

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-100-2006-104 EA

PERMIT/ALLOTMENT NUMBER: 0501040/04606, 04610; 0500214/04426, 04612

PROJECT NAME: Change in season of use and class of livestock on the Upper Wilson Creek #04426, East Axial Basin #04606, Taylor Creek #04610, and Coal Butte #04612 Allotments.

LEGAL DESCRIPTION: See allotment maps, Attachments 1a-d

East Axial Basin Allotment #04606

T5N R92W, parts of sections 27, 28, 29, 32 and 36; T4N R92W, parts of sections 9 and 24

1,431 acres BLM

1,959 acres State Land Board

2,990 acres private

6,380 acres total

Taylor Creek Allotment #04610

T3N R93W, parts of sections 7, 11, 14, 17, 18-22, 27, 29

2,489 acres BLM

638 acres State Land Board

5,530 acres private

8,657 acres total

Upper Wilson Creek Allotment #04426

T3N R94W, parts of sections 23, 26, 27, 28, 34, and 35

440 acres BLM

2,097 acres private

2,537 acres total

Coal Butte Allotment #04612

T3N R94W, parts of sections 13, 23-26

321 acres BLM

1,222 acres private

1,543 acres total

APPLICANT: Tom Kourlis for Harry Kourlis Ranch

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: This plan has been reviewed to determine if the Proposed Action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5 and BLM 1617.3.

The Proposed Action implements the Resource Management Plan Livestock Grazing Management planned actions on page 11 to permit livestock grazing utilizing federal preference until rangeland monitoring studies are completed or monitoring studies show key forage plants are critically over-utilized.

The Proposed Action is partially located in the Eastern Yampa River Management Unit (MU1). The Proposed Action is compatible with the recreation management objectives for this unit and would not interfere with the development of coal, oil, or gas resources.

The Proposed Action is partially located within the Axial Basin Management Unit (MU 8). The Proposed Action is compatible with the management objectives of maintaining or improving habitat for elk, deer and sage grouse.

NEED FOR PROPOSED ACTION: BLM grazing permit #0501040 authorizing grazing use for the Harry Kourlis Ranch on the East Axial Basin #04606, Taylor Creek #04610, Upper Wilson Creek #04426, and Coal Butte #04612, among others, was renewed in 1999 for a period of ten years. Grazing use on these allotments was analyzed in EA CO-116-LS-99-21. A series of changes in land ownership resulted in the Upper Wilson Creek and Coal Butte Allotments being placed on a separate permit, #0500214, also for Harry Kourlis Ranch (see the casefile history for that file). Currently, the permit authorizing use on the East Axial Basin and Taylor Creek Allotments expires February 28, 2009 and the permit authorizing use on the Upper Wilson Creek and Coal Butte Allotments expires February 28, 2008.

Tom Kourlis of Harry Kourlis Ranch uses all of these allotments as part of a larger rotation system for cattle and sheep that incorporates other BLM allotments and private lands. Tom Kourlis has requested a change in season of use and class of livestock adjustments on these four allotments. For the East Axial Basin Allotment, these changes are requested to better fit with the spring elk use that is occurring on this allotment. For the Taylor Creek, Upper Wilson Creek, and Coal Butte Allotments, these changes are requested so they can better accommodate the needed changes on the East Axial Basin Allotment and still fit Kourlis' high intensity-short duration grazing system.

The following Environmental Assessment will analyze the impacts of these proposed changes 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.

PUBLIC SCOPING PROCESS: BLM Little Snake Resource Area sent out a Notice of Public Scoping on September 25, 1998, to determine the level of public interest, concern, and resource conditions of grazing allotments that were up for renewal in FY 1999. A public notice was printed in the Craig Daily Press and Steamboat Pilot newspapers. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on permit renewals. This notice was followed up in January, 2000, with an Internet posting of the Field Office's prioritization of allotments. Individual letters were sent to the affected permittees, informing them their permit was up for renewal and requesting any information they wanted included in or taken into consideration during the renewal process. A public meeting was held for all permittees having a permit up for renewal in FY 1999. Thirteen written comments were received from the general public ranging from keep me on your mailing list to special areas and resources of concern. Twelve grazing permittees responded by phone, letter, or came into the office and three attended the permittee meeting. The issuance of grazing permits for these allotments was carefully analyzed within the scope of the specific action taken, resource issues or concerns, and public input received.

Since the proposed changes would allow for improved effectiveness of the permittee's grazing system and better accommodate the needs of the resources, additional scoping will not be needed.

BACKGROUND: The Taylor Creek, Coal Butte, and Upper Wilson Creek Allotments are located in the Danforth Hills. They are characterized by deep drainages and steep brushy slopes. They contain scattered stands of aspen, sagebrush/grass, oakbrush/serviceberry, and pinyon/juniper plant communities. Within the Coal Butte and Upper Wilson Creek Allotments, the limited amount of public lands are primarily located on the steep slopes. Livestock use on the Coal Butte Allotment primarily occurs on a large bench on private land containing cultivated pasture and two large ponds. Little cattle use occurs on the steep slopes but sheep use does occur. The East Axial Basin Allotment is located in Axial Basin and is predominately rolling hills with sagebrush/grass and pinyon/juniper plant communities with greasewood present along drainages.

The Upper Wilson Creek and Coal Butte Allotments are used as pastures in the overall grazing system, and none of the allotments have livestock on them season long. The public lands within the East Axial Basin and Taylor Creek Allotments are divided into pastures which livestock are rotated through, spending 2-18 days in each pasture. The rotation among these pastures is changed annually. Livestock are monitored continually and are moved either before or when utilization standards are met. Sheep are actively herded within each allotment to assure even use. The other three allotments function as single pastures. They are used in combination with four other allotments administered by the Little Snake Field Office and two administered by the White River Field Office in which sheep and cattle are rotated throughout the year.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

Change the windows in which grazing could occur on the Upper Wilson Creek #04426, East Axial Basin #04606, Taylor Creek #04610, and Coal Butte #04612 Allotments. Tom Kourlis uses these four allotments, among others, as part of his high intensity-short duration grazing system.

