

**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

## **ENVIRONMENTAL ASSESSMENT**

**NUMBER:** CO-110-2008-237-EA

**CASEFILE/PROJECT NUMBER:** Grazing Casefile # 0501505

**PROJECT NAME:** Grazing Permit Renewal for Theos M. Allotment (06805)

**LEGAL DESCRIPTION:** T. 2N, R. 92W, 6<sup>th</sup> P.M.  
Sec., portions of 19, 20, 30, 29, 32

**APPLICANT:** Nick Theos Family LLP

**ISSUES AND CONCERNS:** None

**DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:**

***Background/Introduction:*** The Nick Theos Ranch (lessee) has a base property lease for grazing preference on the Theos M allotment with The Estate of Mike Theos (lessor), owner of the base property. Therefore, in accordance with this property lease and term, Nick Theos has obtained the grazing lease (0501505) with the Bureau of Land Management (BLM) for grazing preference on the Theos M allotment, which expired on February 28, 2009. Nick Theos Ranch has held this grazing lease with the BLM since 1996. This grazing lease renewal process has begun to reissue the grazing lease in accordance with the National Environmental Policy Act (NEPA).

Current permitted use for this allotment is May 15 – November 7. However, actual use is generally split between early summer, and fall. The Nick Theos Ranch grazes sheep on this allotment from approximately 5/15-6/30; they then move onto a National Forest grazing permit until 9/15, sheep are then moved back onto the Theos M allotment in September, before they are moved to winter grazing allotments.

This allotment is a Section 15 grazing lease and has been categorized as a “C” (Custodial) Allotment, on which no significant problems, issues, and/or resource conflicts have been identified. Current management and land health of the allotment are in a satisfactory state.

Within the Theos M allotment, the majority of the forage component for livestock use is located on private land (96%), versus BLM administered lands (4%), as indicated by the percent public lands (%PL) within the proposed action. Acreage breakdown in this allotment is 64 acres of

BLM land, and 1503 acres of private land. The topography of Public Lands within this allotment is generally steep, of the 64 total acres of BLM land, 28 acres (44%) has 50 percent or greater slopes, 27 acres (42%) has between 35 and 50 percent slopes, and 9 acres (14%) has slopes less than 35 percent. Also, with the exception of an approximately a 200 yard stretch of Coal Creek which flows through public land, the majority of watering localities for livestock are located on private lands. With the combination of steep slopes, and water location, livestock use is concentrated on private lands.

**Proposed Action:** Approval of Nick Theos Family LLP Application for Grazing Permit Renewal on the Theos M allotment, which includes the same number and kind of livestock, same period of use, and the same animal unit months (AUMs) as the current grazing permit as outlined below. The permit would be renewed for a ten year term expiring on 2/28/2019.

Allotment		Livestock		Grazing Period		%PL	AUMS
Name	Number	Number	Kind	Begin	End		
Theos M	6805	2250	sheep	5/15	11/7	4	105

**Grazing Lease Terms and Conditions:** The following terms and conditions as required by 43 CFR 4130.3 will be included in the grazing lease issued under this alternative:

1. Grazing use will occur as per the Grazing Schedule outlined in EA # CO-110-2008-237-EA.
2. This grazing lease is subject to cancellation, in whole or in part, at any time because of:
  - a. Noncompliance by the lessee with rules and regulations now or hereafter approved by the Secretary of the Interior.
  - b. Loss of control by the lessee of all or a part of the property upon which it is based.
  - c. A transfer of grazing preference by the lessee to another party.
  - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described herein.
  - e. Repeated willful unauthorized grazing use
3. A grazing utilization limit averaging 50 percent of annual growth in key forage areas will be applied to public lands in the Theos M Allotment.
4. In order to improve livestock distribution on the public lands, no salt blocks and/or mineral supplements will be placed within a 1/4 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated through a written agreement or decision in accordance with 43 CFR 4130.3-2(c).
5. In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment. Payment made later than 15 days after the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec. 4140.1(b) (1) and

shall result in action by the authorized officer under 43 CFR Secs. 4150.1 and 4160.1-2 (Trespass).

6. No grazing use can be authorized under this grazing lease during any period of delinquency in the payment of amounts due in settlement for unauthorized grazing use.
7. The lessee shall provide reasonable administrative access across private and leased lands to the BLM for the orderly management and protection of the public lands, as outlined 43 CFR 4130.3-2(h).
8. It is unlawful for the lessee, agents or employees to knowingly disturb or collect cultural, historical or paleontological materials on public lands. If cultural, historical or paleontological materials are found, including human remains, funerary items or objects of cultural patrimony, the lessee is to stop activities that might disturb such materials, and notify the authorized officer immediately.
9. This grazing lease is subject to the provisions of executive Order NO. 11246 of September 24, 1965, as amended, which sets forth nondiscrimination clauses. A copy of this order may be obtained from the authorized officer.
10. The lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.

**Limits of Flexibility:** The lessee will be allowed flexibility from the submitted plan of operation during the grazing year that does not require prior approval from BLM. This flexibility will be limited to on or off dates and number of animals to adjust to changing climatic conditions, forage variability, and operational needs. Flexibility of the on or off dates will be limited to 10 days either way provided total days of use do not exceed 10 days from the schedule. The lessee will also be able to adjust the number of animals by (+/-) 10% provided the total AUMs of use do not exceed the AUMs scheduled. Flexibilities that require approval by the BLM are adjustments made beyond the above criteria. BLM approved flexibilities and/or changes to this plan may be required due to such factors as forage influences from grazing, drought, fire, and/or water availability.

**Rangeland Improvements Necessary to Implement the Grazing System:** Currently there are no rangeland improvements (RI) being proposed. Future evaluations of allotment conditions may identify improvements that would aid in achieving objectives. In which case, if impacts of future proposed improvements are sufficiently addressed in this EA, Documentation of NEPA Adequacy (DNA) will be prepared. If potential impacts of future proposed improvements are not sufficiently addressed, a separate Environmental Assessment (EA) would be compiled to approve any such new RI on a site specific basis.

**Monitoring and Evaluation:** Currently there are not any long term trend sites established in the Theos M allotment. Landscape health assessments on the primary ecological sites occurring on public lands will be conducted as time permits. Given the limited extent of public lands in this allotment and the limited grazing use occurring on these lands due to steepness of the terrain, this level of monitoring has been determined to be appropriate and adequate to monitor overall

condition and health of the landscape. Future landscape health assessments will be repeated approximately every five years in the primary ecological sites in order to monitor conditions as related to livestock grazing.

**No Grazing Alternative:** The grazing permit would not be renewed; there would not be any livestock grazing on public lands within the Theos M Allotment where it is currently permitted. This alternative would not be in compliance with the White River ROD/RMP decision to provide for livestock grazing as one of the acceptable multiple uses.

**ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD:** None

**NEED FOR THE ACTION:** The current grazing lease (0501505) for the Theos M. allotment (06805), which authorizes livestock grazing on the allotment, expired February 28, 2009. This lease is subject to renewal at the discretion of the Secretary of the Interior for a period of up to ten years. The BLM has the authority to renew the livestock grazing lease consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, *Federal Land Policy and Management Act* and the *White River Resource Area's Resource Management Plan/Environmental Impact Statement* (EIS). This Plan/EIS has been amended by the Standards for Public Land Health in the State of Colorado. The Public Land Health Standards will be addressed in this Environmental Assessment (EA).

This environmental assessment will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the lease which improve or maintain public land health standards. The public will benefit from lands which are maintained in a healthy condition and provide sustainable resources for a variety of uses. The terms and conditions, as outlined on the grazing lease, will also meet the public's need to prevent injury to public grazing lands through managed livestock use, thus averting soil deterioration and negative vegetative transformations. In doing so, the grazing lease will provide for orderly use to stabilize the livestock industry dependent upon public rangelands, and for other purposes as stated under the *Taylor Grazing Act*.

In order to graze livestock on public lands administered by the BLM, the livestock producer (permittee/lessee) must hold a valid grazing permit or lease. When permitted livestock are on public lands, the permittee/lessee can conserve forage on other lands to meet future livestock requirements. Livestock producers are dependent on this leased grazing use on public lands to ensure the economic viability of their ranching operation.

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

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-10, 2-22 through 2-26

Decision Language: The Proposed Action implements the White River ROD/RMP Livestock Grazing Management objective on pages 2-22 to 2-26.

“To maintain or enhance a healthy rangeland vegetation composition and species diversity, capable of supplying forage at a sustained yield to meet the demand for livestock grazing. Provide for adequate forage plant growth and/or re-growth opportunity necessary to: 1) replenish the plants food reserves; and 2) produce sufficient seed to meet the reproduction needs necessary to maintain an ecological presence in the plant community.”

“Sustain a landscape composed of plant community mosaics that represent successional stages and distribution patterns that are consistent with natural and regeneration regimes, and compatible with the goals identified in Standard Three of the Standards for Public Land Health (pages 2-10), also as stated, the goal of the livestock management program is to improve the rangeland forage resource by managing toward a desired plant community (potential natural plant community).”

**AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:**

**STANDARDS FOR PUBLIC LAND HEALTH:** In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, threatened and endangered species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in specific elements listed below:

<b>STANDARDS FOR PUBLIC LAND HEALTH</b>									
<b>Standard</b>	<b>Current Situation in Acres</b>			<b>With Proposed Action in Acres</b>		<b>Current Management in Acres</b>		<b>With No Grazing in Acres</b>	
	<b>Achieving or Moving Towards Achieving</b>	<b>Not Achieving</b>	<b>Causative Factors</b>	<b>Achieving or Moving Towards Achieving</b>	<b>Not Achieving</b>	<b>Achieving or Moving Towards Achieving</b>	<b>Not Achieving</b>	<b>Achieving or Moving Towards Achieving</b>	<b>Not Achieving</b>
<b>#1-Upland Soils</b>									
Theos M	64	0	n/a	64	0	--	--	64	0
<b>#2-Riparian Systems</b>									

STANDARDS FOR PUBLIC LAND HEALTH									
Standard	Current Situation in Acres			With Proposed Action in Acres		Current Management in Acres		With No Grazing in Acres	
	Achieving or Moving Towards Achieving	Not Achieving	Causative Factors	Achieving or Moving Towards Achieving	Not Achieving	Achieving or Moving Towards Achieving	Not Achieving	Achieving or Moving Towards Achieving	Not Achieving
Theos M	100%	0%	n/a	100%	0%	--	--	100%	0%
<b>#3-Plant Communities</b>									
Theos M	64	0	n/a	64	0	--	--	64	0
<b>#3-Animal Communities</b>									
Theos M	64	0	n/a	64	0	--	--	64	0
<b>#4-Special Status, T&amp;E Species</b>									
Theos M	64	0	n/a	64	0	--	--	64	0
<b>#5-Water Quality (stream miles)</b>									
Theos M	1/10	0	n/a	1/10	0	--	--	1/10	0

**CRITICAL ELEMENTS**

**AIR QUALITY**

*Affected Environment:* This Proposed Action is located in rural northwest Colorado in the White River Basin, more than ten miles from special designation air sheds or non-attainment areas. Industrial facilities in White River Basin include coal mines, soda ash mines, natural gas processing plants and power plants. Due to these industrial uses, increased population and oil and gas development in this region, emissions of air pollutants in the White River Basin due to exhaust emissions and dust (particulate matter) are likely to occur and increase into the future. Despite increases in emissions, overall air quality conditions in the White River Basin are likely to continue to be good for some time to come due to effective atmospheric dispersion conditions and limited transport of air pollutants from outside the area. The White River Field Office (WRFO) resource area has been classified as either attainment or unclassified for all air pollutants, and most of the area has been designated for the prevention of significant deterioration (PSD) class II.

*Environmental Consequences of Alternative A, Proposed Action:* The environmental consequences to air quality from Alternative A would include the periodic and local production of dust due to sheep trailing to and from forage, water and nutrient sources. The most likely time for increased dust production due to approved activities will be during periods of the day (typically morning and evening) that sheep move to water, forage and/or nutrients, between

pastures and onto and off of the allotment. Dust levels may be noticeable locally and especially during drier times. The Colorado Air Pollution Control Division (APCD) estimates the maximum PM<sub>10</sub> levels (24-hour average) in rural portions of western Colorado to be near 50 micrograms per cubic meter (µg/m<sup>3</sup>). This alternative is not likely to exceed this western Colorado dust standard.

*Environmental Consequences of Alternative B, No Grazing Alternative:* Impacts from the no-action alternative would result in no dust production due to grazing activities.

*Mitigation:* None Identified.

## CULTURAL RESOURCES

*Affected Environment:* Range permit 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 (#08-237) was completed for each allotment on (6/2/2009) following the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, 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 White River Field Office archaeology files.

Theos M allotment - 06805					
Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level*	Percent -%- of Allotment Inventoried at a Class III level	Number of Cultural Resources known in allotment	High Potential of Historic Properties (yes/no)	Management Recommendations (Additional inventory required and historic properties to be visited)
0	852	0%	0	Yes	A Class II reconnaissance is needed along the rock outcroppings on BLM surface north of CR 47A (approx. 9 ac.) and a Class III inventory is needed along the short segment of Coal Creek on BLM surface (100' buffers from the creek's banks).

No cultural resource inventories have been conducted on the Theos M. Allotment, and no cultural resources have been identified on the Allotment. However, an inventory report for an

adjacent area provides a thorough summary and analysis of the history and prehistory of the general area (Harrison 1990, compliance dated 10/9/1990)

Based on available data, a moderate to high potential for historic properties occurs in Allotment 06805. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. In Allotment 06805, a Class II reconnaissance is needed in about 9 acres of land and a Class III inventory in about 2 acres of land. Subsequent field inventory is to be completed within the ten-year period of the permit.

