich, Terrell D.; Dobkin, David S.). Livestock grazing could destroy active nests through trampling. However since the grazing schedule is short and light (i.e. 55 AUMs from 6/1 – 6/30), the impact is likely negligible and any birds that are disturbed early in the nesting season would likely re-nest later in the season.

Raptors are not expected to be negatively affected as no known nests are located within 0.25 mile of project area and upland foraging habitat is plentiful in the area. The project may impact individuals, but will not likely contribute to a trend towards the loss of viability of a population or species.

Species Level Impacts. When considering potential impacts to migratory bird species, the impact on habitat: (e.g. the degree of fragmentation expected to result from the proposed project relative to before the proposed project, the fragmentation within and between habitat types) are key issues. Meeting critical habitat needs may include ensuring perpetuation of characteristics important for breeding, producing, and rearing of young, feeding, refuge from predators, and protection from inclement environmental conditions.

Overall the amount of affected habitat, the relative abundance of sagebrush shrublands with grass/forb understory reduces the chance of this action individually or cumulatively influencing populations of migratory birds on a landscape level. If similar habitat is broadly distributed regionally, then any local effects in a specific project area may be inconsequential to species viability. The proposed action will not additionally fragment the habitat relative to before the proposed action. The conclusion is that the impacts to migratory birds would be regionally negligible and isolated and would not likely impact (e.g. species distribution, abundance, migratory/dispersal characteristics, critical habitat needs) any BCC species at the population level for any specific species.

THREATENED, ENDANGERED, AND SENSITIVE SPECIES (includes a finding on Standard 4)

Affected Environment:

According to the latest species list from the U. S. Fish and Wildlife Service (<http://mountain-prairie.fws.gov/endspp/CountyLists/COLORADO.htm>), the following Federally listed, proposed, or candidate plant and animal species may occur within or be impacted by actions occurring in Garfield County: Uinta Basin hookless cactus (*Sclerocactus glaucus*), Ute Ladies' Tresses orchid (*Spiranthes diluvialis*), Parachute beardtongue (*Penstemon debilis*), DeBeque phacelia (*Phacelia submutica*), Canada lynx (*Lynx canadensis*), Mexican spotted owl (*Strix occidentalis*), yellow-billed cuckoo (*Coccyzus americanus*), razorback sucker (*Xyrauchen texanus*), Colorado pikeminnow (*Ptychocheilus lucius*), bonytail chub (*Gila elegans*), and humpback chub (*Gila cypha*). The U. S. Fish and Wildlife Service announced the delisting of the bald eagle in June, 2007 with an effective date of August 8, 2007. The BLM now considers the bald eagle a sensitive species.

There are no known occurrences of any listed, proposed or candidate fish, wildlife, or plant species within the Sutey Allotment. In addition, there is no suitable habitat for any listed, proposed, or candidate fish or wildlife on or near the allotment.

BLM Sensitive Species

BLM sensitive plant species with habitat and/or occurrence records in Garfield County include adobe thistle (*Cirsium perplexans*), DeBeque milkvetch (*Astragalus debequaeus*), Naturita milkvetch (*Astragalus naturitensis*), Roan Cliffs blazing star (*Mentzelia rhizomata*), Piceance bladderpod (*Lesquerella parviflora*), and Harrington's Penstemon (*Penstemon harringtonii*).

There are no known occurrences of any BLM Sensitive plant species within 2 miles of the Sutey Allotment and previous surveys have found no BLM Sensitive plant species or suitable habitat for these species within the allotment.

Bluehead and flannelmouth suckers both BLM sensitive species, have been documented in the Roaring Fork River.

Environmental Consequences/Mitigation:

Federally Listed, Proposed or Candidate Fish, Wildlife, and Plant Species

Due to the absence of any occupied or suitable habitat, no listed species are found within the Sutey Allotment. The proposed action would have "No Effect" on these species.

BLM Sensitive Species

There are no known BLM Sensitive plant species or suitable habitat for these species within the Sutey Allotment. The proposed action would have no impact on these species.

Continued grazing activities would result in soil compaction and displacement and increase the likelihood of erosional processes, especially on steep slopes, areas devoid of vegetation, and livestock concentration areas around stock ponds and salting sites. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. The bluehead and flannelmouth sucker are both native fishes that are well adapted to the high sediment loads historically carried by the Roaring Fork River. Sediment is important in the creation and maintenance of important habitat components for these fish. The proposed action should have no negative impacts to these fish or their habitats.