Due to this system, each allotment (or pasture in the case of East Axial Basin and Taylor Creek Allotments) would be grazed for continuous periods ranging from 10 to 50 days (utilizing the same 2-18 day rotations within pastures on each allotment) and would not be grazed for more than one period per growing season. The Coal Butte Allotment would be grazed for up to 60 days between June and August, the Upper Wilson Creek Allotment would be grazed for up to 30 days in late summer or early fall, and the Taylor Creek Allotment would typically be grazed for 15 days in May or June and again in the fall. This timing would be typical, but the wider windows would allow for adjustments in timing due to drought and/or changing wildlife use patterns. None of the allotments would be grazed for the full times shown below. No change in active AUMs would occur. All other existing terms and conditions would remain the same. Changes for these four allotments would be as follows:

Permit #0501040 *(there are other allotments on this permit not affected by this Proposed Action and are not shown here)*

From:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
East Axial Basin #04606	1400 Sheep	03/01	04/20	11	52
	300 Cattle	05/01	05/15	11	16
	1400 Sheep	10/01	12/31	11	<u>93</u>
TOTAL					161
Taylor Creek #04610	1300 Sheep	06/05	08/05	17	90
	380 Cattle	07/20	07/30	17	23
	380 Cattle	09/09	10/25	17	<u>100</u>
TOTAL					213

To:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
East Axial Basin #04606	1015 Sheep	10/01	04/15	11	145
	36 Cattle	03/01	07/03	11	<u>16</u>
TOTAL					161
Taylor Creek #04610	1745 Sheep	06/05	07/05	17	43
	200 Cattle	06/20	07/10	17	23

412 Cattle	08/20	10/20	17	<u>147</u>
				TOTAL 213

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

1. The permittee is allowed five days flexibility in pasture movements, including into and out of the allotment, as long as the amount of specified grazing use (AUM's allowed) is not exceeded.
2. The permit for East Axial Basin Allotment #04606 is contingent upon a valid private land lease with Colowyo Coal Company L.P.

Permit #0500214

From:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
Upper Wilson Creek #04426	593 Sheep	08/16	10/10	19	41
	130 Cattle	08/21	09/13	19	<u>19</u>
					TOTAL 60
Coal Butte #04612	1325 Sheep	06/20	07/15	5	11
	300 Cattle	08/01	08/20	5	10
	1450 Sheep	07/16	08/15	5	<u>15</u>
					TOTAL 36

To:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
Upper Wilson Creek #04426	119 Sheep	06/20	10/01	19	15
	70 Cattle	06/20	10/01	19	<u>45</u>
					TOTAL 60
Coal Butte #04612	277 Sheep	06/20	10/01	5	9
	160 Cattle	06/20	10/01	5	<u>27</u>
					TOTAL 36

The above permit is subject to the following Special Term and Conditions:

1. Lessee will reasonably protect riparian and floodplain resources on Wilson Creek in the Coal Butte Allotment #04612 using a goal of an average minimum of 4 inch stubble height as a

management tool. Active herding and use of existing fencing will be employed to ensure Wilson Creek is not over grazed.

2. Grazing use by cattle in the Coal Butte Allotment #04612 will be limited to no more than 60 consecutive days within the dates shown.

3. Grazing use by cattle in the Upper Wilson Creek Allotment #04426 will be limited to no more than 30 consecutive days within the dates shown.

4. On the Coal Butte #04612 and Upper Wilson Creek #04426 Allotments, up to 100% of total AUMs may be used for sheep.

No Action Alternative

No changes in season of use for any of the four allotments would be implemented. Both permits would remain unchanged.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: None of the affected allotments lie in any EPA nonattainment areas for major pollutants.

Environmental Consequences: Livestock management activities would include actions that would result in PM 10 (dust) emissions and low levels of vehicle exhaust emissions. None of these pollutants would result in these areas acquiring EPA nonattainment status for air quality.

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): OO 10/2/06

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences: None

Mitigative Measures: None

Names of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): JDM 8/29/06

CULTURAL RESOURCES

Affected Environment: The table below is based on the Allotment Specific Analysis developed for each allotment in this EA. Copies of the Allotment Specific analysis used in this EA are in the Little Snake Field Office Archaeology files. The following table shows the archaeological known sites, eligible/need data, and sites, need data and eligible, that are anticipated to be in each allotment. Further, GIS cultural maps* were developed that show the springs and creeks, rivers, intermittent drainage as well as slope that will be used to initially survey in each allotment.

Data developed here, as well as in the Allotment Specific Analysis, was taken from the project report files, sites report files, and archaeological base maps kept at the Little Snake Field Office as well as from "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 Draft Little Snake Resource Management Plan and Environmental Impact Statement, February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area. Other data used, GIS cultural maps, were developed from the Little Snake Field Office Geographic Information System (GIS).

Allotment Number	Acres Surveyed at a Class III Level	Acres NOT Surveyed at a Class III Level	Percent of Allotment Inventoried at a Class III Level	Eligible or Need Data Sites- Known in Allotment	Estimated Sites for the Allotment *(total number)	Estimated Eligible or Need Data Sites in the Allotment (number)
04426	90	350**	3.6%	None	67.38	22.46
04610	5822	2837***	2.05%	5MF2507	61	20.36
04612	45	275*	14.06%	None	8.5	2.833
04606	685	835*	82.03%	5MF415 5MF416 5MF417 5MF408 5MF419 5MF420 5MF421 5MF422 5MF414 5MF413 5MF412	0.9029	0.3009

(Note *Estimates of site densities are based on known inventory data. Estimates should be accepted as minimum figures which may be revised upwards based on future inventory findings. *Acres are derived from GIS allotment

maps. **BLM only acres or ***BLM and other acres in the allotment. See Allotment Cultural Resource information analysis.)

