

U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625-1129

ENVIRONMENTAL ASSESSMENT

EA NUMBER: CO-100-2008-021

CASEFILE/ALLOTMENT NUMBER: 0503224/04611

PROJECT NAME: Renewal of the grazing permit on the East Fork Wilson Creek Allotment #04611.

LEGAL DESCRIPTION: see Allotment Map, Attachment 1

East Fork Wilson Creek Allotment #04611	T3N R93W Sec. 18 W½ SW¼, Sec. 19 NW¼ T3N R94W Sec. 12 SE¼ SE¼, Sec. 13 NE ¼, Sec. 24 NE¼
	539 acres BLM <u>481 acres private</u> 1,020 acres total

APPLICANT: Paul Routzon for Wilson Creek Ranch, LLC

PLAN CONFORMANCE REVIEW: The Proposed Action and Alternatives are subject to the following plan:

Name of Plan: Little Snake Resource Management Plan and Record of Decision

Date Approved: April 26, 1989

Results: The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3).

The Proposed Action is consistent with the Little Snake Resource Management Plan, Record of Decision, Livestock Grazing Management objective to improve range conditions for both wildlife and livestock through proper utilization of key forage plants and adjusting livestock stocking rates as a result of vegetation studies.

The Proposed Action is located within Management Unit 1, Eastern Yampa River. The Proposed Action is compatible with the management objectives for this unit, which are to provide for the development of coal, oil, and gas resources. The Proposed Action would not conflict with the development of these resources, but livestock grazing would be precluded if coal development is imminent.

NEED FOR PROPOSED ACTION: BLM permit #0501093, which authorized livestock grazing on the East Fork Wilson Creek Allotment #04611, originally expired on February 28, 2002. Due to the sale of the base property in 2003, the permit for this allotment was transferred to #0500121 and reissued with the same terms and conditions and an expiration date of November 15, 2006 under P.L. 108-108. In 2006, it was transferred to #0501899 and again reissued and extended under the same terms and conditions under P.L. 108-108 with an expiration date of November 15, 2007. This permit is subject to renewal at the discretion of the Secretary of the Interior, who delegated the authority to BLM, for a period of up to ten years. The U.S. Bureau of Land Management has the authority to renew the livestock grazing permit consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, *Federal Land Policy and Management Act*, and Little Snake Field Office's *Resource Management Plan/Environmental Impact Statement*. This Plan/EIS has been amended by *Standards for Public Land Health in the State of Colorado*.

The following Environmental Assessment will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the permit/lease which improve or maintain public land health. The Proposed Action will be assessed for meeting land health standards.

In order to graze livestock on public land, the livestock producer (permittee) must hold a grazing permit. The grazing permittee has a preference right to receive the permit if grazing is to continue. The land use plan allows grazing to continue. This EA will be a site specific look to determine if grazing should continue as provided for in the land use plan and to identify the conditions under which it can be renewed.

PUBLIC SCOPING PROCESS: The BLM Little Snake Field Office sent out a Notice of Public Scoping on November 1, 2000 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were up for renewal in FY 2002. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on grazing permit and lease renewals. Individual letters were sent to the affected permittees and lessees informing them that their permit and/or lease was up for renewal and requesting any information they wanted included or taken into consideration during the renewal process. The issuance of a grazing permit is being carefully analyzed within the scope of the specific action being taken, resources issues or concerns, and public input received.

BACKGROUND: The East Fork Wilson Creek Allotment #04611 is located approximately 26 miles southwesterly of Craig, Colorado. The allotment lies in the Danforth Hills and is

characterized by steep slopes and narrow canyons. Wilson Creek crosses the northerly portion of the allotment. Elevations range from approximately 8,300 feet in the southern portion of the allotment to approximately 7,150 feet along Wilson Creek. Vegetation is characterized by mountain shrub communities on the northerly slopes and valley bottoms and sagebrush-grass on the southerly slopes.

This allotment has historically experienced high levels of livestock and wildlife use. As a result, levels of the noxious weed houndstongue are prevalent throughout the allotment. BLM and the permittee have agreed that over allocation of forage resources for livestock and the lack of periodic spring deferment has led to suppression of native perennial grasses and an increase in houndstongue and other weeds. To address this, both BLM and the permittee have agreed to reduce total livestock use and introduce periodic spring deferments.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

Renew the grazing permit on the East Fork Wilson Creek Allotment #04611 for a period of ten years, expiring February 28, 2018. The permit would be reissued with a shorter season of use, the removal of 155 AUMs that had been in voluntary non-use, and the complete rest of the allotment from livestock grazing for one year. The permit would be renewed as follows:

From:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
East Fork Wilson Creek #04611	21 Cattle	06/08	09/30	100	79

The above permit is subject the following Special Term and Condition:

- 1) 155 AUMs in non-use per agreement with the permittee; subject to activation by authorizing officer at a later date.

To:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
East Fork Wilson Creek #04611	21 Cattle	06/08	08/20	100	51

The above permit would be subject the following Special Term and Conditions:

- 1) The allotment will receive complete rest from livestock grazing for the 2008 grazing season.

2) Livestock turnout will not occur until after June 20 at least every third year. This deferment will be reflected on the annual grazing application.

The above permit would be subject the Standard and Common Terms and Conditions, see Attachment 2.

No Action Alternative

No changes in the existing grazing permit would occur.

Alternatives Considered but not Analyzed:

No Grazing Alternative

No livestock grazing would take place under this alternative.

This alternative is eliminated from detailed study because it is not a realistic, implementable alternative nor does it meet the requirements of the Federal Land Policy and Management Act of 1976. When the RMP was approved, it was determined that livestock grazing was an appropriate use of this land. Eliminating grazing is not analyzed because no new issues or concerns have been identified that would require this action.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: The allotment does not lie within any special designation air sheds or non-attainment areas.

Environmental Consequences, all alternatives: Renewing the lease to graze cattle on the East Fork Wilson Creek Allotment would not cause regional air quality impairment under either of the alternatives. Some localized dust may result from driving on unpaved roads, but this would be negligible compared to dust generated from all vehicle uses in the vicinity.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 1/14/08

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Rob Schmitzer 1/7/08

CULTURAL RESOURCES

Affected Environment: Grazing permit renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment (Heritage #10.11.08) was completed for the allotment on January 14, 2008 by Robyn Watkins Morris, Little Snake Field Office Archaeologist. The assessment followed 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, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the field office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from GLO maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis developed for the allotment in this EA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in the allotment.

Allotment Number	Acres Inven	Acres NOT	Percent-%-of	Number of	High Potential	Eligible or	Management Recommendations
------------------	-------------	-----------	--------------	-----------	----------------	-------------	----------------------------

	toried at a Class III level*	inven toried at a Class III Level	Allotm ent invent oried at a Class III level	Cultural Resourc es known in allotmen t	of Historic Propertie s	Need Data Sites – Known in Allotmen t (Site Numbers)	(Add'l inventory required and historic properties to be visited
04611	194	826	19%	7	High	None	Additional survey along East Fork and top of hill in sections 18 and 19, T3N R93W

*Acres are derived from GIS data with BLM and other acres in the allotment.

Eight cultural resource inventories have been previously conducted within the allotment resulting in the complete coverage inventory of 194 acres and the recording of seven cultural resources. Two of the sites are eligible-historic Wilson Creek School House (5MF3998) and Vehlein Homestead/Collom Ranch/Davis Ranch/Sweeney Ranch (5MF1940). There are five not eligible sites ranging from one historic isolated find, one isolated cairn, two historic structures, and one historic mining railroad. Historical equipment or homestead materials may be encountered in this allotment.

Based on available data, a high potential for historic properties occurs in the allotment. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within the ten year period of the permit.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

Environmental Consequences, all alternatives: The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, 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 livestock use may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties. As the number of AUM's and timing for livestock use is reduced, the potential for impacts due to livestock grazing lowers. Placing salt blocks along roads or anywhere in the allotment would potentially impact historic properties. Additional monitoring of the historic properties currently known and in the future should continue to determine if livestock impacts are occurring to these properties.

Mitigative Measures: Although no range improvements are proposed, range improvements associated with the allotment (e.g., fences, spring improvements) are subject to compliance requirements under Section 106 and will undergo standard cultural resources inventory and evaluation procedures.

Standard Stipulations for cultural resources are included in the Standard and Common Terms and Conditions, see Attachment 2.

1. Roads used by permittee must be surveyed to ensure salt blocks are being placed off of eligible sites.
2. Ponds previously built in T3N R93W Section 19 must be surveyed to ensure they have not damaged cultural resources in the past.
3. Flat areas in T3N R93W Section 18 on top of unnamed hill and drainages along the East Fork of Wilson Creek must be surveyed for cultural resources.
4. GIS maps showing slope potential, 30% or greater, where rock art and rock shelters are predicted to occur, will be used to initially establish evaluation areas for Class III survey. These areas will be evaluated for livestock concentrations.
5. Site monitoring plans, other mitigation plans, will be developed and provided to the Colorado State Historic Preservation Officer in accordance with the Protocol (1998) and subsequent programmatic agreements regarding grazing permit renewals.