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

No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

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

*Environmental Consequences of the No Grazing Alternative:* Direct and indirect impacts of grazing activities on cultural resources would cease under the No Grazing Alternative.

*Mitigation:* If historic properties or paleontological localities are located during the subsequent field inventory, BLM will field visit these properties and assess the livestock grazing impacts. The livestock impacts will be assessed within the ten-year period of the permit.

The operator is responsible for informing all persons who are associated with the allotment activities that they will be subject to prosecution for knowingly disturbing paleontological localities or archaeological sites, or for collecting artifacts or vertebrate fossils on public lands. If artifacts or paleontological materials (fossils) are discovered during Allotment 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 archaeological or paleontological site damage.

## **INVASIVE, NON-NATIVE SPECIES**

*Affected Environment:* Public lands in the Theos M Allotment are relatively free of noxious weeds, though species of concern occurring in the area include houndstongue

(*Cynoglossum officinale*), yellow toadflax (*Linaria vulgaris*), spotted knapweed (*Centaurea maculosa*), Canada thistle (*Cirsium arvense*), bull thistle *Cirsium vulgare*), and musk thistle (*Carduus nutans*). With the presence of noxious weeds in the landscape surrounding public land within the Theos M allotment, the opportunity for invasion by a number of noxious weeds species exists. The allotment is currently vegetated with a generally diverse and vigorous plant community. With livestock grazing the potential exists for spread of houndstongue due to seeds being transported after attaching on the animals' hides.

*Environmental Consequences of the Proposed Action:* Due to the fact that most of the BLM lands on the allotment are on steep rugged terrain and there is limited livestock watering on the BLM, use by livestock is generally minimal. Rangeland health on the allotment is in a healthy steady state which would make it difficult for weeds to invade as a result of the proposed action. However, there is potential for the seeds of some noxious weeds to attach to the wool of sheep from other areas and be scattered onto the allotment.

*Environmental Consequences of the No Grazing Alternative:* There would be no chance of weeds invading the allotment due to livestock use. There is wildlife in the area that could still act as a vector for noxious weed seeds, but due to the healthy state of rangelands, the chance of noxious weeds becoming prevalent on the allotment is unlikely with proper management.

*Mitigation:* The grazing permittee is to control noxious weeds by an integrated management strategy. All herbicide application is to be conducted by an EPA certified applicator. Application proposals must be approved by the BLM. Post spraying reports are to be provided to the BLM.

## **MIGRATORY BIRDS**

*Affected Environment:* This parcel is dominated by a mixed mountain shrub community dominated by Utah serviceberry and Gambel oak with minor inclusions of big sagebrush (about 3.5 acres), aspen (3-acre stringer), and willow riparian (<1-acre) components. This complex invariably supports one of the richest migratory bird communities in northwest Colorado that includes: dusky flycatcher and MacGillivray's warbler in the deciduous shrub community, green-tailed towhee and Brewer's sparrow (USFWS Bird of Conservation Concern, BOCC) in the shrub-steppe types, and willow flycatcher and common yellowthroat in the riparian types. Most of these birds return to nest by mid-May and complete nesting functions by mid-July. Well-developed herbaceous understories contribute universally to the maintenance of favorable nest habitat conditions for these avian communities. Intervening herbaceous cover enhances nest concealment and improves microclimatic conditions at the nest (improving nest success) and, once hatched, well developed density and height, and species-rich understory composition offers resources and substrate for an abundant source of invertebrate prey that is of paramount nutritional value for developing young.

*Environmental Consequences of the Proposed Action:* Under the proposed action, livestock grazing may occur on the BLM parcel at very early stages of nesting and, for most species, may continue sporadically through the fledgling stage. However, about 70% of this

parcel involves steep to very steep slopes that limits the duration and intensity of grazing. It is suspected that breeding bird activity on these steep and heavy canopied slopes would remain relatively unaffected by livestock grazing. The remaining slopes and basins would continue to receive relatively light, intermittent use that may reduce breeding bird density and/or recruitment slightly, but would have little, if any, measurable effect on local populations.

*Environmental Consequences of the No Grazing Alternative:* In the absence of livestock grazing, and because of constraints of slope and vegetation density, ground cover expression would be expected to undergo relatively minor increases on up to one-third of the BLM acreage. Due to the small acreage involved, these effects would probably remain practically undetectable from the current situation in terms of nest success and production.

*Mitigation:* None.

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

*Affected Environment:* There are no plant species listed, proposed, or candidate to the Endangered Species Act, or plants considered sensitive by the BLM, that are known to inhabit areas potentially influenced by the proposed action.

*Environmental Consequences of the Proposed Action:* The proposed action would have no influence on special status species or associated habitats.

*Environmental Consequences of the No Action Alternative:* There would be no action authorized that would have the potential to influence special status species or associated habitats.

*Mitigation:* None

*Finding on the Public Land Health Standard for Threatened & Endangered species:* The proposed and no-action alternatives would have no influence on populations or habitats of plants associated with the Endangered Species Act or BLM sensitive species, and would have no influence on the status of applicable land health standards.

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

*Affected Environment:* There are no animals listed, or proposed or candidate for listing under the Endangered Species Act that inhabit or derive important benefit from the project area. BLM sensitive animals that have potential to inhabit the project area are the Columbian sharp-tailed grouse and northern leopard frog. BLM-administered lands within the allotment lie on the eastern fringe of habitat mapped as overall sharp-tail range. Approximately 23 acres of BLM-administered lands within the allotment have potential to serve as nest/brood habitat (May through October). This acreage includes about 1.5 acres along the Coal Creek valley, although it

is somewhat unlikely that grouse would use this constricted corridor of habitat with any degree of consistency. The steep slopes and dense, continuous shrub canopies on the remaining 41 acres likely preclude spring through fall use. These habitats, if used at all, may offer generalized winter use functions. The overall utility of the BLM lands within the allotment for sharp-tailed grouse is considered marginal, particularly in contrast to the far more extensive and better-suited habitats available on adjoining private lands to the south and west.

The sinuous willow-dominated channel and numerous beaver ponds associated with Coal Creek are inhabited by chorus frogs and have potential to support leopard frogs, but that 630' of BLM-administered channel within the allotment is land-locked and has never been surveyed for amphibians. Because BLM administers only 1.5% of the Coal Creek valley in two widely separated parcels (encompassing 630' and 780' of channel), overall system function and condition are not effectively influenced by federal holdings.

*Environmental Consequences of the Proposed Action:* Although concentrated sheep use is capable of disrupting nesting activities of ground nesting birds, unless the use is repetitive (e.g., enroute to water or bedding grounds), the level of impact is considered incidental. Because the BLM-administered parcel is not central to any specialized grazing role within the allotment, it is unlikely that use intensity would be sufficient to cause substantive nest disruption.