Environmental Consequences: The selected areas (GIS cultural maps*) within the allotments, in which grazing can cause substantial ground disturbing affects, significant cumulative, long term, irreversible, irretrievable, adverse affects and data loss, to Need Data and Eligible cultural properties will require Class III inventory. Conducting Class III surveys, monitoring, and developing site specific mitigation measures would mitigate the adverse effects, significant impacts, and data loss (NHPA Section 106, 36CFR800.9, Archaeological Resource Protection Act 1979, BLM/Colorado SHPO Protocol 1998, and NEPA/FLPMA requirements), to an acceptable level. (*The GIS Cultural Maps are only presented as a computer generated visual departure point for the survey work. The greater than 30% slope map, magenta color, shows the "slope" that is 31% or greater within the allotment. Due to real on-the-ground factors such as geologic/soils composition of the slope, vegetation, or no rock outcrops being present, survey work in that area will be based upon knowledge of the area, photography, and field visits. This will identify these factors and the slope may require no further work. The survey work proposed for the magenta color areas is a reconnaissance survey. Areas of slope will be looked at, evaluated for their potential for rock art and rock shelters. Those areas that have potential will be surveyed. The entire magenta color will not have to be surveyed. The blue line features on the computer generated maps also have flaws. Again, they are provided as a computer generated visual departure point for the proposed field work. Field work will evaluate the blue shaded areas on the map. Consequently, there may be less areas or more areas that will need to be surveyed at a Class III level based upon the field visits.

Other project specific Class III surveys initiated by the BLM, industry, or ranching will identify previously unrecorded Need Data and Eligible sites within these allotments. These cultural resources will need to be mitigated in relationship to the proposed project(s) and current and future impacts related to grazing activities. The new Need Data/Eligible sites and mitigation measures will have to be incorporated into this EA analysis and stipulations or Terms and Conditions for the permit.

Mitigative Measures:

Standard Stipulations would apply:

1. The operator is responsible for informing all persons who are associated with grazing 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 grazing management activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO). Within five working days the AO 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.
2. Pursuant to 43 CFR 10.4(g) (Federal Register Notice: Monday December 4, 1995, Vol 60,

No. 232) the holder of this authorization must notify the AO, by telephone with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant 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.

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

Allotment Specific Stipulations for this E.A.

1. Rock art and rock shelters are predicted to occur at the base of slopes greater than 31%. This would be for isolated boulders and rock outcrops as well as the bases of cliffs and on steep slopes with rock outcrops. Areas within the allotment(s) will need to be identified for these topographic conditions and looked at for rock art and rock shelters. Those areas that are within a 31% and greater slope, that are level and accessible to cows/sheep, will be looked at as well (EA cultural maps*).
2. Blue line features on the 7.5 minute USGS maps will be used to initially establish Class III survey areas, 50 feet on either side of the creek, river, intermittent drainage and 50 feet around spring features. Field work evaluations of the allotment(s) will change size and scope of cultural field work that will have to be carried out (EA cultural maps*).
3. Previously identified sites, listed above, and new sites recorded and evaluated as eligible and/or need data during the Class III survey will need to be monitored. Initial recording of new sites and reevaluation of the known sites will establish current condition of the resource and help in developing a monitoring plan for all these sites. Some sites will have to be monitored more often than others. Sites that are found to be impacted by grazing activities will need physical protection or other mitigative measures developed.
4. 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 (PA) regarding grazing permit renewals.
5. Cultural resources identified in the Cultural Affected Environment section, Eligible or Need Data Sites, will be evaluated for impacts caused by grazing. Further mitigation, based upon the evaluation will be developed, if needed, for those sites that are being impacted.

Conducting Class III survey(s), monitoring, and developing site specific mitigation measures will mitigate the adverse effects, data loss, and significant impacts (NHPA Section 106, 36CFR800.9,

Archaeological Resource Protection Act 1979, BUM Colorado and Colorado SHPO Protocol 1998, and NEPA/FLPMA requirements) to an acceptable level.

The Colorado State Historic Preservation Officer (SHPO) agreed with the Bureau of Land Management, Colorado, (BLM) that the BLM could issue its Range Renewal Permits with the proposed Cultural Resource Management actions, monitoring known eligible and need data sites and conducting Class III and/or modified Class III surveys on selected areas of BLM lands within a ten year time frame (Cultural Matrix Team Meeting 26 January 1999, Colorado BLM State Office).

The Little Snake Field Office will initiate the monitoring of known eligible and need data sites the first field season following the issuing of the permit. This survey will be based upon an acceptable, BLM and SHPO, Research Design that will establish criteria for evaluation of the sites for livestock impacts and any needed mitigation and future monitoring needs. This is covered in the "Procedural Addition 1; Bureau of Land Management (BLM) Rangeland Activities and Cultural Resource Management".

The cultural survey (Class III and/or modified Class III) of selected areas of the allotment will be initiated in the second field season following the issuing of the permit. This is covered in the "Procedural Addition 1; Bureau of Land Management (BLM) Rangeland Activities and Cultural Resource Management".

Name of specialist and date: Henry S. Keesling 4/28/99
Approved by (initials and date): GDC 8/30/06

ENVIRONMENTAL JUSTICE

Affected Environment: These allotments lie in areas isolated from all but scattered human populations. There are no minority and/or low income populations in the vicinity of these allotments.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 8/17/06
Approved by (initials and date): JHS 8/28/06

FLOOD PLAINS

Affected Environment: Most of the public lands within these allotments are composed of uplands. In general, stream drainages are too steep and confined to have active flood plain areas. A short segment of Wilson Creek flows onto public lands within the Coal Butte Allotment. The creek and its floodplains are deeply entrenched in the narrow valley and slightly confined by steep slopes on the east and a county road on the west. The floodplain is flooded in several places by active beaver dams and there is an abundance of herbaceous and woody plant species. A little over one-half of this creek segment and its floodplain are fenced outside of the allotment fence. The two portions within the allotment function as water gaps- distinct areas where livestock can access the creek for water. Livestock use on the area farthest downstream is less apparent than use

on the upstream area. The adjacent public land on the portion of Wilson Creek outside of the Coal Butte Allotment is not allotted for livestock grazing.