Finding on the Public Land Health Standard for Threatened & Endangered Species: The Roaring Fork Land Health Assessment is scheduled to be performed during the 2010 field season. The proposed action would not likely have any bearing on the allotments ability to meet Standard 4 for Threatened, Endangered and BLM Sensitive Species.

WATER QUALITY, SURFACE AND GROUND (includes an analysis on Standard 5)

Affected Environment: The Sutey Allotment is located north of the Town of Carbondale, with the northern two-thirds of the allotment being located within the 11,298 acre Lower Cattle Creek 6th field watershed and the southern third being located within the 16,931 acre Roaring Fork above Glenwood 6th field watershed. In the northern portion of the allotment is an unnamed ephemeral drainage that is directly tributary to the perennial Cattle Creek to the north.

The unnamed ephemeral drainage mentioned above is not currently listed on the State of Colorado's *Stream Classifications and Water Quality Standards* (CDPHE, Water Quality Control Commission, Regulation No. 33) list, *303(d) List of Water Quality Limited Segments Requiring TMDLS* (CDPHE, Water Quality Control Commission, Regulation No. 93), or the *Monitoring and Evaluation List* (CDPHE, Water Quality Control Commission, Regulation No. 94). At this time there are no water quality data available for the unnamed ephemeral drainage or Cattle Creek.

Environmental Consequences/Mitigation: Grazing activities would result in soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. In addition, the number of livestock in the area would increase the amount of feces present in close proximity to nearby drainages. The introduction of livestock feces to water bodies often leads to water quality degradation by increasing fecal coliform

bacteria levels. Due to the distance of the proposed activities to significant ephemeral and perennial drainages, there is little potential that additional sediment associated with grazing practices as well as fecal coliform bacteria from livestock feces would reach area drainages.

Analysis on the Public Land Health Standard for Water Quality: The Roaring Fork Land Health Assessment is scheduled to be performed during the 2010 field season by the BLM Glenwood Springs Field Office. Based on existing conditions in the area, the proposed action would not likely prevent Standard 5 for Water Quality from being met.

NON-CRITICAL ELEMENTS

The following elements **must** be addressed due to the involvement of Standards for Public Land Health:

SOILS (includes an analysis on Standard 1)

Affected Environment: According to the *Soil Survey of Aspen-Gypsum Area, Colorado: Parts of Eagle, Garfield, and Pitkin Counties* (USDA 1992), the Sutey Allotment contains six different soil map units that can be identified by the numerical code assigned by the soil survey (e.g. Earsman-Rock outcrop complex=33). These soil map units are scattered throughout the allotment and have been identified as having slight to severe erosion hazards. In addition, the northwest and southwest corners of the allotment are mapped as CSU 4 (Controlled Surface Use) for erosive soils on slopes greater than 30%. Following is a brief description of the six soil map units found within the Sutey Allotment.

- Earsman-Rock outcrop complex (33) – This soil map unit is found on mountainsides and ridges at elevations ranging from 6,000 to 8,500 feet and on slopes of 12 to 65 percent. Approximately 45 percent of this unit is Earsman very stony sandy loam and 35 percent Rock outcrop. The Earsman soil is shallow, excessively drained, and derived from calcareous redbed sandstone. Surface runoff for this soil map unit is rapid and the water erosion hazard is classified as slight to severe depending on slope. Primary uses for this soil map unit include rangeland, wildlife habitat, fence posts, and firewood.
- Empedrado loam (34) – This deep, well drained soil is found on fans and upland hills at elevations ranging from 6,500 to 9,000 feet and on slopes of 2 to 6 percent. It is derived primarily from alluvium and eolian material. Surface runoff for this soil is medium and the water erosion hazard is slight. This soil is used primarily for hay and pasture.
- Showalter-Morval complex (94) – This soil map unit is found on alluvial fans, high terraces, and valley sides at elevations ranging from 7,000 to 8,500 feet and on slopes of 5 to 15 percent. Approximately 45 percent of this unit is Showalter very stony loam, 35 percent Morval loam, and the

other 20 percent a mixture of soil types. The Showalter soil is deep, well drained and is derived from basaltic alluvium. Surface runoff is medium and the water erosion hazard is slight. The Morval soil is deep, well drained and is derived from basaltic alluvium. Surface runoff is medium and the water erosion hazard is slight. Primary uses for this soil map unit include rangeland, hayland, crops, and homesite development.