The height and density of herbaceous ground cover are known to influence sharp-tailed grouse nest site selection, nest success, and chick survival and suggests that grazing by livestock or wild herbivores during the nest and brood-rearing seasons have potential to adversely affect grouse populations. Under the proposed grazing schedule, sheep may graze the 23 acres of basin and ridgeline habitat suited for grouse nesting and brood-rearing during the entire incubation period through hatch (late May through late June). Young broods are most susceptible to predation and exposure and most reliant on well-developed herbaceous ground cover for supplemental concealment and favorable microclimates during the first few weeks of life. Grazing-induced reductions in ground cover would persist through the nest period, but would cease shortly after or near the time most broods began to appear. Although ground cover reductions may reduce cover properties for a short time during the early brood period, with reliable regrowth opportunities through early August, herbaceous cover properties would immediately begin to redevelop over the ensuing weeks. Overall use levels on herbaceous understory vegetation across this parcel are expected to remain light, and transient, short-duration use would not be expected to detract from its cover and forage functions for grouse broods. The period of fall use would have no substantive influence on grouse fall or winter use of these ranges.

Considering the limited likelihood that sharp-tailed grouse actually use the BLM parcel for nesting or brood-rearing, the overall influence of grazing on grouse reproduction is considered discountable.

Sheep use along Coal Creek and its aquatic habitat is expected to remain light or incidental. Herded sheep do not tend to loiter or make substantial use in riparian bottomlands, particularly those with dense willow growth flooded by beaver. Deterioration of aquatic conditions important as potential habitat for leopard frog are not considered at risk.

*Environmental Consequences of the No Grazing Alternative:* Under this alternative there would be no potential risk of nest disruption or indirect mortality of young grouse broods associated with livestock grazing on the 23 acres of BLM-administered nest/brood-rearing habitat in this allotment. Although understory cover would likely be somewhat more effective in protecting young grouse broods, this parcel's potential contribution to grouse production and recruitment would be negligible at any landscape scale.

*Mitigation:* None.

*Finding on the Public Land Health Standard for Threatened & Endangered species:* There is limited likelihood that this small BLM inclusion supports special status animals, but current habitat conditions would effectively provide for those potential forms of use. Because grazing use sustained on this tract is considered compatible with maintenance of those conditions, the proposed and no action alternative would be consistent with continued meeting of the land health standard.

## **WASTES, HAZARDOUS OR SOLID**

*Affected Environment:* There are no known hazardous wastes on the subject lands. No hazardous materials are known to have been used, stored or disposed of at sites in the allotments. There are no known solid waste dump sites within the allotments.

*Environmental Consequences of Alternative A, Proposed Action:* No listed or extremely hazardous materials are proposed for use in this project. All applications of pesticides would be in compliance with BLM requirements.

*Environmental Consequences of Alternative B, No Grazing Alternative:* No hazardous or other solid wastes would be generated under the no-action alternative.

*Mitigation:* Please contact the BLM – WRFO Hazardous Materials Coordinator at (970) 878-3800 and/or the Colorado Department of Public Health and Environment (CDPHE) through the 24-hour spill reporting line at 1 (877) 518-5608, if the permittee suspects the release of any chemical, oil, solid waste, petroleum product, or sewage in the allotment.

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

*Affected Environment:* This allotment is in entirely within Coal Creek. The allotment is within segment 10b and is classified for Aquatic Life Cold 1, Primary Recreation, Water Supply and Agriculture.

*Environmental Consequences of the Proposed Action:* Only a small portion of the allotment, 4%, is BLM administered land. Grazing removes vegetation that may help reduce rain splash erosion, lessen surface runoff and livestock often preferentially remove grass and forb species that form root masses that hold together soil matrices better than non-desirable species.

This may lead to a vegetation shift to grasses and forbs that are not as beneficial to water quality. Hoof action from trailing to and from water, nutrient and forage sources as well as travel through pastures create preferential flow paths that can concentrate overland flow and intercept subsurface flows. These impacts will be assessed and if impacts are observed and changes may occur during yearly range management modifications to address specific situations. With good grazing management impacts are not expected beyond those typically experienced on public lands.

The BLM-WRFO manages grazing on public lands according to the 1997 RMP for the WRFO that outlines Standards and Guidelines for Public Land Health and Colorado Livestock Grazing Management Guidelines. These Standards include guidelines for upland soils, riparian systems, healthy desirable plant species, and water quality (both surface and ground). The Water Quality may improve indirectly from the improved condition of the riparian areas under the Proposed Actions management but should be evaluated for standards to maintain the beneficial functions of health riparian areas for water quality.

*Environmental Consequences of the No Grazing Alternative:* The no-grazing alternative would not be in conformance with the 1997 RMP. However, nonuse of this area for grazing would generally improve water quality as compared to the Proposed Action alternative.

*Mitigation:* No additional mitigation needed.

*Finding on the Public Land Health Standard for water quality:* This permit change is unlikely to lead to an exceedance of Colorado water quality standards.

## **WETLANDS AND RIPARIAN ZONES (includes a finding on Standard 2)**

*Affected Environment:* Coal Creek is a perennial stream that runs through the Theos M allotment. There is approximately 1/10 of a mile of riparian habitat along federally owned portion of Coal Creek. There has not been a full interdisciplinary team PFC assessment done on this reach of coal creek, however the stream is in good condition with adequate riparian vegetation present.

*Environmental Consequences of the Proposed Action:* It is not anticipated that this area will receive over utilization by sheep, because sheep do not generally tend to congregate on riparian areas like cattle. There is a lot of highly accessible water on private lands where the sheep generally tend to water. The proposed action's grazing period (5/15-6/30 and 9/15-11/07) is during the late spring and fall. Grazing during this time of season for a short duration will create ample opportunity for plant growth/regrowth before and after being grazed by livestock, particularly on the sedge community within and abutting the stream channel, which provides an essential role in the functionality of the riparian area. Grazing during the spring period will also provide for sediment trapment, stream flow dissipation, availability of succulent upland vegetation for increased distribution, and reduced utilization on woody plant species.

*Environmental Consequences of the No Grazing Alternative:* Under the no grazing alternative, riparian vegetation would not be impacted by livestock. Wildlife use would not be expected to change. Without livestock grazing, riparian vegetation would likely gain vigor and there would be an increase in ground cover throughout these areas. As streamside vegetation increased, erosion and sedimentation in riparian areas would likely decrease. Condition of most stream banks would likely improve to Proper Functioning Condition over time.

*Mitigation:* None

*Finding on the Public Land Health Standard for riparian systems:* Riparian systems are expected to continue to meet the Public Land Health Standard under all alternatives.

**CRITICAL ELEMENTS NOT PRESENT OR NOT AFFECTED:**

No flood plains, prime and unique farmlands, Wilderness, or Wild and Scenic Rivers exist within the area affected by the proposed action. There are also no Native American religious or environmental justice concerns associated with the proposed action.

**NON-CRITICAL ELEMENTS**

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

**SOILS** (includes a finding on Standard 1)

*Affected Environment:* The tables below are a breakdown of soil units and associated ecological sites for BLM lands and Private lands within the Theos M allotment. Soils analyzed in this document have been covered by the Rio Blanco County soil survey. The soil survey delineates individual soil unit polygons and associated ecological site.