Environmental Consequences: Floodplains are adversely impacted by livestock grazing when livestock concentrate on the floodplains due to topography, forage preferences, or water availability. This applies more to cattle, as sheep are tended by a herder and more actively controlled. Concentrated livestock use typically leads to soil compaction, trampling, and over-utilization of forage plants on the floodplains, causing decreased soil infiltration rates, formation and persistence of trails, excessive streambank trampling, and inadequate plant cover. When these impacts are severe, vegetative cover and vigor can be critically reduced, leaving floodplain soils less protected during flooding events. Erosion of streambank and floodplain soil materials would result during high flows and stream channel degradation would follow that degrades local water quality and lowers the capability of the drainage to support riparian systems or other floodplain plant communities. A potential risk of severe flooding is present because of the numerous beaver dams that are present upstream.

These impacts could occur at varying intensities under either alternative. The Proposed Action which increases the window authorized for cattle use (6/20 to 10/01) in the Coal Butte Allotment would allow more opportunities for cattle to concentrate along Wilson Creek and for a greater amount of time. Cattle would graze for a period of up to 60 days within the 103 day authorized grazing period. Any cattle moving into the canyon would tend to concentrate in the floodplain areas along Wilson Creek because the adjacent topography is steep, however the primary areas of cattle use on this allotment are on large areas of private cultivated pasture on the upper bench within the allotment. Water is also available to livestock above Wilson Creek via two large ponds on private land. Cattle on this allotment prefer these upper areas, but do fall down towards Wilson Creek occasionally. When this has occurred in the past, cattle have been allowed to remain for a few days before being pushed back up and onto the private pasture. By requiring a minimum of 4 inches of stubble height on floodplain vegetation, floodplain resources along Wilson Creek would not be adversely impacted, while providing an effective benchmark for the operator to know when to push cattle back up before use approaches levels that are damaging to riparian vegetation..

The No Action Alternative specifies a 20-day grazing period (8/1 to 8/20) which provides a good period for growth of floodplain plants in the spring and early summer prior to grazing followed by several weeks of time for plant regrowth prior to dormancy. Regardless of the selected alternative, as long as proper livestock utilization is occurring in the floodplain areas, impacts to floodplain, and their function, would be at an acceptable level.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 10/13/06

Approved by (initials and date): OO 10/13/06

INVASIVE, NONNATIVE SPECIES

Affected Environment: Whitetop is the most common problem in Axial Basin and the

surrounding area. Other noxious weeds present include Russian knapweed, leafy spurge, houndstongue, musk thistle, plumeless thistle, cheatgrass, Canada thistle, bull thistle, and black henbane. Moffat County had been spraying for whitetop and other noxious weeds along county roads and some two track roads prior to 1994. In 1994, a weed management plan was initiated with the cooperation of BLM, NRCS, Moffat County Pest Management, private land owners, CDOW, and CSU Extension. Since this time, more aggressive control efforts have been made and the areas treated were expanded. Many of the allotments have been treated. Progress has been made in weed control as a result of this action.

Environmental Consequences: Vehicular access to public land for grazing operations, livestock and wildlife movement, as well as wind and water, can cause invasive species to spread into new areas. Surface disturbance due to livestock concentration and human activities associated with grazing operations can also increase weed presence. Given an opportunity, many of these invasive species have potential to become the dominant cover species without control and eradication efforts. The use of best management practices and mitigation of livestock disturbance can facilitate control of invasive species and reduce the potential of long term infestation of invasive and noxious weed species. All principles of Integrated Pest Management would be employed to control noxious weeds on public lands.

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05
Approved by (initials and date): OO 10/2/06

MIGRATORY BIRDS

Affected Environment: All four allotments provide both foraging and nesting habitat for a variety of migratory birds. Golden eagles are known to nest in these areas. Two sagebrush obligate species, sage sparrow and Brewer's sparrow and one mountain shrub species, Virginia warbler, are listed on the USFWS's Bird of Conservation Concern List. Additional birds that may nest in the area include the vesper sparrow and the sage thrasher.

Environmental Consequences: Livestock grazing on these allotments would not have a direct negative impact on any of the birds of conservation concern. Golden eagle nesting and fledgling activities are not likely to be disturbed by livestock grazing. Brewers sparrows and sage sparrows respond favorably to livestock grazing because they prefer habitat with only modest amounts of understory vegetation. Either alternative has little to no potential to result in take of any migratory birds within these allotments.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 8/31/06

NATIVE AMERICAN RELIGIOUS CONCERNS

The Uintah and Ouray Tribal Council was notified of these grazing permit/lease renewal/transfer actions by letter dated November 25, 1997. A copy of this letter is attached to the EA (See exhibit A). There was no response to the letter.

During this public scoping process, the Little Snake Resource Area mailed letters to the Uintah and Ouray Tribal Council and Ute Tribal Environmental Coordinator identifying all proposed 1999 grazing permit renewals. No comments were received by the office.

Name of specialist and date: Henry S. Keesling 7/1/99
Approved by (initials and date): GDC 8/30/06

PRIME & UNIQUE FARMLANDS

Affected Environment: There are no prime or unique farmlands on any of the four allotments.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05
Approved by (initials and date): JHS 8/28/06

T&E SPECIES - SENSITIVE PLANTS

Affected Environment: There are no BLM listed sensitive plants present on any allotments affected by the Proposed Action.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05
Approved by (initials and date): JHS 8/23/06

T&E SPECIES – ANIMALS

Affected Environment: There are no threatened or endangered animal species or habitat for such species in or near these allotments. These allotments provide breeding, nesting and brood rearing habitat for greater sage-grouse and Columbian sharp-tailed grouse, both are BLM special status species. There are no known active lek sites for either species but there are six Columbian sharp-tailed grouse leks and one greater sage grouse lek within one mile of these grazing allotments. It should be expected that these allotments provide valuable nesting habitat for both species. Wilson Creek and various seeps and springs also provide brood rearing habitat for both

species.

