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-110-2008-220-EA

CASEFILE/PROJECT NUMBER: N/A

PROJECT NAME: Duck Creek ACEC Fence Project

LEGAL DESCRIPTION: T1S R98W Section 7 SENW

APPLICANT: BLM, Colorado Natural Heritage Program

ISSUES AND CONCERNS: There is an existing two track route which connects Rio Blanco County (RBC) road 20 with RBC Road 122 that traverses the Duck Creek Area of Critical Environmental Concern (ACEC). Where this route leaves RBC 20 and travels north it crosses 500 meters of densely occupied habitat for the federally threatened Dudley Bluffs bladderpod (*Physaria congesta*). As late as spring 2007, Dudley Bluffs bladderpod was observed growing in this particular two track route. Then, in fall 2007, motorists used the route while it was saturated; this use increased the rutting of the route and extirpated an undetermined number of individual plants growing in the route. The route was so saturated that motorists were unable to continue up the route and were forced to turn around approximately 44 meters north of RBC 20. In the process of turning around the users drove off of the route onto densely occupied habitat creating substantial rutting and soil disturbance resulting in the loss of approximately 150-200 additional individual plants. Use of this route continued throughout the winter and into the spring of 2008 while saturated and as such the route has been widened by approximately 0.5 meters resulting in additional losses of individuals. To date motorist attempting to utilize the route have continued to turn around in the original disturbance created in fall of 2007. As such this project will seek to close this route and conserve the remaining undisturbed occupied habitat while allowing the disturbed portion of habitat to reclaim naturally in accordance with the White River Resource Area Record of Decision and Resource Management Plan ROD/RMP of 1997.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction: The White River Resource Area Record of Decision and Resource Management Plan (ROD/RMP) of 1997 identified that motorized vehicle travel within Areas of Critical Concerns (ACECs) for threatened, endangered, or BLM sensitive plants will be limited to designated roads and trails (See map 23-D of the RMP/ROD). The White River ROD/RMP also identified that roads and trails in ACECs not designated for use would be abandoned and

reclaimed and that off road motorized vehicle travel would be prohibited in ACECs designated for special status plants. The route in Duck Creek ACEC where disturbance has occurred to occupied Dudley Bluffs bladderpod habitat is a route which was identified to be closed and abandoned through the White River ROD/RMP process. This project will seek to implement this management decision by closing and abandoning 600 meters of this route which traverses one of the largest, high density, and most continuous populations of Dudley Bluffs bladderpod within the species identified range.

Proposed Action: The Bureau of Land Management (BLM) and the Colorado Natural Areas Program (CNAP) propose to construct two segments of barricade type fencing. The fencing would be constructed from 4" diameter steel posts spaced 12 feet apart and connected with 5/8" steel cable strung between the posts. The posts would be placed 2 feet into the ground and stabilized with concrete with three feet of post exposed above ground. The cable would be maintained at no less than 30" above the ground and secured to the posts via holes drilled in the pipe.

The first segment of fencing would be 466 feet in length and will require 40 posts. This segment of fencing will be placed approximately 5 feet north of the RBC road 20 borrow ditch to ensure that the fencing would not interfere with the county road and bridge maintenance requirements. This segment would begin in a Basin Big sagebrush draw east of the route to be closed and extend to the west across the occupied habitat and route closure for approximately 325 feet to the BLM boundary with the adjacent private property owned by Shell Oil and Gas. Shell has granted permission to BLM to construct this fence on their private land in order to facilitate effective route closure. The fence will then continue onto the Shell property for the remaining 141 feet and terminate in the first Basin Big sagebrush draw on the west side of the route identified for closure (see attached map). It has been determined that this length of fencing is the minimum necessary to effectively close this route due of the open and barren nature of the habitat that the route traverses. It is thought that the height of the sagebrush in the two draws would aid in effectively deterring off road use of the habitat for Dudley Bluffs bladderpod. A wooden kiosk will be erected in the existing disturbance of the route to provide educational information as to the nature of the route closure and maps identifying access to the unclosed portion of the route north of the occupied habitat and ACEC boundary. To disguise the route and to provide for erosion protection dead juniper branches will be distributed across the route from the fence to the ridge top. Considering the sensitive nature of the habitat in question no additional reclamation will take place. The harsh nature of the exposed shale outcrop effectively inhibits weed establishment therefore it is thought with erosion control the disturbance will effectively reclaim itself over time.