Conducting Class II and III survey(s), monitoring, and developing site specific mitigation measures will mitigate the adverse effects to an acceptable level (Cultural Matrix Team Meeting 26 January 1999, NHPA Section 106, 36 CFR 800.9; Archaeological Resource Protection Act 1979; BLM Colorado and Colorado SHPO Protocol 1998; and NEPA/FLPMA requirements).

Name of specialist and date: Robyn Watkins Morris 1/15/08

ENVIRONMENTAL JUSTICE

Affected Environment: The East Fork Wilson Creek Allotment is located in an area of isolated dwellings. Ranching, farming and oil/gas and coal development are the primary economic activities.

Environmental Consequences, all alternatives: The allotment is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None

Name of specialist and date: Mike Andrews 1/10/08

FLOOD PLAINS

Affected Environment: East Fork Wilson Creek is the only drainage within the allotment on BLM lands that has any floodplain development. Active floodplain development is present when the stream gradient is low enough for this to occur, usually below four percent. Stream gradients along the East Fork Wilson Creek are estimated to be four to six-and-a-half percent. The small perennial stream with a riparian system growing along it is in an entrenched position with respect to the valley.

Environmental Consequences, all alternatives: Environmental consequences are the same as discussed in the riparian section for each alternative.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 1/14/08

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds occur in the East Fork Wilson Creek Allotment. Shepherdspurse, pennycress (fanweed), and tansy mustard are annual invasive weeds that occur at high levels on the allotment. Houndstongue and bull thistle are biennial noxious weeds which were also found at excessive levels. Other perennial and biennial noxious weeds in the vicinity of this allotment include leafy spurge, hoary cress (whitetop), Canada thistle, and other biennial thistles. Access to the public lands is restricted by private lands and the general public is not able to use these areas, reducing the threat of additional weed introductions. The northern portion of the allotment is in Moffat County and the southern portion of the allotment is in Rio Blanco County. The BLM and Moffat County have agreements in place to cooperatively work towards treating noxious weeds that occur on BLM lands. No agreements are in place for weed treatments in Rio Blanco County.

Environmental Consequences, all alternatives: The adverse impact of increased invasive and/or noxious weed establishment is similar under each of the alternatives. One reason for this is that noxious weeds are present in the vicinity of this allotment and the potential for them to be spread onto the allotment can occur regardless of the alternative selected. Vehicular access to public land for grazing operations, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance due to livestock concentration and human activities associated with grazing operations can also increase weed presence. Land practices and land uses by the livestock operator and their weed control efforts will largely determine the identification and potential occurrence of weeds within the allotment.

Environmental Consequences, Proposed Action: Implementing the Proposed Action would

increase the health and resiliency of the native plant community. This would strengthen the plant community and reduce ecological openings for invasive annual weeds and less competitive biennial and perennial noxious weeds to become established and spread in the allotment.

Environmental Consequences, No Action: The present operator knows the limits of the current permit and has made some necessary voluntary adjustments to how livestock have been managed to increase the health of the native plant community. The potential for reverting back to the level and season of use that is authorized under the current grazing permit would likely result if a new operator acquired this allotment.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 1/15/08

MIGRATORY BIRDS

Affected Environment: Big sagebrush-grass and mountain shrub communities in this area provide nesting and/or foraging habitat for the following USFWS Birds of Conservation Concern (2002): Brewer's sparrow, sage sparrow, Virginia's warbler, golden eagle, and northern harrier. Several golden eagle nests occur in the vicinity, but outside the allotment. The allotment has a prevalence of noxious weeds in the valleys and bottoms where cattle congregate. The area as a whole (including hillsides and ridges) contains fair to good quality habitat for migratory birds.

Environmental Consequences, Proposed Action: Livestock grazing can alter vegetation structure, composition, and function. Effects on migratory birds are dependent on the species of interest and may be adverse, negligible, or beneficial depending on grazing intensity, timing, frequency and distribution. Birds may be displaced as a result of grazing and related activities; and trampling of nests, eggs, or young could occur. Under this alternative, grazing would occur during the breeding season for most of these species. Reducing total forage utilization, resting the allotment in 2008, and deferring spring grazing every third year would improve habitat quality by allowing native perennials to better compete with weedy species. Current conditions (fair to good habitat) would continue or improve under this alternative, and would be unlikely to have a measurable positive or negative influence on migratory bird populations on a landscape scale.