Environmental Consequences: There would be no effect of any threatened or endangered animal species or their habitats. Habitats for Columbian sharp-tailed grouse and greater sage-grouse are in good condition. Upper Wilson Creek, East Axial Basin, Taylor Creek, and Coal Butte are under a high intensity-short duration rotation grazing plan. Utilization limits of 40% on shrubs species and 50% on grass species would ensure that habitat remains in good condition that capable of supporting nesting grouse. Utilization of riparian vegetation would be limited and good opportunities for re-growth would exist after grazing. The Proposed Action would not adversely impact riparian vegetation used during the brood rearing period for both species.

The No Action Alternative would not have any impact on greater sage-grouse or Columbian sharp-tailed grouse.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 8/31/06

T&E SPECIES – PLANTS

Affected Environment: There are no federally listed threatened or endangered plant species present on any of the four allotments.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): JHS 8/23/06

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no known hazardous wastes present on any of the four allotments.

Environmental Consequences: Access to the allotments for livestock management and fence construction and maintenance could result in releases of motor vehicle fluids such as oil and coolant. This type of release is unlikely and would be extremely limited in nature.

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): DJ 8/23/06

WATER QUALITY - GROUND

Affected Environment: The four allotments have some ground water aquifers containing meteoric water. The ground water quality in the areas ranges from potable to useable in aquifers within porous and fractured zones (mostly sandstone and conglomerates).

Environmental Consequences: Due to the limited number of livestock, dispersal of these livestock over a fairly large area, the herding of sheep, and the simple rotation of grazing areas, there would be no adverse impacts to ground water quality within any of the four allotments. The Proposed Action would be conducted in accordance with existing Colorado laws for water quality. Specifically, all permitted activities must comply with the applicable water quality regulations in the Colorado Water Quality Control Act and they must 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: James R. Webb 12/7/05

Approved by (initials and date): RE 8/24/06

WATER QUALITY - SURFACE

Affected Environment: Runoff water from the Upper Wilson Creek Allotment flows into Wilson Creek. Runoff water from the Coal Butte Allotment flows into Wilson Creek and the East Fork Wilson Creek. Runoff water from the East Axial Basin Allotment flows into Stinking Gulch. Runoff water from the Taylor Creek Allotment flows into Wilson Creek, Taylor Creek, Good Spring Creek, and the West Fork Good Spring Creek. Taylor Creek and East Fork Wilson Creek are intermittent tributaries to Wilson Creek and West Fork Good Spring Creek is likely a perennial tributary to Good Spring Creek. Wilson Creek, Good Spring Creek, and Stinking Gulch are perennial tributaries to Milk Creek. Much of the water in Stinking Gulch is approved discharge of oil and gas production water.

All of these streams flow into Milk Creek and then into the Yampa River. Wilson Creek and Good Spring Creek (above Wilson Reservoir) are designated as use protected and water quality must support Aquatic Life Warm 2, Recreation 2, Water Supply, and Agriculture. Water quality in Milk Creek needs to support Aquatic Life Warm 1, Recreation 1b, Water Supply, and Agriculture. The Yampa River needs to have water quality sufficient to support Aquatic Life Cold 1, Recreation 1a, Water Supply, and Agriculture.

Portions of this Yampa River segment are fully supporting its classified uses. Milk Creek and some of its tributaries have been assessed as fully supporting (Oct. 2001) their classified uses. Wilson Creek and Good Spring Creek have not been assessed, but are expected to fully support their

classified uses. None of these stream segments have been listed as impaired water.

Environmental Consequences: Increasing the use period of grazing livestock without increasing total AUMs would give livestock managers greater flexibility to enhance the health of plant communities and upland soils. This flexibility is desirable because drought and other possible natural occurrences could reduce the capability of the rangeland in any given allotment to support the typical stocking rate. The Proposed Action provides a longer period in which grazing can occur, but would still focus on a high intensity-short duration grazing system. Overall changes to the grazing schedule that are proposed are minimal with one exception. Increasing cattle use from 20 days to 60 days within the Coal Butte Allotment would likely increase sediment and nutrients in Wilson Creek in the short term, but impacts to the floodplain, stream channel morphology, and the riparian plant community could be longer term. It is not anticipated that increases in sediment and nutrients locally within Wilson Creek would be measurable in Milk Creek or the Yampa River. Use impairment would not be expected from implementing the Proposed Action.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 10/18/06

Approved by (initials and date): OO 10/18/06

WETLANDS/RIPARIAN ZONES

Affected Environment:

Upper Wilson Creek and East Axial Basin Allotments: No riparian vegetation or springs have been identified on public lands within this allotment.

Taylor Creek Allotment: This allotment has limited riparian vegetation associated with springs and drainages along small sections of public lands in the headwater areas of Taylor Creek. There are several small ponds and a small section of the West Fork of Good Spring Creek on BLM lands within this allotment. There are varying degrees of riparian vegetation or potential riparian resources associated with these water sources, but no assessment or evaluation of these resources has occurred. Although the condition and full extent of the riparian resources that may be associated with upper Taylor Creek and the West Fork of Good Spring Creek is not known, it is expected that these resources are near their potential, because grazing practices of herding sheep and short duration use by cattle has been occurring for a number of years.

Coal Butte Allotment: A portion of Wilson Creek lies on BLM land within this allotment. A large runoff event in the 1980's led to stream incisement and abandonment of its active floodplain, resulting in erosion concerns along several segments of this stream. The stream incisement was probably increased by County Road 51 which is located along the drainage. No springs have been identified on this allotment.