Theos M Allotment (06805) Soil Survey Summary - BLM Lands		
Soil Unit	Ecological Site	Acres
Jerry-Thornburgh-Rhone complex,8-65%slopes	Brushy Loam/Brushy Loam	49.77
Mergel-Redthayne-Dollard complex,8-65%slopes	LoamySlopes/LoamySlopes/ClayeyFoothills	0.13
Shawa loam,1-3%slopes	Deep Loam	4.6
Silas loam,0-8%slopes	Mountain Swale	0.04
Torriorhents-RockOutcrop, complex,15-90%slopes	Stoney Foothills	9.7
Total		64.24

Theos M Allotment (06805) Soil Survey Summary - Private Lands		
Soil Unit	Ecological Site	Acres
Cowdrey-Tampico loams,15-50%clopes	LodgepolePineWoodland/BrushyLoam	61.6
Forest Service	N/A	44.7
Jerry loam,12-45%slopes	Brushy Loam	320.7

Theos M Allotment (06805) Soil Survey Summary - Private Lands		
Soil Unit	Ecological Site	Acres
Jerry-Thornburgh-Rhone complex,8-65%slopes	Brushy Loam/Brushy Loam	430.6
Lamphier-Tampico-Kamack loams,5-60%slopes	Aspen woodlands/Brushy Loam	32.5
Mergel-Redthayne-Dollard complex,8-65%slopes	LoamySlopes/LoamySlopes/ClayeyFoothills	11.4
Owen Creek-Jerry-Burnette loams,5-35%slopes	Brushy Loam	25.8
Shawa loam,1-3%slopes	Deep Loam	23.7
Silas loam,0-8%slopes	Mountain Swale	211.3
Tampico-Miracle complex,8-50%slopes	Brushy Loam/Mountain Loam	63.5
Torriorthents-RockOutcrop, complex,15-90%slopes	Stoney Foothills	239.8
Zoltay clay loam, 3-8%slope	Deep Loam	37.6
Total		1503.2

All soils on this allotment are occupied with plant communities rated as a mid seral, late seral, or PNC (Potential Natural Community) and have sufficient cover of desirable plant species to produce adequate litter and ground cover to minimize runoff and provide for soil protection. These soils are meeting the Colorado Public Land Health Standard for upland soils.

*Environmental Consequences of the Proposed Action:* Due to the fact that livestock type, numbers and dates are not changing from the previous grazing permit, there will be no effect on soils within the grazing allotment due to the proposed action. Given the rugged terrain and lack and limited water supply on BLM lands within the allotment, there is generally light use by sheep during the grazing season therefore leaving plenty of residual canopy cover and litter to adequately protect soils from heavy runoffs/overland flow.

*Environmental Consequences of the No Grazing Alternative:* Ground cover and density of the existing plant communities would increase when receiving no grazing pressure from livestock. Soil stability would increase with the additional vegetative matter. However, current conditions of the soil are in a satisfactory state and meeting the standards for rangeland health. Therefore, the perceived impact of increased soil stability may be minor within the functionality of the rangelands.

*Mitigation:* None

*Finding on the Public Land Health Standard for upland soils:* Vegetation production and species composition on these sites provide adequate cover for soil protection and forage production to meet a multitude of demands, thus they meet or exceed the Colorado Public Land Health Standards. Overall, as indicated by historic sheep use within the allotment, soil protection provided by existing ground cover would continue to meet required Public Land Health Standards. Thus, soils would continue to provide for a functioning landscape.

## **VEGETATION** (includes a finding on Standard 3)

*Affected Environment:* The following table lists the plant community appearance for the Ecological sites or woodland types on BLM land within the allotment associated with the proposed action, along with the predominant plant species comprising the composition of each

community. Forb species, though important to the diversity of a community and making up to 25 to 30% of the composition of several of the plant communities listed, are not presented in the following table because they generally are not contributors to the appearance or dominance of the community.

Ecological Site / Woodland Type	Plant Community Appearance	Predominant Plant Species in the Plant Community
Brushy Loam	Deciduous Shrub / Grass Shrubland	Serviceberry, oakbrush, snowberry, mountain brome, slender wheatgrass, western wheatgrass, Letterman and Columbia needle grasses
Deep Loam	Grassland	Bluebunch wheatgrass, mottongrass, needle-and-thread, western wheatgrass, slender wheatgrass, big sagebrush, serviceberry, snowberry.
Loamy Slopes	Mix Shrub / Grass Shrubland	Mountain mahogany, bitterbrush, serviceberry, mountain big sagebrush, beardless bluebunch wheatgrass, western wheatgrass, June grass, Indian rice grass
Mountain Swale	Grass / Open Shrub Shrubland	Basin wildrye, slender wheatgrass, western wheatgrass, Letterman and Columbia needle grasses, sedges, rushes, mountain big sagebrush, rubber rabbitbrush, snowberry,
Stony Foothills	Grass / Open Shrub Shrubland	Beardless bluebunch wheatgrass, western wheatgrass, needle-and-thread, June grass, Indian rice grass, fringed sage, Wyoming big sagebrush, black sage, serviceberry, pinyon and juniper

The following table is a breakdown of acreage by ecological site, and ownership on lands within the Theos M. allotment.

Acreage of Ecological Sites Theos M Allotment			
Ecological Site	BLM Acres	Private Acres	Total
Brushy Loam	49.78	934.54	984.32
Deep Loam	4.6	61.37	65.97
Loamy Slopes	0.14	11.43	11.57
Mountain Swale	0.04	211.35	211.39
Stony Foothills	9.7	239.85	249.55
N/A	0	44.72	44.72
<b>Total</b>	<b>64.26</b>	<b>1503.26</b>	<b>1567.52</b>

*Environmental Consequences of the Proposed Action:* The Nick Theos Ranch has typically operated below their full active AUM level within the Theos M allotment (refer to rangeland management section for use levels) in doing so the ranch has grazed at an appropriate level which aids in plant maintenance and Public Land Health Standards. Under continued use below full preference, overall impacts to the vegetation community should be negligible in respects to plant diversity, cover amounts, and litter accumulation. The critical growing season for this locality is generally from May 15 to July 20, with some variations dependent upon the year. Historic use by the Nick Theos ranch includes only part of the critical growing season for the allotment. Therefore, each plant will have a higher probability for growth and/or regrowth to reach maturity for an increased level of plant vigor.

*Environmental Consequences of the No Grazing Alternative:* Under a no grazing by livestock alternative, most localities that are being grazed by sheep would experience a short-

term increase in both perennial plant cover and soil surface litter accumulation. The majority of areas are not expected to change in perennial plant cover because they currently are meeting standards for plant species composition and diversity.

*Mitigation:* None

*Finding on the Public Land Health Standard for plant and animal communities* (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): Vegetation production and species composition on these sites provide adequate opportunity for regrowth and maintenance of existing plant community conditions to meet a multitude of demands.