Environmental Consequences, No Action: Under current management, weedy vegetation would persist or increase and potentially invade hillsides, degrading migratory bird habitat.

Mitigative Measures: None

Name of specialist and date: Charlie Sharp 1/9/08

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council, and the Eastern Shoshone on July 11, 2007. The letter listed the grazing allotments up for renewal in FY07 and included a map of the areas. A follow up phone call was performed on August 14, 2007. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris 1/15/08

PRIME & UNIQUE FARMLANDS

Affected Environment: There are no Prime and Unique Farmlands present within the East Fork Wilson Creek Allotment.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen 1/14/08

T&E AND SENSITIVE ANIMALS

Affected Environment: No federally listed species or habitat occurs within this allotment. The area provides winter range and winter forage habitat for the bald eagle, forage habitat for the golden eagle, nesting and winter range for Columbian sharp-tailed grouse, and foraging habitat for sage grouse, a BLM sensitive species. Several grouse leks (both species) occur north of the allotment in Axial Basin. Sage grouse brood rearing habitat does not occur in this allotment. There is a prevalence of noxious weeds in the valleys and bottoms where cattle congregate. The area as a whole (including hillsides and ridges) contains fair to good quality habitat for special status wildlife.

Environmental Consequences, Proposed Action: Livestock grazing can alter vegetation structure, composition, and function. Effects on wildlife are dependent on the species of interest and may be adverse, negligible, or beneficial depending on grazing intensity, timing, frequency, and distribution. Potential impacts include habitat degradation, fragmentation, and loss and individual displacement and/or reduced fitness. Such impacts are more significant during critical seasons, such as wintering or breeding. Reducing total forage utilization, resting the allotment in 2008, and deferring spring grazing every third year would improve habitat quality by allowing native perennials to better compete with weedy species. Habitat conditions (fair to good habitat) would continue or improve under this alternative.

Environmental Consequences, No Action: Under current management, weedy vegetation would persist and potentially invade hillsides, degrading wildlife habitat for BLM sensitive species.

Mitigative Measures: None

Name of specialist and date: Charlie Sharp 1/9/08

T&E AND SENSITIVE PLANTS

Affected Environment: There are no federally listed threatened or endangered or BLM sensitive plant species on the East Fork Wilson Creek Allotment.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 12/19/07

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no hazardous materials present on the East Fork Wilson Creek Allotment.

Environmental Consequences, all alternatives: Potential releases of hazardous materials could occur due to vehicular access for livestock management operations. Coolant, oil, and fuel are materials that could potentially be released. Due to the limited amount of vehicular activity that would be required, the potential for releases of any of these materials is low and if a release were to occur, it would be minimal and highly localized and not result in an adverse impact to the allotment.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/7/08

WATER QUALITY - GROUND

Affected Environment: The Cretaceous Williams Fork Formation and the Cretaceous Iles Formation are the surface formations in the grazing allotment. Two regional aquifers lie with these formations: the Trout Creek Sandstone Member of the Iles Formation and the Twentymile Sandstone Member of the Williams Fork Formation. Infiltration of precipitation by snowmelt or intense rainfall is the principal source of recharge to the bedrock aquifers.

Environmental Consequences, all alternatives: The renewal of the grazing permit would have no adverse impacts to ground water quality or the recharge of the aquifers within the project area. Livestock management activities under either alternative would be conducted in accordance with existing Colorado laws for water quality. Specifically, all permitted activities

would comply with the applicable water quality regulations in The Colorado Water Quality Control Act, and they would be in conformance with the classifications and numeric standards for water quality established by the Colorado Water Quality Control Commission.

Mitigative Measures: None

Name of specialist and date: Jennifer Maiolo 1/9/08

WATER QUALITY - SURFACE

Affected Environment: Runoff water from the BLM lands within the East Fork Wilson Creek Allotment flows to the East Fork Wilson Creek, except for a 40-acre tract in the northern portion of the allotment which drains directly to Wilson Creek. The East Fork Wilson Creek is a perennial tributary to Wilson Creek, which is a perennial tributary to Milk Creek. Milk Creek and all tributaries, except for Jubb Creek and Wilson Creek, need to have water quality that will support Aquatic Life Warm 1, Recreation 1b, Water Supply and Agriculture. Wilson Creek and its tributary, East Fork Wilson Creek, need to have water quality that will support Aquatic Life Warm 2, Recreation 1b, Water Supply and Agriculture. Wilson Creek and its tributaries are designated use protected. Milk Creek and its tributaries are fully supporting designated uses. Wilson Creek and East Fork Wilson Creek have not been assessed, but these streams are expected to be supporting designated uses.

