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**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

ENVIRONMENTAL ASSESSMENT

NUMBER: DOI-BLM-CO-120-2009-0011-EA

PROJECT NAME: Renewal of Livestock Grazing Permit # 051741 for Jerry Eller on Allotment 07541(Mitchell).

LEGAL DESCRIPTION: Kremmling Field Office (KFO) administered land includes all or part of the following:

Allotment 07541 (Mitchell)
T.3N., R.80W., Sec. 7, 8, 17-21, 28-30

APPLICANT: Jerry Eller

PURPOSE AND NEED FOR THE ACTION:

Jerry Eller's livestock grazing permit # 051741 that authorizes grazing on Allotment 07541 (Mitchell) expires on February 28, 2009. Jerry Eller has applied to renew his livestock grazing permit. The permit is subject to renewal at the discretion of the Secretary of the Interior for a period of up to 10 years. Renewal of this livestock grazing permit would allow the permittee to continue grazing on his designated allotment for a period of 10 years beginning on March 1, 2009.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction/Issues and Concerns:

During the 1999 permit renewal process, Allotment 07541 (Mitchell) was assessed for compliance with the Standards for Public Land Health in Colorado (Standards) on August 16, 1999, by an interdisciplinary (ID) team from the Kremmling Field Office. It was determined at that time that 1449 acres out of the 2745 acres in the allotment were not in compliance with Standards #1 (upland soils) and # 3 (upland vegetation and wildlife) due to past vegetation manipulations and historic grazing practices. In 1994, the grazing system was modified by shortening the season of use and reducing the authorized grazing preference by 53 AUMs*. Each pasture was grazed lightly one year and heavier the next year.

The Mitchell allotment was historically heavily grazed, and even in fairly recent times was allocated for 1,012 AUMs. The BLM has been attempting to improve this allotment for some time. Although riparian conditions have improved, the upland areas have been very slow to respond, especially when the growing season has poor soil moisture. The 1989 grazing permit authorized 185 cattle to graze the prime part of the growing season (5/15-7/30), which allowed for little regrowth. Prior to the 1999 renewal, a new grazing plan was developed with the same season of use, but it alternated the amount of use between the pastures, resulting in a heavy/light use rotation. In 1999, the permit was renewed and the AUMs reduced to 421 and the grazing season cut to 5/15-6/15. Although there was no trend data, since the riparian areas were responding to the new grazing system, it was assumed that the uplands were benefitting too, but it was too early to discern much improvement. From 1995-1999, however, the permittee's actual use was much less than his permit (29.5-66%), and the Long Pipe Pasture had good precipitation during its scheduled "lighter" stocking years. The 1999 renewal, therefore, focused primarily on concerns for the North Pasture. From 1999-2008, the allotment has had several dry growing seasons, especially for the early part of the growing season. Grazing use in the Long Pipe Pasture has primarily occurred in the 1991 burn units, and the permittee has increased his actual use. Since 1999, the permittee has used between 47-96% of his permitted use. During allotment monitoring and the ID team field assessment, concerns were expressed for the Long Pipe Pasture's condition, and that the North Pasture was probably not going to continue to improve under the current grazing plan.

To meet the requirements of the National Environmental Policy Act (NEPA) and the Kremmling Field Office Resource Management Plan, Allotment 07541 (Mitchell) was reassessed for compliance with the Standards on June 19, 2007. An ID team determined the Long Pipe Pasture within the allotment is functioning at risk due to livestock grazing. The ID team determined the grazing system implemented during the 1999 renewal process was not improving the vegetation resource in an expedient manner and that a new grazing system needs to be implemented. In order to satisfy the requirements of NEPA, appropriate actions must be implemented to bring the allotment into compliance with the Standards or for the allotment to be making significant progress toward meeting the Standards. The appropriate action agreed upon by the Kremmling Field Office and the permittee would be to implement a rest rotation grazing system and a reduction in authorized grazing preference from 421 AUMs* to 350 AUMs. The approved revised grazing plan is enclosed as Attachment 1.

* AUM = animal unit month = the amount of forage required to sustain a cow and her calf for one month.

Proposed Action

The Proposed Action would renew livestock grazing permit # 051741, implement the approved rest rotation grazing system, and reduce the authorized grazing preference from 421 AUMs to 350 AUMs. The rest rotation grazing system and reduction in grazing preference would meet the mandates of NEPA to implement appropriate actions to bring the allotment into compliance with the Standards.

The Proposed Action schedules rest for each pasture every other year. This eliminates the current practice of continually grazing both pastures early. The rested pasture will be able to optimize that year's precipitation and vegetative vigor and production should improve. Although

the allotment's AUMs will be reduced to 350, it will occur on one pasture/year, which is an increased use of the pasture.

- Permit # 051741 would be renewed for 10 years from March 1, 2009 to February 28, 2019.
- Standard terms and conditions would apply.
- The permittee would follow the approved rest rotation grazing system.