A one-half mile segment of Wilson Creek flows through the edge of the Coal Butte Allotment.

Wilson Creek has largely recovered from the runoff event in the mid-1980's which destabilized streambanks and caused stream incisement. Presently an active floodplain has developed along the creek in this entrenched position and the steep terrace banks are beginning to stabilize. Beaver dams are also becoming established within this reach and are well established immediately upstream of the allotment. A little over one-half of this creek segment and its floodplain are fenced outside of the allotment fence, except for two distinct areas where livestock access the creek for water. Livestock use of the riparian area associated with the water gap farthest downstream was not severe but more apparent than use on the upstream water gap. Unauthorized cattle use is occurring along the remaining portion of Wilson Creek that is delineated within the area of the Coal Butte Allotment, but outside of the fenced water gaps.

In September 2006 this segment of Wilson Creek was assessed to determine the condition of the riparian resources. It was determined to be functioning at risk with no apparent trend. Riparian vegetation is dominated by sedges, mesic grasses, willows, chokecherry and other woody species, but these species were less abundant along the areas of the stream that are fenced within the allotment. Streambanks and floodplain areas are moderately trampled by cattle throughout this segment of Wilson Creek, possibly causing some widening of the stream. Diminished riparian vegetation and trampling was somewhat heavier and more apparent in the area farthest downstream, where more upland plant species and houndstongue were encroaching onto the floodplain with more area of bare soil exposed.

Environmental Consequences:

Taylor Creek Allotment: Livestock grazing in this allotment includes short duration cattle grazing and sheep grazing during the summer. The cattle grazing system proposed is not expected to adversely impact riparian resources within the allotment because the short grazing period of 15-days during the growing season will allow plenty of time for seasonal growth before and after the cattle grazing period. Sheep are herded through several pastures in this allotment, rotating the grazing use by herding. Continuation of this grazing strategy is expected to allow existing riparian resources to remain stable.

Coal Butte Allotment: The proposed grazing schedule would allow for a grazing period of 60 consecutive days for cattle anytime between June 20th and October 1st. This increases the 20-day period of cattle use currently allowed (Aug. 1 to Aug. 20) along Wilson Creek and the lower accessible slopes adjacent to the creek under the No Action Alternative. Earlier season use by cattle would result in increased use on Nebraska sedge. Cattle use occurring later in the proposed authorized grazing period would likely increase browsing of willows and cottonwoods. The proposed 60 day cattle grazing period would largely occur on the private pasture within the allotment and any use of Wilson Creek by cattle finding their way into the area would not pose any greater impacts than under the existing permit, particularly as the permittee pushes the cattle back up once they do come down to the creek. The No Action Alternative does provide a much shorter grazing period where use along the creek would be likely, but with maintenance of the four inch stubble-height standard and continuing with the existing practice of relying on forage and water on private lands, the riparian impacts from the Proposed Action would be similar to the existing use. Herding would ensure that Wilson Creek is not adversely impacted by sheep.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 10/19/06

Approved by (initials and date): OO 10/19/06

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): JDM 8/29/06

WILDERNESS, WSAs

Affected Environment: Not present.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): JDM 8/29/06

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: A number of different soils occur on these allotments, but due to many geologic (i.e., parent material) and physiographic similarities within the uplands on these allotments, these soils share many characteristics. In general, the upland soils on all four allotments are loamy, well drained, and nonsaline. Due to the vast majority of public land uplands within these allotments being on steeper slopes, they all exhibit high to very high runoff, but water holding capacities are high. The greatest variation is in water permeability, with permeability rates ranging from slow to medium.

Due to these soils' ability to support good vegetative cover, even on steeper slopes, there are no areas of accelerated erosion. In many areas, the public lands are only minimally accessible to livestock or intensive human activities due to slope and/or dense stands of shrubby vegetation types, resulting in most soils being only affected by natural forces and variability.

Environmental Consequences: No loss or gain of cryptogamic crusts or soil compaction would occur as a result of the Proposed Action. Upland soils would be protected by the canopy cover provided by the diverse native plant communities present within the allotments. The high intensity-short duration grazing practices characteristic of both the Proposed Action and No Action Alternatives would continue to enhance the health of the plants providing cover, organic matter for nutrient cycling, and diverse root characteristics. The soil resource would remain stable and productive for these reasons.

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): OO 10/19/06

VEGETATION

Affected Environment: Taylor Creek, Coal Butte, and Upper Wilson Creek Allotments are characterized by deep drainages and steep brushy slopes. There tends to be a mix of sagebrush/grass and oakbrush/serviceberry with pinyon/juniper. The limited amount of public land is predominately located on the steep slopes. East Axial Basin Allotment is located in Axial Basin and is predominately rolling sagebrush hills with some greasewood in the drainages.

Elevation in these allotments ranges from 6400' to 7800'. Communities at these elevations are predominantly oak brush, aspen, and mountain shrub communities. The latter is comprised of mountain big sagebrush, snowberry, chokecherry, serviceberry, Wood's rose, and currant. The understory is thick where canopy cover allows for sunlight to enter. Grass and grass-like species found on these allotments include orchard grass, mountain brome, wheatgrasses, needle grasses, Kentucky bluegrass, wildryes, timothy, Idaho fescue, muttongrass, and various sedges. Forbs include tall larkspur, yellow fleabane, geranium, potentilla, mules ear, horse mint, iris, horsetail, lupines, coneflower, buckwheats, bedstraw, aster, wild carrot, aspen peavine, globemallow, meadowrue, and American vetch. The riparian areas are comprised mostly of willow with associated riparian species present.

Monitoring data on these allotments indicates the current amount of specified livestock grazing remains appropriate. The common denominator on these allotments is the amount of public lands in these allotments make up a small percentage of the area in each allotment. For the most part, the public lands are quite steep and rocky and are of limited accessibility to livestock. The public lands on these allotments have good species diversity, plant vigor, production, and litter cover.