Environmental Consequences, Proposed Action: This alternative would implement a full year rest in 2008, spring grazing deferment one in three years, a reduction of the grazing period by 40 days in late summer, and a reduction in AUMs. These actions would all be considered Best Management Practices (BMP's) and would result in improved water quality by reducing non-point sources of pollutants. Improved water quality under this alternative would be more substantial and sustainable because several BMP's are implemented simultaneously as a system.

Environmental Consequences, No Action: Proper grazing use of the allotment, along with controlled duration of livestock grazing use in the present permit and the existing range improvements (fencing and water developments) are BMP's that are presently implemented. The BMP's that have been implemented provide some practices to maintain water quality and reduce the potential to degrade water quality. Water quality would likely continue to support the present classified designated uses.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 1/15/08

WETLANDS/RIPARIAN ZONES

Affected Environment: East Fork Wilson Creek and its small floodplains are slightly entrenched with respect to the valley floor and but have sufficient width for stream and bank

stability. Portions of the stream have a active floodplains and some point bar development, however, these areas are mainly vegetated with upland plant species. Vegetation along streambanks consists of some scouring rush, sedges, rushes, and willows with high levels of Kentucky bluegrass, red top, tall yellow coneflower, and assortment of brush. Stream channels are contained within and lined by rocks and boulders which provide good stability and energy dissipation. The stream exhibits good stability considering the use by cattle has been concentrated in the valley, but more riparian plants should be present along the streambanks, point bars, and other floodplain areas.

Environmental Consequences, Proposed Action: The riparian system along East Fork Wilson Creek would respond positively to the changes proposed. The reduced grazing period in the late summer would reduce the potential for livestock use on the willows and the initial one-year rest and three-year rotation of spring grazing deferment would allow sedges and rushes to increase in abundance along the streambanks, point bars, and floodplains.

Environmental Consequences, No Action: It is uncertain whether the voluntary non-use of 155 AUMs has had a positive effect on the condition of this riparian resource in recent years, but concentrated use by cattle in the valley is still occurring. In the event that the voluntary non-use AUMs are return to active use, the problems with concentrated use in the valley would be compounded and excessive grazing and trampling along the East Fork Wilson Creek would result.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 1/16/08

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Rob Schmitzer 1/7/08

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Rob Schmitzer 1/7/08

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: The south facing slopes are Torriorthents-Rock outcrop complex, 15 to 90 percent slopes and Rock outcrop-Torriorthents complex, 50 to 75 percent slopes. The north facing slopes are Owen Creek-Jerry-Burnette loams, 5 to 35 percent slopes and Jerry-Cochetopa loams, 5 to 35 percent slopes. Higher elevation slopes and ridge areas are Waybe-Vandamore Variant-Rock outcrop complex, 5 to 30 percent slopes and Danavore-Waybe complex, 5 to 30 percent slopes. According to the Moffat and Rio Blanco County soil surveys, the soils in the valley bottom along the East Fork Wilson Creek and the adjacent alluvial fans from the flanking drainages are included in these soils, but they are separate soil types with less slope and greater depths.

Even though much of this area has steep slopes, cattle are able to access useable portions of these soils where the slopes are moderate and brush is not too thick and on ridge areas by trailing along the road which traverses the slope. The Jerry, Cochetopa, and Burnette soils are deep, have a high water holding capacity and a high runoff rate. The Torriorthents-Rock outcrop complex, Owen, Waybe, Vandamore, and Danavore soils have low to very low water holding capacity, shallow to moderate depths to bedrock and moderate to high runoff. All of these soils are suited for livestock grazing.

Environmental Consequences, all alternatives: Soil compaction and depleted soil cover are the most obvious impacts incurred as a result of livestock grazing. These affects would occur on areas with concentrated use with either alternative, but the majority of the affected lands within the allotment have adequate plant and litter cover based on the proper utilization of forage resources.

It is not anticipated that loss or gain of biological soil crusts would occur as a result of implementing either of the alternatives.

If livestock operators are not cognizant of the moisture available for plant growth and fail to reduce the numbers or duration of livestock during periods of drought conditions, over-utilization of forage resources can occur and accelerate erosion of soils. The Waybe, Vandamore, Danavore and Torriorthents soils would be most susceptible to erosion if plants were overgrazed.