### **WILDLIFE, AQUATIC** (includes a finding on Standard 3)

*Affected Environment:* BLM-administered lands within the allotment encompass a single 630' reach of perennial Coal Creek. This system is largely privately owned (98.5%) and management of this land-locked parcel has little effective influence on the stream's condition or function. This willow-dominated stream supports numerous beaver ponds and sustains non-native trout fisheries. BLM-administered portions of the stream have never been surveyed, but, in general, the system appears to be in proper functioning condition and little affected by livestock grazing use.

*Environmental Consequences of the Proposed Action:* Light intermittent use of the surrounding uplands and valley terraces of Coal Creek appears to be consistent with the long-term maintenance of a functional and stable aquatic community. The proposed action would continue these practices.

*Environmental Consequences of the No Grazing Alternative:* Direct modification of vegetation or channel conditions in Coal Creek by livestock does not appear to be substantive under the current grazing regimen. Removal of livestock from this small segment of Coal Creek may prompt minor improvements in certain aspects of bank stability (e.g., vegetation density), but this effect would have no potential for influencing the overall condition or function of the Coal Creek system.

*Mitigation:* None.

*Finding on the Public Land Health Standard for plant and animal communities* (partial, see also Vegetation and Wildlife, Terrestrial): The system appears to be meeting the land health standards and it is presumed that the BLM parcel mirrors this condition. There is no reason to believe that continued management as proposed (as well as the no action alternative) would contradict continued meeting of this standard.

### **WILDLIFE, TERRESTRIAL** (includes a finding on Standard 3)

*Affected Environment:* The BLM parcel in the allotment is composed primarily of steep deciduous shrubslopes interspersed with a narrow aspen stringer and small inclusions of mountain big sagebrush at an elevation range of 7100-7800'. In general, these communities host well-developed bunchgrass-forb understories.

These ranges are used predominantly by deer during the summer and fall months, while elk use the area year-round; achieving highest concentrations during the early to mid-winter months. The productive understories associated with the allotment's woody plant communities provide a varied source of herbaceous forages that are nutritionally important for big game during the post-partum period and in preparation for the winter season.

The allotment's higher elevation mixed sagebrush and mountain shrub communities represent habitats well suited to dusky grouse nesting and brood-rearing functions. The height and density of the herbaceous understory is an important factor in the suitability of dusky grouse nest and brood-rearing habitats. Well developed herbaceous understories are thought to provide scent, visual and physical barriers to potential predators and provide microclimatic conditions conducive to improved hatching success. Diets of grouse chicks are comprised almost exclusively of forbs and invertebrates. By the end of October, most, if not all dusky grouse leave the allotment for off-site winter habitats.

As discussed in the Migratory Bird section above, this pasture hosts an abundant and rich migratory bird community and these traits likely extend to its small mammal component, including those species that rely on well developed shrubland understories, such as Merriam's shrew and long-tailed vole.

*Environmental Consequences of the Proposed Action:* Livestock use levels are expected to remain light or negligible on steep, heavily canopied slopes that comprise 70% or more of the BLM parcel. The remaining acreage (about 23 acres), would continue to be subject to intermittent, short duration use until late June, with rapid recovery of herbaceous ground cover over the subsequent month of growing season. Follow up use on dormant vegetation in the fall may reduce the gross availability of big game woody and herbaceous forage and the quantity of residual ground cover available for non-hibernating small mammals over the winter months, but as presently managed, overall livestock-related effects on forage and cover properties and community vigor would remain minor to negligible.

Because of strong similarities in reproductive biology, the influence of the proposed action on dusky grouse would be virtually identical to that discussed in the Threatened, Endangered, and Sensitive Animal section for sharp-tailed grouse.

*Environmental Consequences of the No Grazing Alternative:* In the absence of livestock grazing, ground cover expression and the accumulation of residual growth would be expected to undergo minor increases on the more mildly sloped portions of the BLM parcel (23 acres). It is probable that most nongame birds and those small mammals that prefer highly developed ground cover would reach maximum levels of abundance in these circumstances, although in contrast to the proposed action, it is unlikely that this measure would have any discernible influence at the local population level.

*Mitigation:* None.

*Finding on the Public Land Health Standard for plant and animal communities* (partial, see also Vegetation and Wildlife, Aquatic): In its present state, this allotment meets the land health standard for terrestrial wildlife. The proposed action, as practiced by the current operator, is expected to involve management that would remain consistent with continued meeting of the standard.

**OTHER NON-CRITICAL ELEMENTS:** For the following elements, only those brought forward for analysis will be addressed further.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Areas of Critical Concern	X		
Access and Transportation		X	
Cadastral Survey	X		
Fire Management	X		
Forest Management	X		
Geology and Minerals	X		
Hydrology/Water Rights		X	
Law Enforcement		X	
Noise	X		
Paleontology			X
Rangeland Management			X
Realty Authorizations			X
Recreation		X	
Socio-Economics		X	
Visual Resources		X	
Wild Horses	X		

## PALEONTOLOGY

*Affected Environment:* The Theos M. Allotment encompasses areas generally mapped as the following formations, known to produce fossils of scientific interest (Tweto 1979, Armstrong and Wolny 1989):

- Williams Fork Formation—potential fossil yield classification (PFYC) 5—mammals (multituberculates, eutherians, and marsupials), dinosaurs, reptiles (turtles, crocodilians (including champosours), turtles, and possibly marine reptiles, etc.), fish (sharks, Amiidae, and Lepisosteidae), invertebrates (mollusks, gastropoda, and pelecypoda) and plants (including Auracaria and other conifers, Debya and Ficus leaf impressions, palms, wood, and possible flower or fruit capsules).

- Iles Formation—PFYC 3a—poorly preserved osteological remains, gar scales, invertebrates (pelecypods, baculites, and clams (*Inoceramus*), ammonites, oysters (*Ostrea*), and freshwater gastropods), wood and plant impressions, and bryozoans.
- Mancos Shale—PFYC 3a—In and near the Piceance Basin, this formation produces fish (fish scales, bones, and sharks’ teeth), invertebrates (ammonites, baculites, scaphites, bryozoans, brachiopoda, clams, oysters, belemnites), ichnological traces (crayfish burrows), pollen, and plant fragments. Elsewhere, Mancos shale is known to produce marine reptiles (mosasaurs and plesiosaurs) and duckbill dinosaurs (hadrosaurids).
- Frontier Sandstone and Mowry Shale—PFYC 4—these strata have the potential to produce larger vertebrates, though typically contain fish, marine invertebrates (including *Inoceramus* clams, baculites, scaphites, forams, and radiolaria), freshwater invertebrates, various floras, and microfossils. Portions are likely to produce dinosaur bones, eggs, and ichnofossils, as well as Cretaceous mammals.

*Environmental Consequences of the Proposed Action:* In general, paleontological materials (fossils) are not considered to be endangered by normal grazing activities. Some damage to fossil materials may occur in areas of livestock concentration (identified during cultural resource investigation). Since in situ fossils are seldom encountered in alluvial areas where sheep tend to concentrate, the potential for damage to undisturbed fossil remains is low.