Environmental Consequences: The Proposed Action would not adversely impact key forage species on these allotments. These allotments have been managed under a high intensity-short duration grazing system for a number of years and forage and other plants have remained vigorous and diverse. By widening the grazing windows, this grazing system can further benefit and maintain healthy plant communities by adding additional periods during the growing and dormant

seasons in which livestock may be grazed as well as rested. As long as these allotments continue to be managed under this intensive rotation system, there would be no adverse impact to plant communities.

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): JHS 8/23/06

WILDLIFE, AQUATIC

Affected Environment: Springs, streams, and associated vegetation within the allotments provide potential habitat for small amphibians and other aquatic wildlife. Multiple intermittent and a few perennial streams flow through the allotments. Wilson Creek is perennial and provides some habitat for fish. Woody riparian vegetation, aquatic forbs, grasses, and sedges offer some protection from erosion and provide habitat for invertebrates, fish, and other wildlife species. The condition and health of the riparian areas vary by management practices. Most of the riparian areas are in private ownership.

Environmental Consequences: Most impacts to aquatic wildlife would be related to over-utilization of riparian vegetation. The longer grazing windows under the Proposed Action may lengthen the period of grazing use with decreased numbers of livestock or increase numbers of livestock with shorter period. In either case, there would be no increase in AUMs. This action would ensure the health of riparian systems in the allotments. Utilization of riparian vegetation would be limited and good opportunities for re-growth would exist after grazing. The Proposed Action would not adversely impact aquatic wildlife or their habitat.

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): TMN 8/31/06

WILDLIFE, TERRESTRIAL

Affected Environment: The allotments provide habitat for elk, mule deer, black bear, and a variety of small mammals, birds, and reptiles. Upper Wilson Creek is an elk production area. Taylor Creek offers some general winter range for elk. Lower Taylor is critical elk winter range. East Axial Basin contains some winter and critical habitat for elk, mainly on the lower private lands. The vegetative community is in good condition, providing suitable and very productive habitat for terrestrial wildlife. East Axial Basin exhibits some heavy pinyon/juniper hedging by elk, but the overall vegetative community is in good condition.

Environmental Consequences: Utilization limits of 40% on shrubs species and 50% on grass species would ensure that habitat remains in good condition. Upper Wilson Creek, East Axial Basin,

Taylor Creek and Coal Butte are under a high intensity-short duration rotation grazing plan. Winter use of browse species would be light and not conflict with big game animals. Sheep would utilize mainly snowberry and low lying shrubs while big game animals utilize mainly taller serviceberry, oakbrush, and chokecherry. The Proposed Action would not negatively impact terrestrial wildlife or their habitat within these allotments.

Mitigative Measures: None

Name of specialist and date: James R. Webb 12/7/05

Approved by (initials and date): TMN 8/31/06

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		RE 8/24/06	
Forest Management		JHS 8/22/06	
Hydrology/Ground		RE 8/24/06	
Hydrology/Surface		OO 10/19/06	
Paleontology		RE 8/24/06	
Range Management		JHS 8/22/06	
Realty Authorizations		JHS 8/28/06	
Recreation/Travel Mgmt		RS 9/1/06	
Socio-Economics		JHS 8/28/06	
Solid Minerals		RE 8/24/06	
Visual Resources		JDM 8/29/06	
Wild Horse & Burro Mgmt	JHS 8/22/06		

CUMULATIVE IMPACTS SUMMARY: Cumulative impacts to public lands within these four allotments both related and unrelated to livestock grazing under the Proposed Action and No Action Alternative include recreational access for hunting and wildlife viewing, existing roads, perimeter and other fencing, and major natural gas pipelines.

Due to the scattered nature of public lands on these allotments, impacts from hunting and other recreational access are minimal. Many of the public land parcels are relatively inaccessible due to steep topography and surrounding private land. Hunting and other uses on those parcels are limited to individuals who have permission to cross the private lands. Impacts from hunting activities include heavy seasonal traffic on existing public-access roads, some cross-country travel (especially by ATVs), and dispersed camping. On-road travel poses few impacts over and above the existence of the roads themselves which support invasive annual plants such as cheatgrass and halogeton on the disturbed soils immediately adjacent. Vehicular travel on these roads has little potential to spread these species beyond the areas where they already exist. Off-road travel has the greatest potential to spread weeds into new areas as vehicles create new soil disturbance and transport seeds. The two recently completed natural gas pipeline corridors have resulted in highly localized impacts such as topsoil disturbance, removal of native vegetation, and an increase

potential for weed occurrence along and adjacent to those corridors. Required mitigation measures such as soil stabilization, reseeding, and weed control are currently being implemented by the pipeline companies to reduce these impacts.

Existing fencing along allotment perimeters and pasture fencing present another visual impact and creates the need for occasional off road travel for maintenance access which has the potential to spread weeds. This fencing also impacts wildlife as it presents impediments to the movements of elk, deer, and antelope.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: Monitoring data on the Kourlis allotments indicate that the short season, rest-rotation grazing system is compatible with healthy plant communities. The plant community exhibits high vigor and provides productive habitat for a variety of big game, small mammal, and songbird species. This standard is currently being met on these allotments and would continue to be met under the Proposed Action.

Name of specialist and date: James R. Webb 2/8/06

Approved by (initials and date): TMN 8/31/06

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal)

STANDARD: There are no threatened or endangered animal species or habitat for such species in the affected grazing allotments. The allotments do provide breeding nesting and brood rearing habitat for Columbian sharp-tailed grouse and greater sage-grouse. There are no known active lek sites for either species within these grazing allotments, but there are six lek sites for sharp-tailed grouse and one lek site for greater sage-grouse within one mile of these allotments. There would be no impact to breeding grounds for either species from either alternative. Nesting and brood rearing habitat is currently in good condition and will remain capable of supporting healthy populations for both Columbian sharp-tailed grouse and greater sage-grouse. This standard is currently being met and would continue to be met under either alternative.