Environmental Consequences, Proposed Action: The Proposed Action Alternative incorporates several new conditions to the grazing permit that would reduce concentrated use that has been occurring in the valley bottom and on the adjacent accessible slopes. The shallow and moderately deep soils (Waybe, Vandamore, Danavore, and Torriorthents) which comprise the Dry Exposure Ecological Sites on the ridges and accessible slopes in the higher elevations

would be less susceptible to erosion with the reduction of AUMs and likely receive more protection from colonizing plants with a spring deferment every three years. These new grazing practices would improve the herbaceous plant understory in these areas and allow soils to be protected from erosion with a stronger perennial plant canopy and roots to hold the soil in place and provide for better nitrogen fixation capabilities and other microbial benefits which add to improved infiltration and soil stability.

Environmental Consequences, No Action: Selection of the No Action Alternative would subject areas within the allotment to heavy livestock use if the full preference of AUMs allowed by the grazing permit were used. Concentrated use in the valley bottoms would continue under this alternative and the deep productive soils would support annual weeds, Houndstongue and less desirable forage plants. Moderate slopes along the roads and higher elevation areas in the allotment with shallow and moderately deep soils would have increased erosion with the potential heavy utilization that could occur.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 1/17/08

SOLID MINERALS

Affected Environment: The allotment boundary is adjacent to and overlaps Colowyo's permit boundary for surface coal mining in T3N, R93W, Sec. 19. The allotment also overlays Colowyo's Federal coal lease C-29226 in T3N, R93W, Sec. 19. Development of a new pit is underway; the new pit boundary will be approximately 0.25 miles from the eastern most boundary of the grazing allotment. Future development of the new pit will approach closer to the allotment boundary. The permit boundary of the open pit will be marked.

Mitigative Measures: None

Name of specialist and date: Jennifer Maiolo 1/8/08

UPLAND VEGETATION

Affected Environment: The allotment is dominated by mountain big sagebrush and mountain shrub communities. Dominant plants include mountain big sagebrush (*Artemisia tridentata pauciflora*), Gambel oak (*Quercus gambelii*), serviceberry (*Amelanchier alnifolia*), snowberry (*Symphoricarpos albus*), longleaf phlox (*Phlox longifolia*), bluebells (*Mertensia longiflora*), shrubby cinquefoil (*Potentilla fruticosa*), dandelion (*Taraxacum officinale*), Kentucky bluegrass (*Poa pratensis*), western wheatgrass (*Agropyron smithii*), streambank wheatgrass (*A. riparian*), and basin wildrye (*Elymus cinereus*). The allotment also has varying levels of the following non-native species that are commonly found within these communities: houndstongue (*Cynoglossum officinale*), shepherdspurse (*Capsella bursa-pastoris*), tansy mustard (*Descurania sophia*). Overall, community structure is appropriate and vigor is high, but

localized areas are high in the presence of non-native species, primarily along the canyon bottoms.

Environmental Consequences, Proposed Action: This allotment has been utilized heavily in the past by both livestock and wildlife. Prior to 1992, this allotment was permitted for 234 AUMs of livestock use. This translates into a rating of 2.31 acres per AUM, far above any reasonable carrying capacity provided by the plant communities on this allotment, particularly given the high levels of elk use in the area. The chronic overstocking that occurred in the years prior to this reduction resulted in enough suppression of native species to allow the high levels of certain non-native weeds, particularly houndstongue, to establish themselves. Even though 155 of those AUMs were placed in voluntary non-use through a special term and condition, allowing those AUMs to remain recognized would ignore the fact that the forage base cannot support that level of use. Permitting use at 51 AUMs, or 10.59 acres per AUM, would be far more in line with the actual productive capacity of these mountain shrub and mountain sagebrush communities.

Reducing the season of use by forty days in the late summer and early fall would reduce pressure on the canyon bottoms and riparian areas along East Fork Wilson Creek during the driest part of the grazing season. This would also allow for better fall regrowth and reduce temporal competition with deer and elk. The two ponds which provide upland water sources for livestock and ensure better distribution along the slopes would be less likely to be dry when livestock are present, resulting in allowing the ponds to remain effective in maintaining good livestock distribution. Allowing for complete rest from livestock grazing for one year would also benefit the overall health of the plant community and allow further recovery of past overuse.