Direct impacts that may occur where livestock concentrate include trampling, chiseling and churning of site soils. There may be impacts from standing, leaning and rubbing against above ground features. Indirect impacts may include soil erosion, gulying and increased potential for unlawful collection and vandalism. In areas where fossil bed presence coincides with areas of livestock concentration, continued grazing may contribute to substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to paleontological resources.

All portions of BLM-owned surface within the Allotment have been generally mapped as PFYC 3a formations. Significant livestock impacts to fossil remains of high scientific importance are unlikely in these areas.

*Environmental Consequences of the No Grazing Alternative:* Any direct or indirect impacts of grazing activities on paleontological resources would cease under the No Grazing Alternative.

*Mitigation:* The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If paleontological materials (fossils) are discovered during Allotment 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.

## RANGELAND MANAGEMENT

*Affected Environment:* The Nick Theos Ranch (0501505) is the BLM authorized grazing permit holder on the Theos M allotment through a lease of the attached base property. Therefore, the ranch has preference to the grazing permit for these allotments. The Nick Theos Ranch has been leasing the base property associated with this grazing allotment since 1996.

The proposed grazing schedule is for 2,250 sheep in the Theos M allotment from May 15<sup>th</sup> until November 7<sup>th</sup>, this is to allow for the possibility of sheep moving down off of the forest, and back onto the Theos M allotment during the summer months, before they can be herded back onto the forest. Generally the Nick Theos ranch will have less than 2,250 sheep on the allotment; actual sheep numbers may be 600 head up to 1,700 head. Fall use in 2007 was 1,050 sheep for 18 days in September (126 AUMs). In 2008 spring use on the allotment was 650 ewes from May 27<sup>th</sup> to July 2<sup>nd</sup> with an additional 225 head for one day (162 AUMs). Fall use in 2008 was 650 ewes from September 5<sup>th</sup> to September 25<sup>th</sup> (87 AUMs). The sheep mainly stay on the private lands east of the BLM where there are gentler slopes and adequate water. Use on the BLM lands within the allotment is generally light with ample residual canopy and litter cover to protect soils. Vegetation including riparian plants associated with Coal Creek, would have opportunity for growth before sheep are placed on the allotment and regrowth after they are moved to the forest.

The following table shows the livestock carrying capacity in AUMs broken down by ownership (BLM or private) in the Theos M allotment. The table below was developed by analysis of forage production, and acreage breakdown of each ecological site within the individual pastures to determine available forage for livestock consumption (i.e. AUMs). The figures below are based on moderate stocking levels that are generally less than stocking rates recommended by the Natural Resources Conservation Service for each specific ecological site. Several ecological sites are present in the Theos M allotment though the site accounting for the largest areas of public land is brushy loam. The most productive and accessible rangelands in the allotment are located on private lands while public lands are primarily steeper slopes.

Theos M Allotment						
AUMs (BLM and PVT)		Good AUMs	Fair AUMs	Poor AUMs		Est. AUMs.
		692	458	234		265
% PL		4%	4%	4%		3%
Ac/AUM		2.3	3.4	6.7		5.91
	AUMs	Acres	Ac/AUM	% PL	% Acres	
BLM	26	64	2.46	4%	4%	
Pvt	666	1503	2.26	96%	96%	
<b>Total</b>	<b>692</b>	<b>1567</b>	<b>2.36</b>	<b>100%</b>	<b>100%</b>	

*Environmental Consequences of the Proposed Action:* Refer to the Vegetation section of this document for analysis of rangeland vegetation impacts. Under the proposed action the grazing lease for the Theos M allotment would be issued for sheep grazing. Livestock grazing would continue to occur at generally the same level it has been for the last ten years. Both public

and private rangelands in the allotment are in good condition and produce a variety of forage types. Areas likely to be utilized by sheep are highly productive with a wide variety of desirable forage species. As indicated by the current year's utilization and overall range condition, the proposed action would result in rangelands continuing to meet public land health standards including healthy, diverse plant communities contributing to stable soils.

*Environmental Consequences of the No Grazing Alternative:* Under this alternative the Nick Theos Ranch would not have the ability to authorize the existing grazing lease and livestock grazing use on the Theos M allotment would not be permitted on public lands. Plant communities would likely experience a slight increase in percent ground cover and an increase in density of native species. Forage produced on public lands in the allotment account for a minority (4%) relative to that produced on private lands (96%). Grazing would likely continue on private lands within the boundaries of the allotment, which would require fencing off of all BLM lands. This amount of fencing would be costly in terms of construction and maintenance, and negatively impact wildlife movement and open landscape aesthetics.

*Mitigation:* none

## **REALTY AUTHORIZATIONS**

*Affected Environment:* The only recorded right-of-way is COC39344, a 7.2 KV White River Electric power line. There are no known proposed actions in the area.

*Environmental Consequences of the Proposed Action:* The existing power line should not affect or be affected by the proposed grazing action.

*Environmental Consequences of the No Grazing Alternative:* none

*Mitigation:* none

**CUMULATIVE IMPACTS SUMMARY:** Cumulative impacts from the proposed action and other land uses would not exceed those discussed in the White River ROD/RMP and/or White River Resource Area Grazing Management Environmental Impact Statement (EIS).

## **REFERENCES CITED:**

Armstrong, Harley J. and David G. Wolny  
1989 *Paleontological Resources of Northwest Colorado: A Regional Analysis.* Museum of Western Colorado, Grand Junction, Colorado.

Harrison, Cheryl

1990 *U.S. West Communications Meeker Exchange (CO-0722), Cultural Resources Inventory, Rio Blanco County, Colorado.* Archaeology Department, Powers Elevation, Aurora, Colorado.

Tweto, Ogden

1979 *Geologic Map of Colorado.* United States Geologic Survey, Department of the Interior, Reston, Virginia.

**PERSONS / AGENCIES CONSULTED:** A Public Notice of the NEPA action is posted on the White River Field Office Internet website at the Colorado BLM Home Page asking for public input on Grazing Permit renewals and the assessment of Public Land Health Standards within the White River Field Office area. Local notification is published in the Rio Blanco Herald Times newspaper located here in Meeker, Colorado on a quarterly basis. Also, individual letters are sent to the lessees/permittees informing them that their permit is up for renewal and request any information they want included in or taken into consideration during the grazing permit renewal process.