The renewed livestock grazing permit # 051741 would authorize livestock grazing to the following extent:

Year	Allotment	Pasture	Livestock Number	Kind	Season of Use	Percent Public Land	AUMs
2009 (ODD)	07541	Long Pipe	REST		REST	REST	REST
2009 (ODD)	07541	North	350	Cattle	5/15-6/15	100	350
2010 (EVEN)	07541	Long Pipe	350	Cattle	5/15-6/15	100	350
2010 (EVEN)	07541	North	REST		REST	REST	REST

The rest rotation grazing system would begin with the 2009 grazing season. The Long Pipe Pasture would be rested during odd numbered years and the North Pasture rested during even numbered years and continuing in this sequence.

The total livestock grazing preference for grazing permit # 051741 would be 350 AUMs. A copy of proposed permit # 051741 with the standard terms and conditions is enclosed as Attachment 2.

Design Features of the Proposed Action:

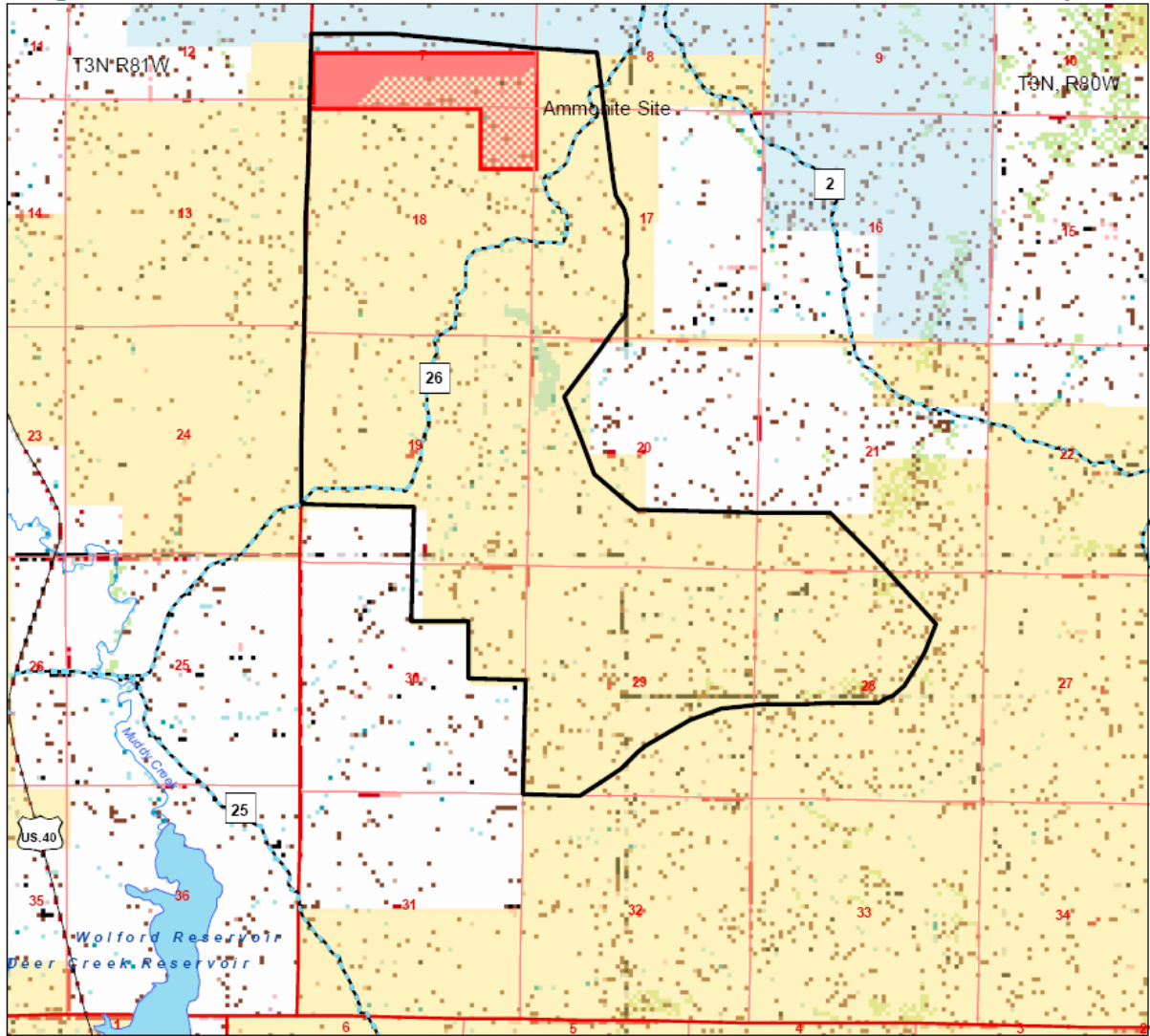
- The permittee would be responsible for notifying the BLM of all county listed noxious weeds which result from their livestock grazing operation.
- The BLM would be responsible for implementing control measures, which would include partnership with the Grand County Weed Abatement Program.
- Permitting of motorized travel for fence maintenance within the Wolford Mountain Travel Management Area. Permittee would travel only along fencelines for this purpose with no cross country travel. In the event a fenceline is also a landownership boundary, all motorized travel would occur on the non-BLM side of the fence.
- Permit case-by-case motorized cross-country travel within the Wolford Mountain Travel Management Area for instances of retrieving injured animals or other emergencies. All instances should be approved by the authorizing officer beforehand when possible. In the case of an emergency, any motorized cross-country travel would be reported to the BLM immediately. Any permitted or emergency cross-country travel will be evaluated for

resource damage. Any rutting of soil or damage to vegetation found to be excessive and establishing a new route would have reclamation completed by the permittee.