Environmental Consequences, No Action: Although unlikely, renewing the permit with the recognition of 155 AUMs in voluntary non-use would acknowledge that the allotment has the potential to produce forage at the rate of 2.31 acres per AUM, a level not supportable by any native plant community in northwest Colorado. Allowing the current grazing window to continue through September would not result in adverse impacts to the upland communities, but could result in increased and more prolonged use of canyon bottoms and riparian areas along East Fork Wilson Creek, particularly if the two upper ponds go dry.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/8/07

WILDLIFE, AQUATIC

Affected Environment: Wilson Creek and East Fork Wilson Creek support aquatic invertebrates, amphibians, reptiles, and beaver. Although no inventory data are available, these waterways may also support fish populations. The East Fork Wilson Creek Allotment contains a high prevalence of noxious weeds in the valleys and bottoms where cattle congregate. The water in East Fork Wilson Creek has high turbidity. Habitat in this allotment is fair to poor for aquatic

wildlife.

Environmental Consequences, Proposed Action: Impacts include trampling of individuals or nests/eggs, water displacement, sedimentation and nitrification, and removal or degradation of shading vegetation. Reducing total forage utilization, resting the allotment in 2008, and deferring spring grazing every third year would improve aquatic habitat quality by allowing riparian vegetation to recover and better compete with weedy species.

Environmental Consequences, No Action: Under current management, weedy vegetation would persist, further degrading the riparian system and aquatic habitat.

Mitigative Measures: None

Name of specialist and date: Charlie Sharp 1/9/08

WILDLIFE, TERRESTRIAL

Affected Environment: This allotment provides habitat for a variety of mammals, birds, and reptiles. The eastern half of the allotment provides calving habitat and winter range for elk. Both elk and deer inhabit the area during the summer and deer may use the allotment during mild winters. There is a prevalence of noxious weeds in the valleys and bottoms where cattle congregate. Wildlife habitat in this allotment is in fair to good condition.

Environmental Consequences, Proposed Action: Livestock grazing can alter vegetation structure, composition, and function. Effects on wildlife are dependent on the species of interest and may be adverse, negligible, or beneficial depending on grazing timing, frequency, intensity, and distribution. Livestock compete for forage with wild ungulates, particularly elk. Forage utilization exceeding 50% or uneven grazing may degrade habitat and forage bases. In some instances, fences impede wildlife movement. Potential impacts include habitat degradation, fragmentation and loss, individual displacement, and reduced fitness. Such impacts are increased during critical seasons, such as winter or reproduction. Reducing total forage utilization, resting the allotment in 2008, and deferring spring grazing every third year would improve wildlife habitat quality by allowing vegetation to recover and better compete with weedy species. Decreasing cattle use in the fall would also reduce competition with native ungulates during a critical period.

Environmental Consequences, No Action: Under current management, weedy vegetation would persist or increase and invade hillsides, degrading wildlife habitat.

Mitigative Measures: None

Name of specialist and date: Charlie Sharp 1/9/08

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward

for analysis will be formatted as shown above.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Fluid Minerals		JAM 1/8/08	
Forest Management	JHS 1/7/08		
Hydrology/Ground		JAM 1/8/08	
Hydrology/Surface		OO 1/17/08	
Paleontology		JAM 1/8/08	
Range Management		JHS 1/7/08	
Realty Authorizations	MAA 1/10/08		
Recreation/Travel Mgmt		RS 1/7/08	
Socio-Economics		MAA 1/10/08	
Solid Minerals			JAM 1/8/08
Visual Resources		RS 1/7/08	
Wild Horse & Burro Mgmt	JHS 1/10/08		

CUMULATIVE IMPACTS SUMMARY: This allotment and areas surrounding have historically been grazed by both sheep and cattle. Numerous maintained and unmaintained roads exist throughout the area, including on the allotment. These roads are used regularly by local residents and ranchers as well by as the primary recreation users in the area, hunters. Wildlife populations in the area are high, especially for deer and elk that compete with livestock for available forage throughout the area. There are several surface coal mines in the area, including a new mine approximately two miles east of the allotment. The primary impacts from all of these activities are most immediately seen in the presence of roads, cultivation on private lands, noise, increased particulates in the air, and weed presence. The Proposed Action to continue grazing on this allotment is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: This allotment is currently meeting this standard and it would continue to be met under the No Action Alternative. The Proposed Action would improve habitat conditions and, consequently, enhance animal production, diversity, and resilience. This standard would be met under the Proposed Action.

Name of specialist and date: Charlie Sharp 1/9/08

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD: This allotment is currently meeting this standard and it would continue to be met

under the No Action Alternative. The Proposed Action would improve the stability and growth of special status species' populations and would also meet this standard.