A second segment of fencing would be erected and the end of the route where the White River ROD/RMP identified the end of the route closure in the piñon juniper woodland immediately north of RBC 20. This segment will be approximately 30 feet in length and will require four posts. A carsonite sign identifying the road closure will be placed in the route identifying the road closure and ACEC boundary at this point.

To further educate the public about this closure and ensure its success a wooden kiosk would also be placed at the junction of this route with RBC 122 with information and maps regarding the route closure (see attached map)

No Action Alternative: Under this alternative decisions made in the resource management plan would not be implemented and no fencing would be constructed. The potential for additional disturbance would continue from continued route expansion or proliferation and the threat for continued loss of individuals of the federally threatened Dudley Bluffs bladderpod. The posting of carsonite signs indicating route closures have proven to be an ineffective means to close routes within the resource area considering the sensitive nature of the resource the closure was designed to protect.

ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD: None

NEED FOR THE ACTION: The purpose of the proposed action is to manage multiple uses on Public Lands in a manner that avoids, minimizes, reduces, or mitigates potential impacts to other resource values.

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: 2-17 & 2-44

Decision Language: "Motorized vehicle travel within ACECs for Threatened and Endangered (T/E) plants will be limited to designated roads and trails (See Maps 2-23A through 2-23F). Roads or trails in these areas not designated for use will be abandoned and reclaimed. Off road motorized vehicle travel will be prohibited in these areas."

"Motorized vehicle travel will be limited to existing roads, ways and trails all year in identified fragile soil areas, the black footed ferret reintroduction areas, the Texas-Missouri-Evacuation Creek cultural resource area, and in areas with potential habitat for Threatened and Endangered or sensitive plant species."

"Motorized vehicle use will be limited to designated roads and trails in: ACECs, in order to protect sensitive resources (See Maps 2-23A through 2-23F); the Indian Valley/Deep Channel area, to comply with a court ruling (See Map 2-24); and the Canyon Pintado National Historic District, in order to protect fragile cultural resources (See Map 2-25)."

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:

INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST

DETERMINATION OF STAFF:		
Determination	**Resource**	**Rationale for Determination***
CRITICAL ELEMENTS		
PI	Air Quality	Construction activities will minor and temporary. Operational emissions will result from travel to and from the construction site.
PI	Areas of Critical Environmental Concern	Will be analyzed in detail with TE&S plants.
NI	Cultural Resources	Inventory is waived in accordance with BLM manual 8110.23(2)(3). Further, previous inventory on the shale slopes has not resulted in identification of significant resources.
NI	Invasive, Non-native Species	These species are not present at the specific project site(s)
NI	Migratory Birds	This project will result in the loss of < 1 acre of basin big sagebrush habitat adjacent to a well traveled corridor. This would have no measurable influence on local populations of migratory birds nor would it detract from habitat quality. Construction may temporarily displace resident birds, but because this project is scheduled to take place during the fall, the proposed action would have no potential to directly influence migratory bird nesting activities.
NP	Threatened, Endangered, and Sensitive Animal Species	There are no animal species listed, proposed, or candidate to the Endangered Species Act, nor animals considered sensitive by the BLM, that are known to inhabit areas potentially influenced by the proposed action.
PI	Threatened, Endangered, and Sensitive Plant Species	Damage or loss of individual Dudley Bluffs bladderpod will occur as a result of this project. Formal consultation will be completed prior to implementation of this project.
NI	Wastes (hazardous or solid)	No hazardous or solid wastes are likely to result from this project.
PI	Water Quality (Surface/Ground	Although, some new disturbance would occur as a result of this project, this fence will also be designed to reduce impacts on a steep unimproved road.
NP	Wetlands/Riparian Zones	There are no wetlands or riparian zones that would be potentially influenced by the proposed action.

