

**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-100-2007-012 EA

LEASE/ALLOTMENT NUMBER: 0501893/04031

PROJECT NAME: Renewal of the grazing lease on the Jack Rabbit Creek Allotment #04031 for Egeria Livestock, LLC.

LEGAL DESCRIPTION: see Attachment 1, Allotment Map

Jack Rabbit Creek #04031	T12N R89W, portions of Sections 20, 21, 28, 29, 32, and 33 1,074 acres- BLM <u>1,118 acres- private</u> 2,192 acres total
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APPLICANT: Kirk Shiner for Egeria Livestock, LLC

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to the following plan:

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

Date Approved: April 26, 1989

Other Documents:

The Federal Land Policy and Management Act (FLPMA) of 1976, as amended (43 USC 1752).

Rangeland Reform Final Environmental Impact Statement. December, 1994.

Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado. Date Approved: February 12, 1997.

Results: 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 2 (Northern Central). The Proposed Action is compatible with the management objectives for this unit, which are to provide for the

development of oil, gas, and forest resources. The Proposed Action would not conflict with the development of these resources.

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

NEED FOR PROPOSED ACTION: BLM lease #0501893, which authorizes livestock grazing on the Jack Rabbit Creek Allotment #04301 will expire on January 31, 2008, concurrent with the expiration of the base property lease. During the 2005 permit and lease renewal scoping process, this lease was scheduled to expire in 2007. Later in 2005, the base property lease was cancelled and reissued to a new operator by the base property owner with a 2010 expiration. The current lessee (who is in negotiations to purchase the base property) requested changes in grazing use. Since this lease was originally scheduled to be renewed in 2007, it was decided that the requested changes in grazing use would be considered, especially since it would facilitate improved management of the allotment.

This lease 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 BLM has the authority to renew this livestock grazing lease 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 (EA) will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the lease which will 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 (lessee) must hold a grazing lease. The grazing lessee has a preference right to receive the lease if grazing is to continue. The land use plan allows grazing to continue. This EA will be a site specific analysis 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 September 7, 2005 to determine the level of public interest, concern, and resource conditions on the grazing allotments that were up for renewal in FY 2007. At the time, this lease was slated for renewal due to the expiration of the three year base property lease. 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 lease is being carefully analyzed within the scope of the specific action being taken, resources issues or concerns, and public input received.

BACKGROUND: The Jack Rabbit Creek Allotment #04031 is located approximately 6 miles southeasterly of Dixon, Wyoming. Elevations range from just over 7,000 feet along the eastern

boundary to 6,600 feet where Slater Creek exits the allotment on the northern boundary. The allotment is generally rolling topography dominated by sagebrush-grass plant communities interspersed with mountain shrub communities. The only perennial stream, Slater Creek, flows south to north through the entire length of the allotment. Only a very small portion of this stream is located on public lands, however. Two tributaries to Slater Creek, Jack Rabbit and Mule Creeks, are large ephemeral drainages that flow across the allotment.

A majority of this allotment is private land, with public land primarily located on the periphery of the allotment. There is no recent monitoring data available. A field visit to the allotment in 2004 to assess land health revealed very diverse, healthy plant communities with very good vigor. The allotment had very few non-native species and showed no evidence of overuse by livestock or wildlife.

This lease is being renewed until January 31, 2010 due to the expiration date of the current base property lease held by Egeria Livestock. Egeria Livestock is currently in negotiations to purchase the base property from the lessor. If the property is purchased, the term of this lease may be extended for up to ten years.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

Renew the grazing lease on the Jack Rabbit Creek Allotment #04031 for a term concurrent with the base property lease, expiring January 31, 2010. This renewal would include a change in class of livestock from sheep to cattle and a change in season of use. Total AUMs and all other terms and conditions would remain the same. The lease would be renewed as follows:

From:

Allotment Name and #	Livestock # and Kind	Grazing Period		%PL	AUMs
		Begin	End		
Jack Rabbit Creek #04031	109 Sheep	05/01	09/30	100	110
	15 Cattle	09/01	10/31	100	<u>30</u>
					Total 140

To:

Allotment Name and #	Livestock # and Kind	Grazing Period		%PL	AUMs
		Begin	End		
Jack Rabbit Creek #04031	56 Cattle	04/01	06/15	100	140

The following Special Term and Condition would apply:

- 1) Sheep or cattle may be used on this allotment.