Name of specialist and date: Charlie Sharp 1/9/08

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: The allotment is currently not meeting this standard due to high levels of houndstongue in the canyon bottoms. Much of this is due to historic heavy use by livestock (especially concentrated in the canyon bottoms) coupled with high levels of wildlife use. Houndstongue establishes and persists when perennial species, especially grasses, are suppressed within a community. Management that encourages the persistence and expansion of these species can put houndstongue at a competitive disadvantage and actually reduce its presence within the community. Beginning with a season of complete rest, reducing total AUMs, reducing the late summer window by 40 days, and introducing periodic spring deferment are all practices that, taken together, would improve the vigor and reproductive capability of desirable perennial grasses and provide suppression of houndstongue. The Proposed Action would result in improvements to the plant community which would move it towards meeting this standard.

The No Action Alternative would not meet this standard as it would result in a status quo of management that has allowed houndstongue to persist at high level. Even with chemical treatment to suppress this weed, houndstongue would not be reduced over the long term without changes in livestock management that would allow perennial species to out compete houndstongue.

Name of specialist and date: Hunter Seim 1/9/08

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant) STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species located on the allotment. This standard does not apply.

Name of specialist and date: Hunter Seim 12/19/07

RIPARIAN SYSTEMS STANDARD: The riparian standard would be met with the implementation of the Proposed Action Alternative. The new grazing management practices that would be implemented would reduce livestock use in the valley bottom adjacent to the riparian system along the East Fork Wilson Creek. The reduction in AUMs, reduction of 40 days to the grazing period and spring deferment every 3 years should allow this riparian system to make substantial progress towards proper functioning condition.

The No Action Alternative would not meet this standard as it would allow grazing to occur at an unsustainable level. The condition of the riparian system is currently functioning at risk at the reduced grazing level voluntary applied. Although a trend in condition was not observed with the voluntary reduction in place, full preference use of the allotment would likely result in a downward trend in condition.

Name of specialist and date: Ole Olsen 1/16/08

WATER QUALITY STANDARD: The water quality standard for healthy rangelands would be met with implementation of either the Proposed Action or No Action Alternatives. Runoff from snowmelt and summer storms would drain from the East Fork Wilson Creek Allotment into stream segments that are presently supporting classified uses. No stream segments are listed as impaired.

Name of specialist and date: Ole Olsen 1/15/08

UPLAND SOILS STANDARD: The upland soil standard for healthy rangelands would be met with the implementation of the Proposed Action Alternative. The proposed grazing management practices would promote healthy plant communities that would be sustainable and lead to better soil health and long term stability. These practices would enhance the vigor of established forage plants, the recruitment of new plants and promote better livestock distribution within the allotment.

The No Action Alternative would not meet this standard as it would imply grazing could continue at a stocking rate that is not supported by the forage resources available for grazing within the allotment. Proper grazing use of the forage resource is required and that is probably what determined the voluntary nonuse of AUMs that has occurred recently. Areas of grazing concentration still persist at the reduced level of grazing and with the current duration of the grazing period. The quality of the vegetation composition that presently exists on the productive soils in heavily used areas of the allotment lowers the capability of the plant community to protect surface soils and reduces the capability of the soil resource to infiltrate and recycle nutrients. Shallow and moderately deep soils are more susceptible to erosion under the No Action Alternative.

Name of specialist and date: Ole Olsen 1/17/08

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Paul Routzon, Jean Stevens.

MITIGATIVE MEASURES:

BLM commitments

1. Roads used by permittee must be surveyed to ensure salt blocks are being placed off of eligible sites.
2. Ponds previously built in T3N R93W Section 19 must be surveyed to ensure they have not damaged cultural resources in the past.

3. Flat areas in T3N R93W Section 18 on top of unnamed hill and drainages along the East Fork of Wilson Creek must be surveyed for cultural resources.

4. GIS maps showing slope potential, 30% or greater, where rock art and rock shelters are predicted to occur, will be used to initially establish evaluation areas for Class III survey. These areas will be evaluated for livestock concentrations.

5. Site monitoring plans, other mitigation plans, will be developed and provided to the Colorado State Historic Preservation Officer in accordance with the Protocol (1998) and subsequent programmatic agreements regarding grazing permit renewals.

ATTACHMENTS: Attachment 1, Allotment Map
Attachment 2, Standard and Common Terms and Conditions

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

Finding of No Significant Impact

The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. With the implementation of the attached mitigation measures there is a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Resource Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time, there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

**ATTACHMENT #2
CO-100-2008-021 EA
TERMS AND CONDITIONS**

Standard Terms and Conditions

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations;
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based;
 - c. A transfer of grazing preference by the permittee/lessee to another party;
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described;
 - e. Repeated willful unauthorized grazing use;
 - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.

- 10) Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

Common Terms and Conditions

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed-free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.

- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.