- No motorized travel is permitted within the Wolford Mountain Travel Management Area during the winter seasonal closure between December 15 and April 15 with the exception of designated open routes for snowmobiles when there is a minimum of 12 inches of snow.
- No motorized or mechanized travel is permitted within the Cretaceous Ammonite ACEC.
- Specific restrictions and exemptions of the Wolford Travel Management Plan would be part of the Terms and Conditions of the grazing permit.



07541 MITCHELL

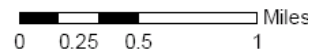


Legend

07541 MITCHELL

Land Status

- Bureau of Land Mgt
- Division of Wildlife
- National Park
- National Rec Area
- National Wildlife Refuge
- Private
- State
- State Forest
- US Forest Service



1:39,606

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Gunsight Pass, Hinman Reservoir
BLM, Kremmling FO 10/17/2008

No Action Alternative: The No Action Alternative would not implement the rest rotation grazing system or reduce the authorized grazing preference from 421 AUMs to 350 AUMs. Appropriate actions would not be implemented to move the allotment towards compliance with the Standards. Therefore, the allotment would be in violation of the mandates of NEPA.

Alternatives Considered But Eliminated From Further Analysis:

No livestock grazing was considered but eliminated from further analysis for the following reasons:

- Livestock grazing with the Kremmling Field Office was fully analyzed and authorized in the RMP/EIS as recorded in the 1984 Approved Plan and Record of Decision. At that time a “No Grazing Alternative” was considered but not selected.
- This alternative is not consistent with the Federal Land Policy and Management Act (FLPMA) that stated: “the public lands be managed in a manner which recognizes the Nation’s need for domestic sources of minerals, food, timber, and fiber from public lands.....”
- During public scoping and staff review there were no issues or concerns identified that would support a “No Grazing Alternative.”
- It has been determined that significant progress toward achieving compliance with the Standards for Public Land Health in Colorado would occur with the appropriate livestock grazing guidelines set forth in the Proposed Action.

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: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock Grazing: pages 6 and 8, as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level of livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority. The RMP designated the project area with a livestock grazing priority

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

INVASIVE, NON-NATIVE SPECIES

Affected Environment: Past actions such as livestock grazing, motorized travel, recreation, etc. that have caused disturbance of vegetation and soil have contributed to the invasion and spread of invasive, non-native species (noxious weeds). There are generally some known invasive, non-native species growing within the project area. The invasive, non-native species include houndstongue (*Cynoglossum officinale*), cheatgrass (*Bromus tectorum*), and Canada thistle (*Cirsium arvense*) and are generally located along roadways, in high use areas such as where livestock congregate, and other areas of disturbance. Soil or vegetation disturbing activities provide an avenue for establishment and expansion of invasive, non-native species. The BLM monitors these known areas for use in controlling the spread of these species.

Environmental Consequences: Any type of soil and vegetation disturbance in an area where invasive, non-native species are established promotes their expansion. The changes made to the livestock grazing management would not create new avenues for the establishment or spread of invasive, non-native species. However, the chance remains for the establishment or spread of invasive, non-native species with the proposed action and the no action alternative.

The No Action Alternative would not reduce the authorized livestock grazing preference from 421 AUMs to 350 AUMs or implement the rest rotation grazing system. The advantages of these actions to reduce the chances of noxious weeds increasing or becoming established would not be realized. The chances for livestock grazing causing an increase in invasive, non-native species would remain high.

Mitigation: None

MIGRATORY BIRDS

Affected Environment: A variety of migratory bird species, primarily birds of prey and songbirds, use the allotment. Surveys conducted in 1994 by the Colorado Breeding Bird Atlas Partnership recorded many species in the area including Brewer's sparrows, sage sparrows, common nighthawks, green-tailed towhees, sage thrashers, mountain bluebirds, golden eagles, bald eagles, and red-tail hawks in the sagebrush habitat common to the allotment.

Environmental Consequences: Under the No Action Alternative, the permit would be renewed without any changes. Since there would be no changes to the permit, the No Action Alternative is expected to maintain current conditions for migratory birds. The Proposed Action would implement a new rest rotation grazing system on Allotment 07541 (Mitchell) and a reduction of authorized grazing preference from 421 AUMs to 350 AUMs. This type of system would be more beneficial to migratory birds since grass and forb production would likely increase as compared to the continuation of current grazing management. The rest rotation grazing system would provide for better plant vigor and thereby would produce more plant material available for bird use, especially by those species that nest on the ground.

Mitigation: None

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

Affected Environment: A list of threatened, endangered, and candidate species which could inhabit the proposed project area was received from the U.S. Fish and Wildlife Service on January 12, 2009. Analysis of this list indicated that no threatened, endangered, or candidate species have been recorded in the allotment proposed for renewal.

Greater sage-grouse, a BLM-designated Sensitive Species, inhabit allotment # 07541. One sage-grouse strutting ground (lek) is located within the allotment and three more leks are within four miles of the allotment boundary. The allotment also includes suitable nesting cover and winter habitat for sage-grouse. Since research has determined that 80% of sage-grouse hens nest within four miles of the leks where they are bred, nesting is occurring in this allotment.