This lease would be subject to the Standard and Common Terms and Conditions (see Attachment 2).

No Action Alternative

This alternative would maintain the existing lease. Class of livestock and season of use would continue to be season-long sheep and fall cattle.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: The Jack Rabbit Creek Allotment does not lie in any EPA non-attainment areas for air quality.

Environmental Consequences: Under either alternative, vehicular access on existing roads for livestock management activities would result in minimal releases of PM 10 (dust) emissions, but this would be minor and not affect the overall air quality of the area.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 11/21/06

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Jim McBrayer 11/13/06

CULTURAL RESOURCES

Affected Environment: Grazing permit and lease renewals are undertakings under Section 106 of the National Historic Preservation Act. 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. During Section 106 review, a cultural resource assessment (Heritage #10.3.06) was completed for each allotment on November 13, 2006 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 Little Snake Field Office archaeology files.

Data shown 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. Fieldwork for the cultural resources on the table will be carried out in current fiscal year or within the term of the renewed grazing lease.

Acres Inventoried at a Class III level ²	Acres NOT inventoried at a Class III Level	Percent-%-of Allotment inventoried at a Class III level	Number of Cultural Resources known in allotment	Potential of Historic Properties	Eligible or Need Data Sites – Known in Allotment (Site Numbers)	Estimated Sites for the Allotment ** (Total Number)	Management Recommendations (Add'l inventory required and historic properties to be visited)
16	2192	.7%	17	High	10	58	BLM patent search showed 15 land patents filed between 1880-1940. Historic roads, ditches, and fences are noted on the 1879 GLO and the 1914 GLO and they should be recorded.

(Note: *Acres are derived from GIS allotment maps. 1. BLM only acres or 2. BLM and other acres in the allotment. See allotment specific analysis form. **Estimates of site densities are based on known inventory data. Estimates represent a minimum figure which may be revised upwards based on future inventory findings.)

Three cultural resource inventories have been previously conducted within the allotment resulting in the complete coverage inventory of 16 acres and the recording of 17 cultural resources. The types of cultural resources include ten prehistoric open-air lithic scatters, one prehistoric/historic lithic scatter, one historic ranch, three prehistoric plant processing/lithic scatters, and two prehistoric isolated finds. They represent a time frame from the Protohistoric (ca. 1000 BP) through the 1930's. The eligibility status of these cultural resources for listing in the National Register of Historic Places is: seven not eligible, eight potentially eligible, and two eligible.

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

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

Cultural Review Process

Monitoring of the previous years range permit renewal environmental documentation for FY98, FY99, FY2000, FY2001, FY2002, FY2003, FY2004, and FY2005 has been carried out. These reports represent three field seasons of evaluation work on the eligible and need data sites. The fieldwork conducted in 2000, 2001, 2002, 2003, and 2005 as expected, identified impacts to some of the cultural resources being evaluated. This information is covered in the following reports:

Keesling, Henry S. and Gary D. Collins, Patrick C. Walker
2000 Cultural Resource Evaluation of Known Eligible and Need Data Sites within Range Allotments for Range Permit Renewal EA's FY98 and FY99. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D., and Patrick C. Walker, Sam R. Johnson, Henry S. Keesling
2001 **Addendum to Cultural Resource Evaluation of Known Eligible and Need Data Sites within Range Allotments for Range Permit Renewal EAs FY98 and FY99, Range Permit Renewal EA's FY2000 and FY2001.** Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D. and Ryan J. Nordstrom, Henry S. Keesling
2002 **The Second Addendum to The Cultural and Need Data Sites Within Range Allotments for Range Permit Renewal EA's FY98, FY99, FY00, FY01, and FY02.** Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D. and Henry S. Keesling
2003 **The Third Addendum to The Cultural and Need Data Sites Within Range Allotments for Range Permit Renewals EA's FY98, FY99.** Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office

Collins, Gary D. and Henry S. Keesling
2005 **The Fourth Addendum Range Permit Renewal FY04 and FY05 to The Cultural Resource Evaluation of Known Eligible and need Data Sites Within Range Allotments for Range Permit Renewal EA's FY00, FY01, FY02, FY03.** BLM 10.27.05. Bureau of

Land Management, Little Snake Field Office, Craig, Colorado. Copy of file at that office.