- Showalter-Morval complex (95) – This soil map unit is found on alluvial fans, high terraces, and valley sides at elevations ranging from 7,000 to 8,500 feet and on slopes of 15 to 25 percent. Approximately 45 percent of this unit is Showalter very stony loam, 35 percent Morval loam, and the other 20 percent a mixture of soil types. The Showalter soil is deep, well drained and is derived from basaltic alluvium. Surface runoff is medium and the water erosion hazard is moderate. The Morval soil is deep, well drained and is derived from basaltic alluvium. Surface runoff is medium and the water erosion hazard is slight. Primary uses for this soil map unit include rangeland, hayland, and homesite development.
- Torriorthents-Camborthids-Rock outcrop complex (104) – This soil map unit occurs on south-facing mountainsides, hills, and ridges with slopes ranging from 6 to 65 percent. Approximately 45 percent of this unit is Torriorthents, 20 percent Camborthids, and 15 percent Rock outcrop. The Torriorthents are shallow to moderately deep, well drained, and are derived from sedimentary rock. Surface runoff is rapid and the water erosion hazard is severe. The Camborthids are shallow to deep, well drained, and are derived from sandstone, shale, and basalt. Surface runoff is rapid and the water erosion hazard is severe. The Rock outcrop component of this unit consists of exposed sandstone, shale, and basalt. This soil map unit is used primarily for wildlife habitat.
- Tridell-Brownsto stony sandy loams (106) – This soil map unit is found on terraces and mountainsides at elevations ranging from 6,400 to 7,700 feet and on slopes of 12 to 50 percent. Approximately 45 percent of this unit is Tridell soil and 35 percent Brownsto soil with the other 20 percent being a mixture of several soil types. The Tridell soil is deep, well drained and is derived from sandstone and basalt alluvium and colluvium. Surface runoff is rapid and the water erosion hazard is moderate. The Brownsto soil is deep, well drained and is derived from calcareous sandstone and basalt alluvium. Surface runoff is rapid and the water erosion hazard is moderate. Primary uses for this soil map unit include livestock grazing and wildlife habitat.

Environmental Consequences/Mitigation: Grazing activities would result in soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. Due to the distance of the proposed activities from significant ephemeral and perennial drainages, there

is little potential that additional sediment associated with grazing practices could reach area drainages.

Analysis on the Public Land Health Standard 1 for Upland Soils: The Roaring Fork Land Health Assessment is scheduled to be performed during the 2010 field season by the BLM Glenwood Springs Field Office. Based on existing conditions in the area, the proposed action would not likely prevent Standard 1 for Upland Soils from being met.

VEGETATION (includes a finding on Standard 3)

Affected Environment: Approximately 60% of the Sutey Allotment supports pinyon-juniper woodlands and 40% of the allotment consists of big sagebrush or big sagebrush with mixed mountain shrubs.

Environmental Consequences/Mitigation: Under the proposed grazing schedule, the Sutey Allotment would be grazed by 55 cattle for one month in late spring/early summer. This grazing schedule should provide adequate growing season rest to allow perennial grasses and forbs to maintain good root reserves and to disseminate seed following grazing.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): No formal land health assessment has been conducted on this allotment, however, livestock grazing as proposed would not be expected to result in a failure to meet or maintain the land health standard for healthy plant communities.

WILDLIFE, AQUATIC (includes a finding on Standard 3)

Affected Environment:

There are no perennial waters located on this allotment. The allotment is drained via small ephemeral drainages that feed two perennial waters. Cattle Creek is located approximately 0.3 miles to the north and contains brook, rainbow, brown, and cutthroat trout (pure Colorado River cutthroat trout are located upstream on USFS lands outside the area of influence from the proposed action). The Roaring Fork River is located approximately 0.75 miles to the south of the allotment and contains brook, rainbow, and brown trout, mountain whitefish, mottled sculpin, and suckers including bluehead and flannelmouth suckers which are addressed in the TES Section above. Both of these waters also contain a diverse aquatic insect community which is important as food sources for both fish and terrestrial wildlife primarily birds and bats.

Environmental Consequences/Mitigation:

The proposed action is to authorize grazing for a new 10 year period. The permittee would be new and a slight change in use would occur as horse use would be eliminated and the available AUM's added to the livestock. No increases in AUM's would occur and no change in season of use would result.

Continued grazing activities would result in soil compaction and displacement and increase the likelihood of erosional processes, especially on steep slopes, areas devoid of vegetation, and livestock concentration areas around stock ponds and salting sites. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. Sedimentation can impact trout by silting in spawning substrates and smothering eggs. In addition, sediment settles out in pools which reduces their depth and limits their usability. Pools provide important thermal refuge and are required micro habitats needed for oversummer and overwinter survival of fishes. Excessive sediment can also impair aquatic insect productivity which can reduce food sources for fish and upland birds and bats.