The Northern Leopard frog, a BLM sensitive species, is known to occupy Antelope Creek in the allotment. The Northern Leopard frog was observed in the allotment in September 2005 and July 2008. These frogs generally require a permanent water source such as springs, streams, ponds, canals, or lakes with rooted aquatic vegetation. During the summer, the Northern Leopard frog commonly inhabits wet meadows and fields. Metamorphosed frogs eat various small invertebrates obtained along water's edge or in nearby meadows or fields and larvae eat algae, plant tissue, organic debris, and some small invertebrates.

Environmental Consequences: Under the No Action Alternative, the permit would be renewed without any changes. Since there would be no changes to the permit, the No Action Alternative would maintain current conditions for Greater sage-grouse and Northern Leopard frogs. The Proposed Action would be more beneficial to these species since the rest rotation grazing system and a reduction of authorized grazing preference from 421 AUMs to 350 AUMs would help bring the allotment into compliance with the Standards. This system would increase grass and forb productivity in the allotment where nesting and wintering habitat occurs. The increase in production would enhance sage-grouse nesting success since more cover would be available to conceal nests from predators and adverse weather. Brood survival would also increase since more cover and food would be available as they migrate to adjacent brood-rearing habitat. Habitat for Northern Leopard frogs along the stream bank and in the wet meadows would also improve.

Mitigation: None

Finding on the Public Land Health Standard for Threatened & Endangered species: Allotment 07541 was assessed for compliance with the Standards on June 19, 2007. A Kremmling Field Office ID team determined the allotment is functioning at risk. The Proposed Action would help bring the allotment into compliance with the Standards.

WATER QUALITY, SURFACE AND GROUND (includes a finding on Standard 5)

Affected Environment: Allotment 7541's runoff pathways are described in the water report that is an attachment to the 1999 Environmental Assessment. The North (aka North Mitchell) pasture is primarily within the Antelope Creek drainage, a tributary to Muddy Creek

above the Wolford Mountain Reservoir. The Long Pipe Pasture drains to an ephemeral channel that is tributary to the reservoir. The Muddy Creek watershed is within the Upper Colorado River basin. Muddy Creek and its tributaries are classified for water supply, agriculture, coldwater aquatic life, and non primary contact recreation uses. In the 2008 “Status of Water Quality in Colorado’ (the 305(b) Report), these streams are listed as fully supporting water supply, agriculture, and primary contact recreation. The streams are not supporting coldwater aquatic life. There appears to be an error in the report, as the IR category is listed as a 1- “all designated uses are fully supported”. In the 2006 state of Colorado’s 303(d) List, Wolford Mountain Reservoir is identified as being impaired due to dissolved oxygen concentrations. Dissolved oxygen concentrations generally tend to decrease due to warmer water temperatures. The state has given the impairment a “low priority” rating. The state had also proposed the listing of Muddy Creek and its tributaries for non-attainment of the assigned temperature standard. The Colorado River Water Conservation District objected to the proposal and provided evidence suggesting that the USGS sampling station (data from which formed the basis for the state’s proposal) is situated such that any temperature data generated is likely not representative. Additional data is needed to determine if impairment exists, and if so, for which specific segments. Therefore Muddy Creek and its tributaries were added to the 2006 Monitoring and Evaluation List for possible temperature impairment.

The BLM has done water quality monitoring on Antelope Creek periodically since 1980. In 2007, the BLM began monitoring summer stream temperatures, as the BLM stream segments are downstream of senior irrigation diversions. Antelope Creek generally has good water quality, but often has little to no late summer flows, depending on diversions. Low streamflows in the summer months can result in high stream temperatures. In 2007-2008, the maximum weekly average temperature (MWAT) was generally between 11-13 degrees Celsius, which is below the state’s standard of 20 degrees.

Environmental Consequences: The Proposed Action’s grazing plan will provide rest to the allotment, which has only partially occurred on the Long Pipe Pasture in 1992-1993, following a prescribed burn. Periodic rest tends to increase vegetative cover, litter and the infiltration of precipitation, all of which reduce runoff and sediment loading. Reduced sediment loading would lead to an improvement in water quality. The grazing plan’s scheduled use for the grazed pasture also tends to be less than the current levels.

Under the No Action Alternative, there are concerns that the poorly functioning areas would continue to degrade and the allotment would be in Non-compliance for all the Standards. Water quality may not improve.

Mitigation: None

Finding on the Public Land Health Standard for water quality: Water Quality appears to be met within the allotment, but improved upland and riparian health would help protect the quality, especially during the common low summer flows. The Proposed Action’s scheduled rest is expected to benefit watershed health.

WETLANDS & RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: The wetland and riparian areas are described in the 1999 EA.

The last several years have benefitted the wetland and riparian areas by reducing the season of use. The woody communities and the wetland areas have shown the most improvement, as there has been sufficient soil moisture for regrowth after the grazing season. The areas adjacent to the riparian areas, however, have heavy utilization, and do not have the soil moisture to regrow. This is especially evident in the North Pasture, where livestock water is almost entirely in or adjacent to Antelope Creek. In monitoring water table depths along Antelope Creek, it takes approximately one month after the irrigation ditches are shut off for the ditch seepage areas' (west of creek) water tables to drop to depths similar to the east side (non-irrigated) of the creek. With the current irrigation practices, these areas still have good soil moisture through August to support regrowth.