BLM has committed to a ten year phased evaluation being conducted for cultural resources that takes into account identified livestock concentration areas and the cultural resources that are either eligible and/or need data and to carrying out mitigation on cultural resources that require this action. The phased monitor and mitigation approach will mitigate identified adverse effects, significant impacts and data loss, (NHPA Section 106, 36 CFR 800.9; Archaeological Resource Protection Act 1979; BLM/Colorado SHPO Protocol 1998; NEPA/FLPMA requirements) to an acceptable level.

The GIS mapping and evaluation effort will establish areas that have potential conflicts between livestock and prehistoric cultural resources. The GIS maps will provide a computer generated visual departure point for the proposed cultural fieldwork. GIS maps using USGS and BLM best available data, will be created showing springs, stream course features, riparian areas, and slopes that are greater than 30% slope within the allotment. Current understanding of prehistoric settlement and subsistence patterns will be applied to the GIS map review and used to establish prehistoric cultural areas. These potential livestock concentration areas will be evaluated in the field.

Livestock impacts may cause cumulative effects, some of which would cause long-term, irreversible, potentially adverse impacts and data loss. However, the phased identification and evaluation fieldwork will identify mitigation measures that will reduce these impacts (NHPA Section 106; 36 CFR 800.9; Archaeological Resource Protection Act 1979; BLM/Colorado SHPO Protocol 1998; NEPA/FLPMA requirements), to an acceptable level.

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

Allotment Specific Stipulations:

1. GIS maps based upon stream course features and springs from the 7.5 minute USGS maps and BLM best available riparian/spring data in this office will be used to initially establish evaluation areas for livestock concentrations. Current archaeological understanding of settlement and subsistence patterns for prehistoric cultural resources will be applied to these maps. Identified livestock concentration areas will be field evaluated. Those areas with no livestock impacts but with potential for cultural resources will under go the same Class III survey discussed below. This survey will be conducted documenting archaeological resources which may be impacted if grazing practices change in the future. Identified concentration areas that exhibit livestock impacts will have the following cultural surveys:

Springs, riparian areas, streams or creeks, and intermittent drainage will have a Class III survey in the area of concentration that includes an additional 50 feet around the impacted area. Identified cultural resources will be recorded to include the total site area and mitigation developed.

Springs will have a Class III survey in the area of concentration and include an additional 50 feet around the impacted area. Identified cultural resources will be recorded to include the total site area and mitigation developed.

2. 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. Identified concentration areas will have the following cultural surveys performed:

Potential rock shelters, rock art areas will be evaluated to see if cultural materials are present. When cultural resources are identified the site will be recorded and appropriate mitigation will be developed.

3. Previously identified sites, table above, and new sites recorded and evaluated as eligible and/or need data during other project specific Class III survey will need to be evaluated as well. Initial recording of new sites and re-evaluation of the known sites will establish current condition of the resource and help in developing a monitoring plan for all sites. Some sites will have to be monitored more often than others. Sites that are impacted by grazing activities will need further monitoring, 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 regarding grazing permit renewals.

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, 36 CFR 800.9; Archaeological Resource Protection Act 1979; BLM 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 in 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 if possible. This survey will be based upon an accepted, 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.

Name of specialist and date: Robyn Watkins Morris 11/13/06

ENVIRONMENTAL JUSTICE

Affected Environment: The allotment is relatively isolated from population centers and there are no Native American, minority, or low-income populations within the vicinity of the Jack Rabbit Creek Allotment #04031.

Environmental Consequences: No Native American, minority, or low-income populations would be affected by physical or socioeconomic impacts from the Proposed Action or No Action Alternatives.

Mitigative Measures: None

Name of specialist and date: Mike Andrews 11/7/06

FLOOD PLAINS

Affected Environment: Floodplain areas exist primarily on private lands within this allotment and occur along the lower portion of Jack Rabbit Creek and along Slater Creek. Very short segments of Slater Creek meander across public lands. Less than one-half mile of Mule Creek, an ephemeral to intermittent tributary of Slater Creek, also flows across public lands. Slater Creek is moderately incised with an active floodplain somewhat confined by 2 to 2.5 foot terrace banks remaining during high flows. Floodplain development is occurring on point bars and scouring of terrace banks is occurring on the opposite side of the creek. Much of the floodplain areas have a cobble substrate with encroaching plants and developing soils. The terrace or abandoned floodplain along Slater Creek has numerous mature cottonwoods with upland grasses and spotted knapweed, a noxious weed. Mule Creek and its associated floodplain are moderately entrenched and the slopes flanking the drainage are stable, indicating that the entrenched drainage is wide enough to carry high spring flows with an active floodplain that is of sufficient size. On public lands, Jack Rabbit Creek has too high of a stream gradient for floodplain development.