Name of specialist and date: Timothy Novotny 8/31/06

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: Monitoring data and field observations indicate there are diverse, healthy plant communities in these allotments. A field assessment in 2005 by James R. Webb, using LSFO rangeland health assessment protocols, was in agreement that the allotments have healthy plant communities although the assessment did not have an interdisciplinary approach. Field observations do indicate a serious noxious weed problem with whitetop on some of the allotments. The BLM, permittee, CDOW, and others have implemented an integrated weed management program to address this and are making progress towards the control of whitetop and other noxious weeds. Standards are now met and although season of use and type of livestock would change without increasing the amounts of allocated forage, this standard would continue to be met with the proposed grazing system.

Name of specialist and date: James R. Webb 2/8/06

Approved by (initials and date): JHS 8/23/06

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant) STANDARD:

There are no federally listed threatened or endangered or BLM sensitive plant species on any of the four allotments. This standard does not apply.

Name of specialist and date: James R. Webb 2/8/06

Approved by (initials and date): JHS 8/23/06

RIPARIAN SYSTEMS STANDARD: Riparian systems are only known to occur within the Taylor Creek and Coal Butte Allotments. Both of these alternatives incorporate grazing strategies that are very similar, having short duration of use by cattle during the growing season and sheep use rotated by herding. The much longer period of grazing by cattle on the Coal Butte Allotment initially appears to not meet this standard, but due to livestock preference for cultivated pasture on private lands and good upland water availability, the riparian impacts would not be greater than they would be under the No Action Alternative.

The recent riparian assessment conducted along Wilson Creek found some amount of cattle use occurring along Wilson Creek in two different reaches. The upper reach that is not within the Coal Butte Allotment, contains numerous apparently stable beaver dams that flood the entire floodplain between steep terrace banks. A substantial area of the entrenched riparian system within this upper reach has continuous flooding between frequently occurring dams. The riparian system within the upper reach of Wilson Creek is functioning properly.

The lower reach of Wilson Creek exhibits slightly more use by cattle throughout the reach, as observed from utilization on sedge and cow tracks. Grazing was noted within the fenced areas of the Coal Butte Allotment which function as water gaps. Some additional stream channel widening and deepening is present in this lower reach which also receives stream flow from a westerly flowing tributary that is fenced within the allotment. The most southerly of the two water gaps encompassing Wilson Creek and its floodplain also include the confluence of this tributary. Further downstream the second water gap in the Coal Butte Allotment exhibits the most apparent impacts of cattle use. The entire lower reach of Wilson Creek is functioning at risk with no apparent trend. The portion within the second water gap however, may be exhibiting a downward trend due to the increased trailing and forage use on the floodplain. Newer beaver dams are present near the middle of this reach, between the water gaps. It will be important to maintain floodplain and streambank stability along Wilson Creek especially given that so much water is being impounded upstream by beaver dams. It will also be important to maintain the willow component of the riparian plant community so beaver can maintain their activity. This standard would be met for the Taylor Creek and Coal Butte Allotments for both the No Action and Proposed Action Alternatives. The riparian standard does not apply on the East Axial and Upper Wilson Creek Allotments.

Name of specialist and date: Ole Olsen 10/19/06

Approved by (initials and date): OO 10/19/06

WATER QUALITY STANDARD: The Proposed Action would meet this standard. Runoff

from snow melt and summer storms drains from the affected lands directly into stream segments that are presently supporting classified uses. Several Best Management Practices were implemented during the last permit period on these allotments that would lead to improved water quality of ephemeral runoff waters.

Name of specialist and date: James R. Webb 2/8/06
Approved by (initials and date): OO 10/19/06

UPLAND SOILS STANDARD: The Proposed Action would not be modified in a manner that would result in substantial changes to current grazing practices and no significant change in current trends of soil health would occur. The current grazing system on these allotments has maintained this standard. The soils on steep slopes are meeting this standard.

Name of specialist and date: James R. Webb 2/8/06
Approved by (initials and date): OO 10/19/06

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Colorado Division of Wildlife (Brad Petch), Tom Kourlis.

MITIGATIVE MEASURES:

BLM COMMITMENTS

1. Rock art and rock shelters are predicted to occur at the base of slopes greater than 31%. This would be for isolated boulders and rock outcrops as well as the bases of cliffs and on steep slopes with rock outcrops. Areas within the allotments will need to be identified for these topographic conditions and looked at for rock art and rock shelters. Those areas that are within a 31% and greater slope, that are level and accessible to cows/sheep, will be looked at as well (EA cultural maps*).
2. Blue line features on the 7.5 minute USGS maps will be used to initially establish Class III survey areas, 50 feet on either side of the creek, river, intermittent drainage and 50 feet around spring features. Field work evaluations of the allotments will change size and scope of cultural field work that will have to be carried out (EA cultural maps*).
3. Previously identified sites, listed above, and new sites recorded and evaluated as eligible and/or need data during the Class III survey will need to be monitored. Initial recording of new sites and reevaluation of the known sites will establish current condition of the resource and help in developing a monitoring plan for all these sites. Some sites will have to be monitored more often than others. Sites that are found to be impacted by grazing activities will need physical protection or other mitigative measures developed.
4. 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 (PA) regarding grazing permit renewals.

5. Cultural resources identified in the Cultural Affected Environment section, Eligible or Need Data Sites, will be evaluated for impacts caused by grazing. Further mitigation, based upon the evaluation will be developed, if needed, for those sites that are being impacted.

ATTACHMENTS: 1a- Map of East Axial Basin Allotment #04606
1b- Map of Taylor Creek Allotment #04610
1c- Map of Upper Wilson Creek Allotment #04426
1d- Map of Coal Butte Allotment #04612
2- Standard and Common Terms and Conditions

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 Field Office jurisdiction 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-100-2006-104 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 terms 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.