Environmental Consequences: The current stocking rate and season of use results in heavy use in the riparian and wetland areas of the allotment. Due to the upland conditions, livestock tend to concentrate on vegetation treatments or the areas near water. The Proposed Action would provide rest every other year to the allotment's pastures. This will greatly benefit the riparian and wetland areas, increasing the vigor of the more desirable species. The grazing plan also reduces the grazed pasture's AUMs, which should benefit riparian and adjacent upland vegetation where livestock concentrate.

The No Action Alternative continues the present system, which initially benefitted the riparian areas. The benefits, however, from shortening the grazing season, reducing the permit slightly, and alternating the use levels seem to have been exhausted. There are no more expected wetland or riparian improvements from the current permit and additional management is needed.

Finding on the Public Land Health Standard for riparian systems: Allotment 7541 is considered to be in properly functioning condition as the riparian and wetland systems have the physical and vegetative components to function. There is opportunity for improvement, however, which periodic rest should help provide.

RANGE MANAGEMENT

Affected Environment: Since 1999, Allotment 07541 (Mitchell) has been grazed each year from 5/15 – 6/15. The permittee alternates year to year with grazing 275 cattle in one pasture and 125 cattle in the other. This grazing system has failed to improve the vegetation in the allotment over the past ten years. Therefore, a new rest rotation grazing system would be implemented with issuance of the new ten year permit. The grazing plan is detailed in the Environmental Consequences section below and enclosed as Attachment 1.

Environmental Consequences: Since the allotment failed Standard # 3 (upland vegetation and wildlife) appropriate actions must be implemented to bring the allotment into compliance with the Standards. A rest rotation grazing system would be implemented where the permittee would rest each pasture every other year. Also, the amount of authorized grazing preference would be reduced from 421 AUMs to 350 AUMs. These two steps should allow the vegetation to recover and over time the allotment should obtain compliance with the Standards. See Attachment 1 for the specifics of the new rest rotation grazing system.

The No Action Alternative would not reduce the authorized livestock grazing preference from 421 AUMs to 350 AUMs or implement the rest rotation grazing plans. The allotment would

continue to be grazed heavily and an appropriate action to bring the allotment into compliance with the Standards would not be implemented. The No Action Alternative would not satisfy the requirements of the National Environmental Policy Act (NEPA).

Mitigation: None

SOILS (includes a finding on Standard 1)

Affected Environment: Soils are described in the 1999 EA to renew the grazing permit (CO-018-99-71 EA). Since the 1999 permit, the allotment has experienced almost yearly drought during the grazing seasons. Early spring and summer moisture is essential for grazing readiness and regrowth. June especially has been dry for the area, and even more so on the allotment. Soil conditions have not been monitored on the allotment, but concern areas (those that are poorly functioning) have large bare interspaces between shrubs with little plant litter accumulation. This reduces water infiltration, nutrient recycling, and develops physical crusts that can hinder seed germination. The Long Pipe Pasture in particular had larger bare areas, less vegetative cover, and less organic matter in the soil than desired.

Environmental Consequences: As range conditions deteriorate, they can actually contribute to a “drought” effect for an allotment. Poorly vegetated areas have higher evaporation rates, higher soil temperatures, and can actually reduce precipitation on the site. The Proposed Action’s scheduled pasture rest is essential to improving vegetative cover and litter. By improving the water and nutrient cycling, longterm soil health will be improved over time. The mid-May turnout date is not ideal, but some regrowth can occur in late June and July, especially when followed by a year of rest. Although upland vegetation can be slow to respond, especially depending on weather patterns, the Proposed Action provides the needed components to further improve the vegetative cover and soil health.

The No Action Alternative would not improve the allotment past present conditions, and standards would continue to not be met.

Mitigation: None

Finding on the Public Land Health Standard for upland soils: The upland soils are considered to be meeting the Standard in the North Pasture, and poorly functioning (at risk)/to meeting in the Long Pipe Pasture. The Proposed Action’s rest and reduction in use will help improve current conditions, insuring that longterm soil health is maintained or improved. The No Action Alternative puts the future soil health at risk.

VEGETATION (includes a finding on Standard 3)

Affected Environment: Allotment 07541 (Mitchell) consists mostly of a sagebrush steppe vegetation community. The dominant species is big sagebrush (*Artemisia tridentata*) with an understory of perennial cool season grasses and annual and perennial forbs. The grasses include but are not limited to bluegrasses (*Poa* spp), western wheatgrass (*Pascopyrum smithii*), bluebunch wheatgrass (*Pseudoroegneria spicata*), pine needlegrass (*Achnatherum pinetorum*), bottlebrush squirreltail, (*Elymus elymoides*), fescues (*Festuca* spp), Indian ricegrass (*Achnatherum hymenoides*), brome (*Bromus* spp), and prairie Junegrass (*Koeleria macrantha*).