Environmental Consequences: Livestock grazing and trampling on active floodplains (less than ½ mile of Mule Creek and very short segments of Slater Creek) when the creek levels begin to recede in late spring are the greatest concern for floodplain resources under the Proposed Action; however, a good period of time would be available for the re-growth of plants following the grazing period. Livestock grazing pressure would be on grasses and sedges during the early season with little browsing of willows expected, although trampling of woody seedlings could still result. Livestock would be in the Jack Rabbit Creek Allotment for two to three weeks after peak flows on Slater Creek. Peak flow in Mule Creek would typically occur much closer to the beginning of the grazing period. As soils begin to dry, they are more resistant to trampling when flow ceases. After the initial runoff from snowmelt, Mule Creek would not be a reliable water source and livestock concentration would not be expected. If sheep are grazed instead of cattle, trampling and other floodplain impacts would be reduced because the sheep would be actively herded and would not be as inclined to remain concentrated on floodplain areas.

The No Action Alternative would result in more use of the floodplain areas along Slater Creek by livestock throughout the six month grazing period. Although sheep would be present for most of this period, it would be the late use by cattle in September and October that would be

detrimental to willows and cottonwoods. Little effect on Mule Creek would be expected because a dependable water source is lacking.

None of these floodplains have developments associated with them, except for fences. No threat to human safety, life, welfare, or property would result from implementing either of the alternatives.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 11/16/06

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present on the Jack Rabbit Creek Allotment. Spotted knapweed is present on private and public lands within this allotment. Russian knapweed, houndstongue, Canada thistle, musk thistle and other biennial thistles are present in the vicinity of the allotment. There is potential for leafy spurge and yellow and dalmatian toadflax to become established on portions of the allotment. The BLM is in cooperation with the Moffat County Cooperative Weed Management program to employ the principals of Integrated Pest Management to control noxious weeds on public lands.

Environmental Consequences: The potential for increased invasive and/or noxious weed establishment is very similar under either of the alternatives. Vehicular access to public land for grazing operations, livestock and wildlife movement, and 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 would largely determine the identification and potential occurrence of weeds within the allotment. The Proposed Action which provides improved grazing practices would enhance the vigor of desirable plant species, reducing the potential for invasive species to be introduced and slowing their rate of spread.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 11/16/06

MIGRATORY BIRDS

Affected Environment: The Jack Rabbit Creek Allotment borders high quality nesting habitat for golden eagles. There are four historical golden eagles nest within ¼ mile of this allotment however, there are no known nests within this allotment. Brewer's sparrow and sage sparrow are likely to nest within the Jack Rabbit Creek Allotment. All three of these species are listed on the USFWS 2002 Birds of Conservation Concern List.

Environmental Consequences: Neither alternative would have any impact on golden eagle nest sites. Brewer's sparrows and sage sparrows might be impacted by livestock grazing at the beginning of their nesting season. Chance of take of any of these species is low.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 11/16/06

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Utes Tribal Council, and the Colorado Commission of Indian Affairs on January 11, 2006. The letter discussed the range permits that the BLM would be working on in FY07. Comments received from the Southern Ute Tribal Council did not foresee any impacts. No other comments were received (Letters on file at the Little Snake Field Office, Craig, Colorado.)

Name of specialist and date: Robyn Watkins Morris 11/13/06

PRIME & UNIQUE FARMLANDS

Affected Environment: Prime and unique farmlands are not present within the Jack Rabbit Creek Allotment.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen 11/16/06

T&E SPECIES - SENSITIVE PLANTS

Affected Environment: There are no BLM sensitive plant species on the Jack Rabbit Creek Allotment #04031.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 10/31/06

T&E SPECIES – ANIMALS

Affected Environment: There are no threatened or endangered species or habitat for such species in or near the Jack Rabbit Creek Allotment. This allotment does provide historic breeding, nesting and brood rearing habitat for greater sage-grouse, a BLM special status species. One historic lek location exists within this allotment. This lek site has not been active within the last ten years. A field visit conducted during the spring of 2004 determined the allotment was capable of providing productive habitat for greater sage-grouse. Biologists noted that sage-grouse fecal droppings were present on public land within this allotment.