DETERMINATION OF STAFF:		
Determination	**Resource**	**Rationale for Determination***
CRITICAL ELEMENTS		
NP	Wilderness	No Wildernesses or Wilderness Study Areas are proximate to the proposed action.

NP = not present in the area impacted by the proposed or alternative actions
NI = present, but not affected to a degree that detailed analysis is required
PI = present with potential for impact analyzed in detail in the EA

AIR QUALITY

Affected Environment: The entire White River 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. The proposed action is more than ten miles from any special designation air sheds or non attainment areas. Unfortunately, no air quality monitoring data is available for this area. However, air quality conditions near the proposed location (Grand Junction, CO) indicate generally good air quality for this region.

Environmental Consequences of the Proposed Action: The proposed action would involve transportation of workers and equipment to the site, lopping and spreading of pinyon-juniper bows, and the installation of posts and cable for the fence. Visible dust is likely to increase during installation and there will be some soil disturbance from construction activities. Installation of this fence would not lead to an increase in dust above background conditions. Therefore air quality impacts are not expected from installation or operational uses.

Environmental Consequences of the No Action Alternative: Minor impacts would continue from travel and installation of the fence.

Mitigation: None identified.

THREATENED, ENDANGERED, AND SENSITIVE PLANT SPECIES (includes a finding on Standard 4) and AREAS OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: There is an existing two track route which connects Rio Blanco County (RBC) 20 with RBC 122 that traverses the Duck Creek Area of Critical Environmental Concern (ACEC). Where this route leaves RBC 20 and travels north it crosses 500 meters of densely occupied habitat for *Physaria congesta*. In late spring 2007 *Physaria congesta* was observed growing within the area of disturbance of the two-track route. Then in fall 2007, motorists used the route while it was saturated, this use increased the rutting of the route and extirpated an undetermined number of individual plants growing in the route. The route was so saturated that motorists were unable to continue up the route and were forced to turn around approximately 44 meters north of RBC 20. In the process of turning around the users drove off of the route onto densely occupied habitat creating substantial rutting and soil disturbance resulting in the loss of approximately 150-200 additional individual plants (Photo 2). Use of this route continued throughout the winter and into the spring of 2008 while saturated and as such the

route has been widened by approximately 0.5 meters resulting in additional losses of individuals (Photo 3). To date motorist attempting to utilize the route have continued to turn around in the original disturbance created in fall of 2007. This project will seek to close this route and conserve the remaining undisturbed occupied habitat while allowing the disturbed portion of habitat to reclaim naturally.

The White River ROD/RMP identified that motorized vehicle travel within ACECs for threatened, endangered, or BLM sensitive plants will be limited to designated roads and trails (BLM, 1997). The White River RMP/ROD also identified that roads and trails in ACECs not designated for use would be abandoned and reclaimed and that off road motorized vehicle travel would be prohibited in ACECs designated for special status plants. The route in the Duck Creek ACEC where disturbance has occurred to occupied *Physaria congesta* habitat is a route which was identified to be closed and abandoned through the resource management plan process. This project will seek to implement this management decision by closing and abandoning 600 meters of this route which traverses one of the largest, high density, and most continuous populations of *Physaria congesta* within its identified range.

On Wednesday May 14th 2008, Ken Holsinger (BLM, Botanist) and Brian Kurzel (Colorado Natural Areas Program) conducted an onsite visit with Ellen Mayo (FWS, Botanist) and Collin Ewing (FWS, Biologist) regarding the proposed fencing project and discussed all aspects of the project including mitigation measures designed to minimize impacts to the population of Dudley Bluffs Bladderpod. At that time, it was determined that formal consultation would be necessary because of the need to construct the fence on occupied habitat and the anticipated impacts to individual plants associated with construction. It was mutually agreed upon by all members in attendance that the fencing proposed would be the best course of action to eliminate the impacts to plants that have occurred as a result of vehicular use of the route.

Environmental Consequences of the Proposed Action: As the proposed action indicates approximately 75.7 meters of the fence will be constructed on occupied habitat for *Physaria congesta*. The nature of how county road 20 and the route this project seeks to close intersect requires that the fencing be constructed on occupied habitat to gain effective closure of the route and eliminate continued use. It is well documented that continuing to leave this route open to the public would subject the habitat and individual *Physaria congesta* to further degradation by off highway vehicle use and would remain inconsistent with management decisions made in the White River ROD/RMP.