Common forbs include wild buckwheat (*Eriogonum* spp), lupine (*Lupinus agrenteus*), phlox (*Phlox* spp), Indian paintbrush (*Castilleja* spp), groundsel (*Senecio* spp), penstemons (*Penstemon* spp), pussytoes (*Antennaria* spp), daisies (*Erigeron* spp), fringed sage (*Artemisia frigida*), milkvetch (*Astragalus* spp), and mountain bluebell (*Mertensia lanceolata*). Other shrubs that inhabit the sagbrush steppe include snowberry (*Symphoricarpos oreophilus*), serviceberry (*Amelanchier alnifolia*), rabbitbrush (*Chrysothamnus* spp), broom snakeweed (*Gutierrezia sarothrae*), and antelope bitterbrush (*Purshia tridentata*).

Environmental Consequences: The Proposed Action includes implementation of a new rest rotation grazing system on Allotment 07541 (Mitchell) and a reduction of authorized grazing preference from 421 AUMs to 350 AUMs. The new grazing system and reduction in use would be the appropriate actions that are required to bring the allotment into compliance with the Standards.

The reduction in AUMs and implementation of the rest rotation grazing system would allow the vegetation to recover from past grazing practices and become more vigorous and healthy. Rest would allow a full growing season without grazing allowing the plants to go through a complete growing cycle without disturbance. Rest would allow the vegetation to flower and produce seeds contributing to an increase in plant density and diversity.

The No Action Alternative would not reduce the authorized grazing preference from 421 AUMs to 350 AUMs or implement the rest rotation grazing plan. The allotment would continue to be grazed as in the past. The vegetation under the current grazing system is not meeting Standard # 3 (upland vegetation and wildlife). No appropriate action would be implemented to bring the allotment into compliance with the Standards. The No Action Alternative does not satisfy the requirements of NEPA.

Mitigation: None

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): Allotment 07541 (Mitchell) was assessed for compliance with the Standards on June 19, 2007. A Kremmling Field Office ID team determined the allotment is functioning at risk and if changes are not made to the livestock grazing, the allotment would soon fail Standard #3 (upland vegetation and wildlife). The appropriate actions described would be implemented to bring the allotment into compliance with the Standards.

WILDLIFE, AQUATIC (includes a finding on Standard 3)

(see the THREATENED, ENDANGERED, AND SENSITIVE SPECIES section for a discussion on the Northern Leopard Frog).

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment: The allotment provides habitat for a variety of upland wildlife species. Pronghorn, elk, mule deer, coyotes, badgers, and a variety of small rodents inhabit the allotment at least part of the year. Elk and mule deer use the allotment primarily during winter while the others listed above are generally yearlong residents.

Environmental Consequences/Mitigation: Under the No Action Alternative, the permit would be renewed without any changes. Since there would be no changes to the permit, the No Action Alternative is expected to maintain current conditions for terrestrial wildlife. The Proposed Action would implement a new rest rotation grazing system on Allotment 07541 (Mitchell) and a reduction of authorized grazing preference from 421 AUMs to 350 AUMs. This type of system would be more beneficial to terrestrial wildlife since grass and forb production would likely increase as compared to the No Action Alternative. This additional vegetation would be especially important to elk and mule deer that use the allotment during winter.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): Allotment 07541 was assessed for compliance with the Standards on June 19, 2007. A Kremmling Field Office ID team determined the allotment is functioning at risk. The Proposed Action would help bring the allotment into compliance with the Standards.

CUMULATIVE IMPACTS SUMMARY:

Livestock grazing has been an important use of the public lands in the Kremmling Field Office since the introduction of domestic livestock in the 1870s. Presently, the Field Office supports a grazing program on approximately 378,000 acres of BLM-administered public lands. Currently, these public ranges are licensed at a level of approximately 39,726 Animal Unit Months (AUMs) for livestock.

For the purpose of this EA, the general geographic boundary for cumulative impact analysis is Middle Park. The Kremmling Field Office is divided north to south by the Continental Divide. The public lands to the north of the divide are generally referred to as North Park, and those to the south of the divide, Middle Park. In Middle Park, there are approximately 137,179 acres of BLM-administered public lands that are currently being grazed, and 13,070 AUMs that are licensed.

In looking at past actions within the geographic area over the past ten years, there have not been any major changes to the Middle Park allotments. A majority of the allotments have been assessed for standards and the permits modified where needed due to non-compliance with specific standards or new information that has arrived (i.e. new sage grouse lek). There are not any reasonably foreseeable actions outside of minor range improvement projects that are projected to occur in the Middle Park allotments. However, fast growing residential development is occurring and projected to continue on the east end of Middle Park. This loss of habitat is impacting Greater sage-grouse populations in Middle Park.

The Proposed Action would not change the number of AUMs that have been licensed on the allotment for the past ten years. Thus, there would be minimal cumulative impacts to Greater sage-grouse. In terms of cumulative impacts to cultural resources, grazing may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties throughout the Kremmling Field Office. However, as part of the BLM permit renewal process, allotments are being assessed and inventoried for cultural resources. If resources are found, and eligible for NRHP, mitigation is implemented. This process is attempting to mitigate any major cumulative impacts to cultural resources in the Kremmling Field Office.