Environmental Consequences: Renewing the grazing lease with the change of season and

class of livestock would not have any affect on threatened or endangered species or their habitat.

Spring cattle grazing would potentially result in physical destruction of sage-grouse nests, although chances of this occurring are low. The keys to maintenance of good sage-grouse nesting cover (where it is already intact) are proper stocking rates and avoidance of excessive utilization. Current conditions indicate that livestock forage on this allotment is properly allocated to ensure that the herbaceous component of the plant community can continue to provide sufficient nesting cover for sage-grouse. In addition, the herbaceous component would be allowed rest from livestock during the remainder of the growing season and the critical fall growth-initiation period for cool season grasses. Spring use would also ensure adequate levels of residual plant material to provide additional nesting cover.

Changing use from sheep to cattle would result in increased impact to sage-grouse brood rearing habitat in riparian systems, although use by cattle during the spring would minimize this impact as they would be less dependent on riparian areas for palatable forage and water. Livestock would not be present at all during the late brood-rearing period. If sheep are grazed in the spring instead of cattle, impacts to cover for nesting would remain, but the active herding of sheep would result in further minimization of brood-rearing habitat impact.

The No Action Alternative would not harm sage-grouse as years of season-long (spring, summer, fall) use by sheep, fall cattle use, and year-round use by big game have resulted in maintenance of good sage-grouse habitat, i.e., a plant community that has excellent structure with a good sagebrush mosaic and an abundant herbaceous understory.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 11/16/06

T&E SPECIES – PLANTS

Affected Environment: There are no federally listed threatened or endangered plant species on the Jack Rabbit Creek Allotment #04031.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 10/31/06

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no known hazardous materials present on the Jack Rabbit Creek Allotment.

Environmental Consequences: 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: Duane Johnson 11/7/06

WATER QUALITY - GROUND

Affected Environment: The groundwater quality in the area ranges from potable to useable in aquifers within porous and fractured formations (mostly sandstone).

Environmental Consequences: Due to the small number of livestock and the small area affected, there would be no impacts to ground water quality by livestock grazing on this allotment. The Proposed Action would be conducted in accordance with existing Colorado laws for water quality. Specifically, all permit activities must 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 11/14/06

WATER QUALITY - SURFACE

Affected Environment: All of the lands within the Jack Rabbit Creek Allotment drain towards Slater Creek or its tributaries, Mule Creek and Jack Rabbit Creek. Slater Creek is a perennial tributary of the Little Snake River. Jack Rabbit Creek and Mule Creek are intermittent streams.

The water quality of Slater Creek and its tributaries need to support Aquatic Life Cold 1, Recreation 1b, Water Supply, and Agriculture. The water quality of the Little Snake River needs to support Aquatic Life Cold 1, Recreation 1a, Water Supply, and Agriculture.

Environmental Consequences: Slight benefits to water quality are expected to occur from the implementation of the Proposed Action which would continue livestock grazing on the allotment with a substantially reduced grazing period. Early use of this allotment would allow for regrowth of plants, providing better soil cover, optimal root biomass, and soil stabilization later in the summer when intense runoff events could result from monsoonal moisture patterns. Water quality standards are presently being met and this would be expected to continue with selection of the No Action Alternative.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 11/16/06

WETLANDS/RIPARIAN ZONES

Affected Environment: Very short segments of Slater Creek are present on public lands within the allotment and consist of stream meanders crossing the boundary between private and public lands. A quarter-mile segment of Jack Rabbit Creek also flows across public lands. Jack Rabbit Creek has not been assessed, but it has an abundance of woody materials growing along the stream based on recent aerial photos.

The segment of Slater Creek within this allotment was first assessed in September 1997 as functioning at risk with a downward trend. The creek was incised with little to no vegetation establishing on the point bars. Willows and cottonwoods were heavily browsed and hedged. At the lower water level in September the cutbanks were about four feet higher than the water level. Slater Creek was re-assessed in May 2004 as functioning at risk with no apparent trend. Riparian vegetation was improving and no livestock impacts were noted. At the higher water level in May, the cutbanks were still two to two-and-a-half feet higher and were actively scouring. The substrate of the streambed is rock and cobbles and point-bars are cobbles and gravel.