Grazing would continue to occur for 30 days during the month of June. This allows a good amount of growing season rest and recovery for upland plants which should help to maintain and stabilize soils and reduce erosion potential. This coupled with the distance of proposed grazing activities from significant drainages should result in minimal impact to downstream fisheries.

Finding on the Public Land Health Standard 3 for Plant and Animal Communities (partial, see also Vegetation and Wildlife, Terrestrial):

A formal land health assessment has not yet been conducted on this allotment. However, livestock grazing as proposed would not be expected to result in a failure to meet, maintain, or move toward meeting land health Standard 3 for aquatic wildlife.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment:

The allotment provides important habitat for a variety of obligate species of terrestrial wildlife, and are particularly important as food and cover for wintering big game. Terrestrial habitats have been altered by roads (both authorized and unauthorized), powerlines, pipelines, fences, public recreation use, residential and commercial development, vegetative treatments and livestock and wild ungulate grazing. These human uses contribute to degradation of habitat quality, fragmentation of habitat for several species and the expansion of areas supporting noxious and exotic vegetative species.

Species of High Public Interest. Mule deer and elk usually occupy the area yearround however the sagebrush-dominant ridges and south-facing slopes are important big game winter habitat. Within these allotments BLM lands provide a large portion of the undeveloped winter range available to deer and elk. The allotment overlaps with deer winter range and elk severe winter range. Elk severe winter range is considered that part of the overall range where 90% of the individuals are located when the annual snowpack is at its maximum and/or temperatures are at a minimum in the two worst winters out of ten.

The Lower Colorado River Habitat Management Plan 2008-2012 indicates the 2006 post hunt elk population to be an estimated 5,950 within data analysis unit (DAU) E-16 (game management units 44,444, 45 and 47). The CDOW recommended population objective for elk is 6,000. As indicated the elk population is stable and meeting the population objectives set by the CDOW. CDOW recommended population objective for deer is 7,000. The 2006 post hunt population estimate was 10,160 deer in game management DAU D-14 (GMU 44). Currently the deer numbers are likely near the 7,000 deer population objective due to the locally severe winter of 2007-08.

Environmental Consequences/Mitigation:

It is unlikely that the proposed action on this small allotment would have any long-term negative impacts to terrestrial wildlife or their habitat. The proposed action would not be expected to degrade wildlife habitat and would still provide for the forage and cover needs of resident wildlife.

Species of High Public Interest. The magnitude of competitive interactions between big game and livestock is poorly understood. Livestock and wild ungulate carrying capacities should be evaluated holistically and be used to guide stocking rate decisions and wild ungulate population objectives. Since these allotments are part of big game winter ranges, the lack of late-season grazing provides residual vegetation that is necessary for wintering big game. Regrowth areas previously used by cattle in the spring may even be favored because of the resultant increase in forage palatability.

Qualitatively viewing the big game population trends and objectives in relationship to the consistent level of livestock AUMs, it can be assumed that the current stocking rates will continue to be compatible with CDOW big game objectives.

Analysis on the Public Land Health Standard 3 for Terrestrial Wildlife Communities (partial, see also plant and aquatic wildlife): A formal Land Health Assessment has not been completed in this area and there is no vegetation utilization or monitoring data for this allotment. Given the short duration of grazing use, the small numbers of livestock, and the amount of forage typically produced in the area, the continuation of livestock grazing on this allotment should have little bearing on the ability of the area to meet this Standard. If the formal land health assessment determines that the allotment is not meeting Standard 3 and livestock grazing is a significant contributing factor, changes will be made to the terms and conditions of the permit to comply with the standards and guidelines.

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

Table 2. Other Resources Considered in the Analysis.			
<i>Resource</i>	<i>NA or Not Present</i>	<i>Present and Not Affected</i>	<i>Present and Affected</i>
Access and Transportation		X	
Cadastral Survey		X	
Fire/Fuels Management		X	
Forest Management	X		
Geology and Minerals	X		
Law Enforcement		X	
Paleontology	X		
Noise	X		
Range Management		X	
Realty Authorizations	X		
Recreation		X	
Socio-Economics		X	
Visual Resources		X	
Water Rights	X		

LITERATURE CITED:

Bock, Carl E.; Saab, Victoria A.; Rich, Terrell D.; Dobkin, David S. Effects of livestock grazing on neotropical migratory landbirds in western North America Website: <http://www.treearch.fs.fed.us/pubs/22913>. Accessed on 05/15/2009

CUMULATIVE IMPACTS SUMMARY:

No cumulative impacts have been identified.