**INTERDISCIPLINARY REVIEW:**

<b>Name</b>	<b>Title</b>	<b>Area of Responsibility</b>
Bob Lange	Hydrologist	Air Quality, Wastes (Hazardous or Solids), Water Quality (Surface and Ground), and Hydrology and Water Rights.
Maggie Marston	Botanist	Areas of Critical Environmental Concern, Threatened and Endangered Plant Species
Michael Selle	Archeologist	Cultural Resources, Paleontological Resources
Tyrell Turner	Rangeland Management Specialist	Invasive, Non-Native Species, Soils, Vegetation, Wetlands and Riparian Zones, Rangeland Management
Ed Hollowed	Wildlife Biologist	Migratory Birds, Threatened, Endangered and Sensitive Animal Species, Terrestrial and Aquatic Wildlife
Jim Michels	Fire / Fuels Technician	Wilderness, Access and Transportation, Recreation,
		Fire Management
		Forest Management
Paul Daggett	Mining Engineer	Geology and Minerals
Linda Jones	Realty Specialist	Realty Authorizations
Jim Michels	Fire / Fuels Technician	Visual Resources
Melissa J. Kindall	Range Technician	Wild Horses

# **Finding of No Significant Impact/Decision Record (FONSI/DR)**

## **CO-110-2008-237-EA**

**FINDING OF NO SIGNIFICANT IMPACT (FONSI)/RATIONALE:** The environmental assessment and analysis of the environmental effects of the proposed action have been reviewed. The approved mitigation measures (listed below) result in 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.

**DECISION/RATIONALE:** It is my decision to offer a proposed decision to implement the grazing schedule outlined in the proposed action with the addition of the mitigation listed below.

### **MITIGATION MEASURES:**

1. If historic properties or paleontological localities are located during the subsequent field inventory, BLM will field visit these properties and assess the livestock grazing impacts. The livestock impacts will be assessed within the ten-year period of the permit.
2. The operator is responsible for informing all persons who are associated with the allotment activities that they will be subject to prosecution for knowingly disturbing paleontological localities or archaeological sites, or for collecting artifacts or vertebrate fossils on public lands. If artifacts or paleontological materials (fossils) are discovered during Allotment 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 archaeological or paleontological site damage.
3. The grazing permittee is to control noxious weeds by an integrated management strategy. All herbicide application is to be conducted by an EPA certified applicator. Application proposals must be approved by the BLM. Post spraying reports are to be provided to the BLM.
4. Please contact the BLM – WRFO Hazardous Materials Coordinator at (970) 878-3800 and/or the Colorado Department of Public Health and Environment (CDPHE) through the 24-hour spill reporting line at 1 (877) 518-5608, if the permittee suspects the release of any chemical, oil, solid waste, petroleum product, or sewage in the allotment.
5. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or

collecting fossils for commercial purposes on public lands. If paleontological materials (fossils) are discovered during Allotment 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.

**COMPLIANCE/MONITORING:** Refer to Monitoring and Evaluation section within the proposed action of this document.

**NAME OF PREPARER:** Tyrell Turner

**NAME OF ENVIRONMENTAL COORDINATOR:** Caroline Hollowed

**SIGNATURE OF AUTHORIZED OFFICIAL:**



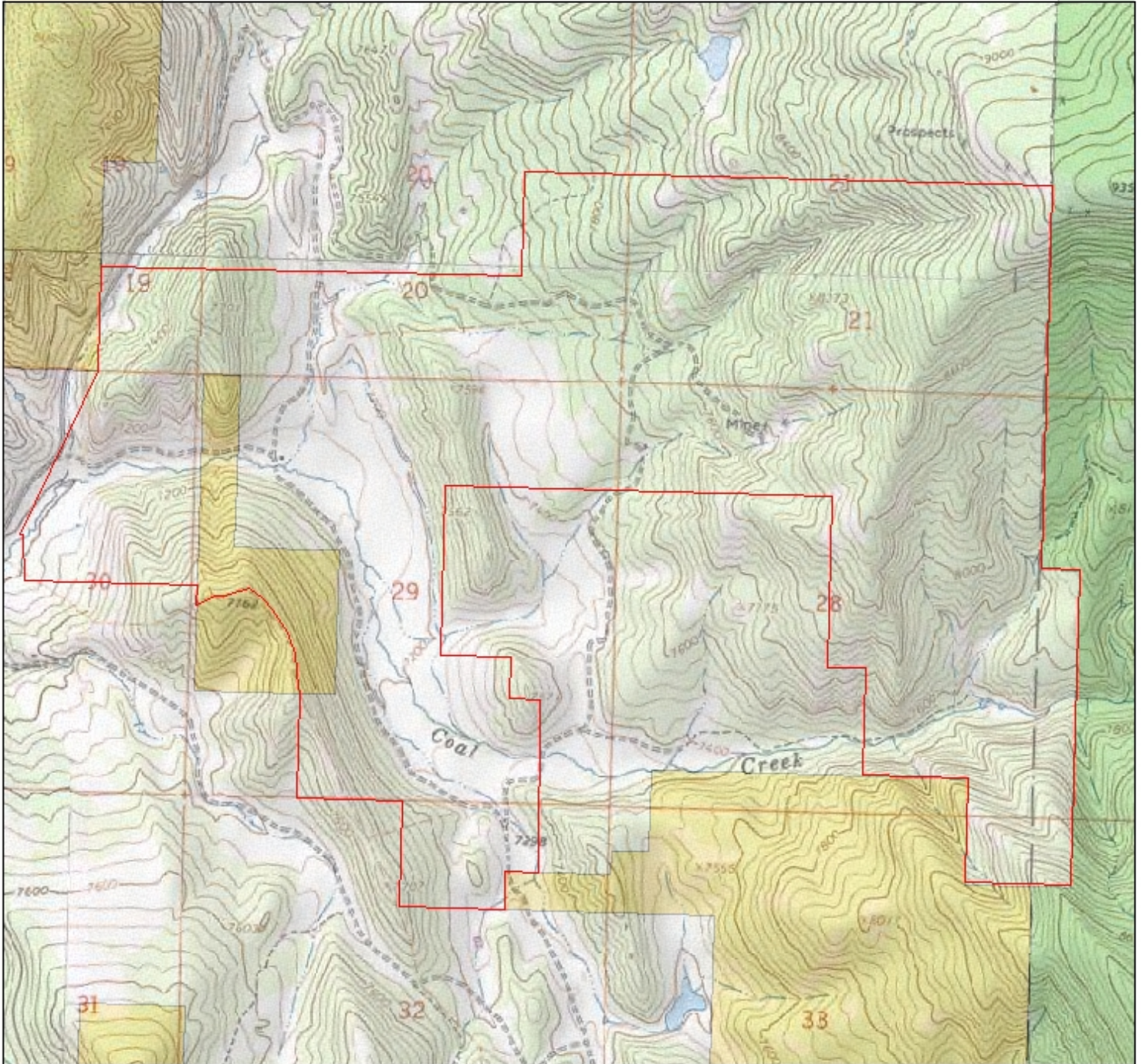
Field Manager










**DATE SIGNED:**

06/26/09

**ATTACHMENTS:** Map of Theos M. Allotment (06805)

# CO-110-2008-237-EA




-  Theos M Boundary
-  FieldOffice\_Boundary\_WRFO
-  BLM
-  CDW
-  County
-  FOR
-  NPS
-  PRI
-  STA



6/23/2009

0 0.1 0.2 0.4 Miles



Source:  
BLM, USGS, CDOW, etc.

Disclaimer:  
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