Environmental Consequences: The portion of Slater Creek on public lands is minimal compared to the upstream and downstream portions on private lands. Beneficial effects from improved grazing practices on the public land riparian resources would only be expected to occur if the same practices are implemented on the private lands within the allotment. Under the Proposed Action, livestock grazing pressure would be on grasses and sedges during the early season with little browsing of willows or cottonwoods, although some trampling of woody seedlings would still result. Removal of livestock at the end of the grazing period in mid-June would allow for a long period of time for riparian plant re-growth during the remainder of the growing season. Peak flows in Slater Creek would occur near the end of May, leaving only a short period of time in the grazing period for woody seedlings to be trampled. Colonization of willows and cottonwoods would be increased with the selection of the Proposed Action. Although the condition of the riparian resources on Jack Rabbit Creek is unknown, the Proposed Action would result in improvement of riparian health for these same reasons.

Selection of the No Action Alternative, if fully implemented by the livestock operator, would not allow any improvement to the riparian resources associated with Slater Creek. It would continue to be functioning at risk with either a static or downward trend. Slater Creek would remain wide and shallow with little additional channel development and vegetation establishment on point-bars.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 11/16/06

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Jim McBrayer 11/13/06

WILDERNESS, WSAs

Affected Environment: Not present.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Jim McBrayer 11/13/06

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: The primary soils within this allotment are the Rock River-Taffom complex, 3-20% slopes and the Youga-Gelkie-Clayburn, Warm complex, 25 to 45% slopes. These soils have developed in residuum, eolian, and colluvium deposits derived from sandstone and basalt. Surface soils are loamy sands and sandy loams with sandy clay loam subsoils. These soils have moderate water holding capacity, moderate percolation, and moderate runoff, except on the steeper slopes where the runoff rate increases to high. The soils within the allotment are non-saline and non-sodic.

Environmental Consequences: The upland soils within the allotment are suited for livestock grazing and can remain stable and productive provided cover by a desirable perennial plant community is maintained. Under the Proposed Action, livestock presence on soils would occur in the spring when soils have elevated moisture levels. Trampling on wet soils and compacting moist soils could impair the soil's hydrologic regime, reduce seedling survival, and reduce vegetative production, cover, and diversity that is needed for upland soil health. Overall, improved livestock distribution would occur with spring use. There would also be an opportunity for the plant community to fully mature with re-growth following the grazing period, providing for good plant vigor and allow for production of seed for recruitment of new plants which would maintain the health of the soil resource.

Selection of the No Action Alternative, if fully implemented by the livestock operator, would begin grazing a month later in the spring allowing soils to dry from the initial spring thaw. The possibility of having additional May moisture is good and adverse impacts of spring grazing on moist soils would still be present. However, the spring use would be by sheep which would be herded and these impacts on wet or moist soils could be rotated between years to different areas within the allotment. Fall use by cattle would be characterized as deferred use on the plant

community and the direct impacts on the vegetative community that repeated spring use potentially could cause are reduced. Generally the upland soils in the fall are drier and are not subjected to wet conditions each year.

Mitigative Measures: None

Name of specialist and date: Ole Olsen 11/16/06

VEGETATION

Affected Environment: The Jack Rabbit Creek Allotment #04031 is dominated by sagebrush-grass and mountain shrub plant communities. Dominant plants include Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), fringed sagebrush (*A. frigida*), bitterbrush (*Purshia tridentata*), serviceberry (*Amelanchier alnifolia*), green rabbitbrush (*Chrysothamnus viscidiflorus*), rubber rabbitbrush (*C. nauseosus*), *Penstemon* spp., Hood's phlox (*Phlox hoodii*), longleaf phlox (*P. longifolia*), false dandelion (*Agoseris glauca*), longleaf hawksbeard (*Crepis acuminatus*), bluebunch wheatgrass (*Agropyron spicatum*), western wheatgrass (*A. smithii*), Indian ricegrass (*Oryzopsis hymenoides*), prairie junegrass (*Koeleria pyramidata*), and Sandberg bluegrass (*Poa sandbergii*). Numerous other forbs are present on this allotment and are indicative of the high level of diversity found throughout the allotment. Vigor is high and litter is abundant.