PERSONS / AGENCIES CONSULTED:

Southern Ute Tribe
Northern Ute Tribe
Ute Mtn. Ute Tribe

INTERDISCIPLINARY REVIEW:

<i>Name</i>	<i>Title</i>	<i>Responsibility</i>
Dereck Wilson	Rangeland Management Specialist	NEPA Lead, Range, Invasive Plants
Mike Kinser	Rangeland Management Specialist	Riparian Zones
Jeff O'Connel	Hydrologist	Soil, Water, Air, Geology
Kay Hopkins	Outdoor Recreation Planner	Wilderness, WSR, VRM
Carla DeYoung	Ecologist	ACEC, T/E/S Plants, Standards, Vegetation
Cheryl Harrison	Archaeologist	Cultural & Native American Concerns

APPENDICES: Location map, drawings and specifications

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
GLENWOOD SPRINGS FIELD OFFICE
FINDING OF NO SIGNIFICANT IMPACT

Grazing Permit Issuance on the Sutey Allotment

DOI-BLM-CO140-2009-0031-EA

Finding of No Significant Impact

I have reviewed the direct, indirect and cumulative effects of the proposed action documented in the EA for the grazing permit issuance on the Sutey Allotment. The effects of the proposed action are disclosed in the Alternatives and Environmental Impacts sections of the EA. Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of the effects. Significant, as used in NEPA, requires consideration of both *context* and *intensity* as follows:

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long-term effects are relevant (40 CFR 1508.27):

The disclosure of effects in the EA found the actions limited in context. The planning area is limited in size and activities limited in potential. Effects are local in nature and are not likely to significantly affect regional or national resources.

(b) Intensity. This requirement refers to the severity of the impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

1. Impacts that may be both beneficial and/or adverse.

Impacts associated with the livestock grazing permit issuance are identified and discussed in the Environmental Impacts section of the EA. The proposed action will not have any significant beneficial or adverse impacts on the resources identified and described in the EA.

2. The degree to which the proposed action affects health or safety.

The proposed activities will not significantly affect public health or safety. The purpose of the proposed action is to allow for multiple uses while maintaining or improving resource conditions to meet standards for rangeland health in the allotment. Similar actions have not significantly affected public health or safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

A determination of “May Adversely Affect” has been made for historic properties that occur in the allotments; however, this determination is based on impacts from the construction and/or maintenance of range improvements which is not the proposed action (i.e., renewal of the livestock grazing permit). Although there is generic discussion of adverse impacts that could occur to cultural resources from livestock grazing, no specific impacts from livestock grazing have been identified to the historic properties that occur within these allotments. No other unique characteristics are known to occur in the allotments.

4. The degree to which the effects are likely to be highly controversial.

The analysis did not identify any effects that are highly controversial.

5. The degree to which the effects are highly uncertain or involve unique or unknown risks.

The possible effects on the human environment are not highly uncertain nor do they involve unique or uncertain risks. The technical analyses conducted for the determination of the impacts to the resources are supportable with use of accepted techniques, reliable data, and professional judgment. Therefore, I conclude that there are no highly uncertain, unique, or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.

This EA is specific to the Sutey Allotment. It is not expected to set precedent for future actions with significant effects or represent a decision in principle about a future management consideration in or outside of this allotment.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The analysis in the EA did not identify any related actions with cumulative significant effects.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant, cultural, or historical resources.

The proposed action is not considered to adversely affect districts, sites, highways or structures. Refer to the discussion for No. 3 for impacts to cultural/historic resources.

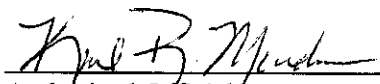
9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

There is no designated critical habitat for any listed Threatened or Endangered species within the project area. Due to the absence of any occupied or suitable habitat within or adjacent to these allotments, the proposed action would have “No Effect” to any of the four listed, proposed or candidate plant species. Given the grazing management in place on both allotments, reauthorization of livestock grazing should have “No Effect” to either of these endangered fishes or their habitats.

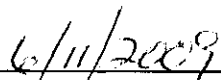
10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The proposed action does not violate or threaten to violate any Federal, State or local laws or requirements imposed for the protection of the environment.

Based upon the review of the test for significance and the environmental analyses conducted, I have determined that the actions analyzed in the EA will not significantly affect the quality of the human environment. Accordingly, I have determined that the preparation of an Environmental Impact Statement is not necessary for this proposal.



Authorized Official
Glenwood Springs Field Office



Date