PERSONS / AGENCIES CONSULTED: Jerry and Becky Eller

Starting in January 2007, a scoping process was begun to request information concerning the renewal of grazing permits/leases and to prioritize areas or allotments with issues and concerns. The Kremmling Field Office sent scoping letters, along with land status maps showing the affected allotments to the following groups and agencies: Colorado Division of Wildlife (Steamboat Springs, Walden, Hot Sulphur Springs, Fort Collins); District Board of Grazing Advisors; County Commissioners of Grand and Jackson counties; Stock Growers Association (Middle Park, North Park, Upper Big Laramie River Ranch Assoc.); Northwest Resource Advisory Council, United States Forest Service (Silverthorne, Granby, Walden); US Fish and Wildlife Service (Arapaho National Wildlife Refuge); Tribal Councils (Arapaho, Shoshone, Southern Ute); Colorado Commission of Indian Affairs; Ute Indian Tribe Uintah and Ouray Agency Business Committee; Colorado Environmental Coalition; and Colorado State Land Board (Lane Osborn).

The BLM Colorado State Office also mailed outreach letters concerning the renewal of grazing permits/leases to all Congressional offices, State and Federal agencies, and major environmental, conservation, and user group organizations.

In addition, individual letters were sent to the affected permittees/lessees informing them that their permit/lease was up for renewal and requested any information they wanted included in, or taken into consideration during the permit renewal process. A Notice of Public Scoping was posted on the internet at the Colorado BLM homepage, and in Grand and Jackson county newspapers asking for public input on permit/lease renewals and the assessment for compliance with the Standards for Public Land Health in Colorado within the Kremmling Field Office. This notice was followed up with an internet posting of the Kremmling Field Office prioritization of allotments and a determination as to which allotments would be assessed according to the Standards for Public Land Health in Colorado. The proposed permit renewal was also posted on the Kremmling Field Office Internet NEPA register.

INTERDISCIPLINARY REVIEW: See IDT-RRC in Appendix 1.

FONSI

DOI-BLM-CO-120-2009-0011-EA

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

DECISION RECORD

DECISION: It is my decision to authorize the Proposed Action as described in the attached EA and renew livestock grazing permit # 051741 to be in effect from March 1, 2009 through February 28, 2019. This decision is contingent on meeting all mitigation measures and monitoring requirements listed below

RATIONALE: When a livestock grazing permit expires, it is subject to renewal at the discretion of the Secretary of the Interior for a period of up to ten years. Livestock grazing when properly managed in accordance with good rangeland ecology practices, has been proven to result in improved land health. The public benefits from public lands which are maintained in a healthy condition and are able to produce sustainable resources for a variety of uses.

The livestock producer benefits from a renewed livestock grazing permit/lease to graze forage on BLM managed land. Livestock grazing on BLM managed land is an integral part of the livestock producer's operation, and an important part of local rural economies.

MITIGATION MEASURES: None

COMPLIANCE/MONITORING: Compliance with the renewed livestock grazing permit and its associated terms and conditions would be accomplished through the Kremmling Field Office Range Management Program. Livestock grazing would be monitored by the range staff and other area personnel, as appropriate, to ensure compliance. The Kremmling Field Office Range Monitoring Plan would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. When activity plans have been developed covering an allotment, monitoring methods and schedules included in them would be applied to the allotment. Changes would be made to the permit, based on monitoring, when changes are determined necessary to protect land health. Monitoring of riparian and wetland utilization, regrowth, and overall conditions will continue to help evaluate the Proposed Action. If there appears to be a downward trend, the grazing plan will be re-evaluated.

NAME OF PREPARER: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 4-10-09

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Peter McFadden

DATE SIGNED: 4/13/09

ATTACHMENTS:

- 1) Revised Livestock Grazing Plan
- 2) Livestock Grazing Permit #051741 with standard terms and conditions
- 3) Wolford Mountain Area Map
- 4) Wolford Winter Closure Map

APPENDICES:

Appendix 1 – Interdisciplinary Team Analysis Review Record and Checklist

Appendix 1

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: Renewal of Livestock Grazing Permit # 051741

Project Leader: Richard Johnson

Date Submitted for Comment: 11/25/08

Due Date for Comments: 1/31/09

Consultation/Permit Requirements:

Consultation	Date Initiated	Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO	1/20/2009	1/20/2009	BBW	Past actions have resulted in a cultural resource inventory to determine if those actions would cause potential adverse affects to known and unknown cultural resources sites from livestock grazing, motorized travel, and recreational use. When project undertakings are identified a cultural resource inventory would be conducted to determine if sites are present and their eligibility, project effects, and mitigation requirements if necessary.
Native American	NA	1/20/09	BBW	Consultation was done for the initial allotment renewal and is done on project specific undertakings
T&E Species/FWS	N/A	1/20/09	MM	
Permits Needed (i.e. Air or Water)	N/A	1/20/09	PB	The renewal of a grazing permit does not require any other state or federal permit.

(NP) = Not Present

(NI) = Resource/Use Present but Not Impacted

(PI) = Potentially Impacted and Brought Forward for Analysis.