Environmental Consequences: Spring use by cattle or sheep would result in the greatest use occurring on new spring growth of perennial grasses. Repeated use of perennial grasses during the critical spring growth period can cause suppression of this component of the plant community if utilized grasses, bitten repeatedly, are not allowed to regrow. Grazing use as proposed would primarily be for access to water along Slater Creek by cattle. Regardless of this purpose, cattle tend to disperse their grazing use throughout the uplands more in the spring due to the greater availability of highly palatable spring growth. Concentration in and around water sources is also greatly reduced during this time. Implementing regular spring use can be very detrimental if overstocking is practiced or the use is made on less productive rangelands. The proposed use would not adversely impact the forage resource as use would not continue into the dormant season, would be well dispersed throughout the uplands, and current conditions are an indication that the stocking level is appropriate. Use by sheep would also be well dispersed due to the high palatability of spring forage. Concentration would be unlikely due to active herding practices employed for sheep.

The No Action Alternative would result in no livestock use due to the current permit structure and needs of the operator. Season long use, including spring, is only for sheep with cattle use restricted to the fall. The current permit structure would not allow the operator to adequately use this allotment. This would result in all production by forage species to be available for wildlife, cover, and soil protection.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 10/31/06

WILDLIFE, AQUATIC

Affected Environment: Slater Creek provides productive habitat for recreational fisheries. Both brook trout and rainbow trout are likely to occur on public lands within Slater Creek. Tiger salamander and northern leopard frogs may also be found within Slater Creek within this allotment. This reach of Slater Creek was assessed by the BLM in 2004. It was determined that this reach was functioning at risk with no apparent trend. It was noted at this time that there were no apparent effects from livestock grazing.

Environmental Consequences: Renewing the grazing lease under either alternative would not impact the aquatic wildlife habitat provided by Slater Creek. Cattle tend to have a larger impact on riparian vegetation than sheep, but switching from summer long use to spring use would help offset impacts to riparian vegetation from cattle. This is because there would be green vegetation throughout the allotment during the spring and lush riparian vegetation would not be necessary for the cattle. Water would be more available within the allotment during this time of year and livestock would not be relying on water from Slater Creek as much as they would during late summer. If sheep are used during the spring period, grazing use of riparian vegetation (and consequently impacts to aquatic wildlife) would be minimal. Active herding of sheep would ensure that sheep are moved throughout the allotment and not allowed to concentrate on areas along Slater Creek.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 11/16/06

WILDLIFE, TERRESTRIAL

Affected Environment: The Jack Rabbit Creek Allotment provides year round habitat for mule deer, elk, and pronghorn antelope, including severe winter range for mule deer and elk. The allotment also provides habitat for a variety of small mammals, song birds, and reptiles.

Environmental Consequences: The change in season of use from summer to spring use would benefit mule deer and elk severe winter range habitat by allowing increased amounts of cured forage to carry into the fall and winter. A change from sheep to cattle grazing would also benefit severe winter range habitat because there would be less pressure on shrubs that are critical for mule deer and elk during periods of heavy winter snow. Spring sheep grazing would favor the same forage that cattle would use, so impacts to habitat would be similar to cattle use.

Small mammals and reptiles would not be affected by the Proposed Action. There is the potential for ground-nesting song birds to be directly impacted through trampling, but the chances of this would be minimal because of the broader distribution of livestock that normally occurs when spring use is made on cool season forage.

Under the No Action Alternative, season-long sheep use, if implemented, would result in less opportunity for forage regrowth after the initial spring growing period and cattle use in the fall would lessen the amount of cured forage carrying over into winter. While full season-long sheep use coupled with fall cattle use would be unlikely, especially with the current permittee, this

alternative would result in poorer forage availability for and greater competition with wildlife than under the Proposed Action.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 11/16/06

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		JM 11/14/06	
Forest Management	JHS 11/6/06		
Hydrology/Ground		JM 11/14/06	
Hydrology/Surface		OO 11/16/06	
Paleontology		JM 11/14/06	
Range Management		JHS 10/31/06	
Realty Authorizations		MAA 11/6/06	
Recreation/Travel Mgmt		RS 11/13/06	
Socio-Economics		MAA 11/6/06	
Solid Minerals	JM 11/14/06		
Visual Resources		JM 11/13/06	
Wild Horse & Burro Mgmt	JHS 11/6/06		

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. The primary impacts from all of these activities are most immediately seen in the presence of roads, cultivation on private lands, and weed presence. The Proposed Action to continue grazing on this allotment and change class of livestock from sheep to cattle 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: The Jack Rabbit Springs Allotment currently provides productive habitat for a variety of wildlife species. This allotment was assessed in 2004 and was found to be meeting this standard for rangeland health. The renewal of the grazing lease with the changes proposed would not have a negative impact on wildlife habitats. The change in season of use from summer long use to spring use would not impact important habitat features that would make the allotment unsuitable for use by wildlife.