NP NI PI	Discipline/Name	Date Review Comp.	Initials	Review Comments (required for Critical Element NIs, and for elements that require a finding but are not carried forward for analysis.)
CRITICAL ELEMENTS				
NI	Air Quality Belcher	2/11/09	PB	The Proposed Action and the No Action Alternative do not impact air quality.
NP	Areas of Critical Environmental Concern Cassel	3/5/09	SC	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
NI	Cultural Resources Wyatt	1/20/2009	BBW	Past actions have resulted in a cultural resource inventory to determine if those actions would cause potential adverse affects to known and unknown cultural resources sites from livestock grazing, motorized travel, and recreational use. When project undertakings are identified a cultural resource inventory would be conducted to determine if sites are present and their eligibility, project effects, and mitigation

					requirements if necessary.
NP	Environmental Justice	Cassel	3/5/09	SC	According to the most recent Census Bureau statistics (2000), there are no minority or low income communities within the Kremmling Planning Area.
NP	Farmlands, Prime and Unique	Belcher	2/11/09	PB	There are no farmlands, prime or unique, in the proximity of the proposed project area.
NP	Floodplains	Belcher	2/11/09	PB	The allotment does not include a floodplain, and does not impact one.
PI	Invasive, Non-native Species	Johnson Torma Scott	1/6/09	RJ	See write up in EA
PI	Migratory Birds	McGuire	1/21/2009	MM	See write up in EA
NI	Native American Religious Concerns	Wyatt	1/20/2009	BBW	Consultation was done on the original allotment renewal. Future undertakings would require tribal consultation to identify traditional cultural properties.
PI	T/E, and Sensitive Species (Finding on Standard 4)	McGuire	1/21/2009	MM	See write up in EA.
NP	Wastes, Hazardous and Solid	Hodgson	1/7/09	KH	There are no quantities of wastes, hazardous or solid, located on BLM-administered lands in the proposed project area, and there would be no wastes generated as a result of the Proposed Action or No Action alternative.
PI	Water Quality, Surface and Ground (Finding on Standard 5)	Belcher	2/17/09	PB	See write-up.
PI	Wetlands & Riparian Zones (Finding on Standard 2)	Belcher	2/18/09	PB	See write-up.
NP	Wild and Scenic Rivers	Cassel	3/5/09	SC	There are no eligible Wild and Scenic River segments in the proposed project area.
NP	Wilderness	Monkouski	3/5/09	JJM	There is no designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.
NON-CRITICAL ELEMENTS (A finding must be made for these elements)					
PI	Soils (Finding on Standard 1)	Belcher	2/19/09	PB	See write-up.
PI	Vegetation (Finding on Standard 3)	Johnson Torma Scott	1/6/09	RJ	See write up in EA
PI	Wildlife, Aquatic (Finding on Standard 3)	McGuire	1/21/2009	MM	See write up in EA.
PI	Wildlife, Terrestrial (Finding on Standard 3)	McGuire	1/21/2009	MM	See write up in EA.
OTHER NON-CRITICAL ELEMENTS					
NI	Access/Transportation	Monkouski	3/2/09	JJM	No change in access. No impacts. Allotment 07413 is within the Wolford Mountain Travel Management Area. Motorized and mechanized travel is restricted to designated routes with no cross country permitted. No motorized or mechanized travel is permitted within the Cretaceous Ammonite ACEC. The permittee is allowed to travel on designated open routes with the corresponding mode of travel and routes designated for administrative use. Cross country travel is only permitted by foot or horseback. No motorized or mechanized travel is permitted during the winter seasonal closure between December 15 and April 15 with the

					exception of snowmobiles on winter designated routes when there is a minimum of 12 inches of snow. Grazing permittees have exemptions as outlined within the design features of the proposed action.
NP	Forest Management	K. Belcher	1/30/2009	KB	Forest resources not present.
NI	Geology and Minerals	Hodgson	1/7/09	KH	No impacts.
NP	Fire	Wyatt	1/20/2009	BBW	Grazing would reduce light flashy fuels.
NI	Hydrology/Water Rights	Belcher	2/11/09	PB	Hydrologic concerns are covered in the Water Quality, Wetlands, and Soils sections. There are no impacts to water rights.
NI	Paleontology	Rupp	1/16/2009	FGR	No impacts to fossil resources from renewing permit, or the no action alternative. Proposed ground disturbing projects will be reviewed on a project by project basis to determine the need for paleontological inventory.
NI	Noise	Monkouski	3/2/09	JJM	No impacts.
PI	Range Management	Johnson Torma Scott	1/6/09	RJ	See write up in EA
NP	Lands/ Realty Authorizations	Cassel	12/16/08	SC	There are no leases, permits or ROWs in the location of the proposed action.
NI	Recreation	Monkouski Windsor	3/209	JJM	Under the proposed action no impacts would occur to recreational opportunities that include Off Highway Vehicle use, camping, hunting, hiking, and watching wildlife.
NI	Socio-Economics	Cassel	3/5/09	SC	The allotment's AUMs will be reduced to 350, but it will occur on one pasture/year, which is an increased use of the pasture, therefore there should be no impact to the socio-economics of the permittee.
NI	Visual Resources	Windsor	3/6/09	AW	The Proposed Action and No Action Alternative would not impact the visual resources.
PI	Cumulative Impact Summary		4/10/09	SC	See Analysis
FINAL REVIEW					
	P&E Coordinator				