The change in class of livestock from sheep to cattle would benefit severe winter range for mule deer and elk by reducing browsing on shrub species, but spring sheep use would be similar to spring cattle use. This standard is currently being met and would continue to be met under the Proposed Action.

Name of specialist and date: Timothy Novotny 11/16/06

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal)

STANDARD: There are no threatened or endangered species or habitat for such species within the Jack Rabbit Creek Allotment. This allotment provides habitat for greater sage-grouse, a BLM special status species. An historical sage-grouse lek site is located within this allotment, but it has not been active for at least the last ten years. The allotment does provide nesting and brood rearing habitat for greater sage-grouse and signs of sage-grouse use were noted during the summer of 2004. There is potential that the change in class of livestock from sheep to cattle could increase impacts to nesting and brood rearing habitat within this allotment, but these impacts are alleviated by the spring-only grazing season and an appropriate stocking rate. Chances of nests being destroyed due to spring grazing does exist but is not likely to have a negative impact on sage-grouse populations. This standard is currently being met and would continue to be met under the Proposed Action.

Name of specialist and date: Timothy Novotny 11/16/06

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: This allotment is currently meeting this standard. Spring use by cattle or sheep would result in well dispersed use throughout the allotment and would ensure that use does not occur during the warmer, dormant period during the middle of summer. The stocking rate for this allotment is appropriate and use would not be excessive. The Proposed Action would continue to meet this standard.

The No Action Alternative would also meet this standard, especially because this alternative would result in little to no actual use by livestock. The current permittee does not run sheep and the small number of AUMs for fall cattle use would, if used, result in very little use on mostly dormant forage.

Name of specialist and date: Hunter Seim 11/6/06

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species present on the Jack Rabbit Creek Allotment #04031. This standard does not apply.

Name of specialist and date: Hunter Seim 10/31/06

RIPARIAN SYSTEMS STANDARD: The riparian standard for healthy rangelands is met with implementation of the Proposed Action. The short duration of livestock use in the spring would allow about three months for riparian plants to regrow and expand further onto point bars and along streambanks. Little use on willows and cottonwoods would be expected by livestock during this period which should lead to an improved woody component in the vegetative plant community.

The No Action Alternative, if fully implemented by the livestock operator or any future lease holder, would not meet the riparian standard. The current trend for Slater Creek has been static, although some slight improvement with vegetation expanding along streambanks and point bars has occurred, it may have been in the absence of livestock use. The September and October cattle use period would continue to suppress the willow and cottonwood components of the riparian plant community.

Name of specialist and date: Ole Olsen 11/20/06

WATER QUALITY STANDARD: The water quality standard for healthy rangelands would be met with selection of either the Proposed Action or No Action Alternatives. This standard is met because the water quality of the Little Snake River and Slater Creek is fully supporting the classified uses designated for these stream segments.

Although this standard is currently met, the water quality of runoff waters from this allotment would be improved with the selection of the Proposed Action. The short duration of use in the spring would improve the overall condition of the plant communities and upland soils in the allotments.

Name of specialist and date: Ole Olsen 11/20/06

UPLAND SOILS STANDARD: The upland soil standard for healthy rangelands would be met with implementation of either the Proposed Action or No Action Alternatives. Proper grazing use of the forage resource is required under the terms and conditions of the lease and this level of grazing would maintain sufficient residual forage for upland soil health to be maintained. Under the Proposed Action, there is some concern for repeated early spring use on wet and moist soils, but livestock use on spring forage would result in good animal distribution and areas of repeated concentrations would be minimized. Plant vigor, production, and seed production would increase on the public lands within the allotment.

Name of specialist and date: Ole Olsen 11/20/06

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Kirk Shiner (Egeria Livestock), Jeff Reid (Pothook Ranch, base property lessor).

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-100-2007-012 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.