Chart 1 and Table 1 depict data collected from Duck Creek ACEC monitoring site #2 which is located 95 meters east of the proposed route closure from 1996-2008. The data suggests a 67.1% decline in *Physaria congesta* population thought to be related to numerous environmental factors ranging from livestock and wild horse trampling, off highway vehicle use (OHV), and climactic variation. Given the declines observed between 1996 and 2008, BLM seeks to reverse the population trend within the scope of the bureau's management authority. Wild horses were gathered in 2006 and the population was reduced from approximately 363 animals to an estimated 211 animals. The appropriate management level (AML) for the wild horse population has been established at 135-235 animals. The objective of the 2006 gather was to reduce the herd size to approximately 135 animals; however, litigation prevented BLM from gathering to

this desired number. Another gather is planned for fall of 2009 and will again seek to reduce the population to approximately 135 animals. The grazing permit for the Duck Creek area is scheduled to undergo NEPA analysis in the early part of 2009 at which time livestock stocking rates and forage allocation will be evaluated. The remaining management action within the scope of BLM's authority (which is necessary to reverse the trend observed at this site) is to eliminate OHV impacts on the occupied habitat.

Chart 1

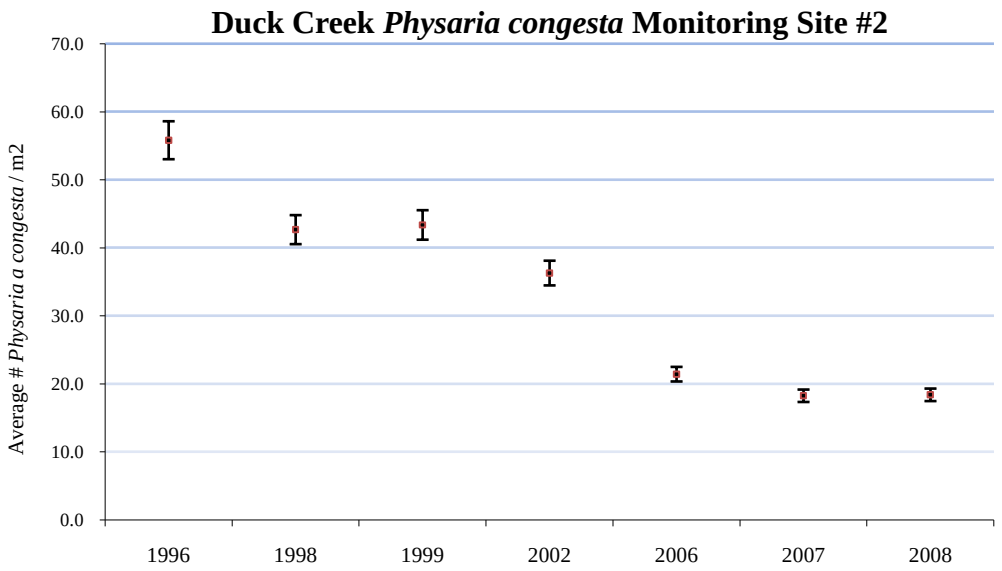

Table 1
Density Data for *Physaria congesta*, Study Site #2 1996-2008

Year	1996	1998	1999	2000	2002	2006	2007	2008
# Plants	1618	1237	1257	1155	1052	621	529	533
% Change								
Previous Sample		23.5%	1.6%	-8.1%	-8.9%	-41.0%	-14.8%	0.8%
Initial Sample		-23.5%	-22.3%	-28.6%	-35.0%	-61.6%	-67.3%	-67.1%

Construction of the fence adjacent to RBC 20 as designed would require placing 21 posts on occupied habitat. Data collected at this site in May 2008 suggests that there is approximately 18.4 plants/meter^2 observed within the macroplot. Observation of the overall population suggests that the distribution of *Physaria congesta* is comparable or somewhat uniform across the habitat. Utilizing this assumption, each post hole will directly disturb 182.4 cm^2 with 21 posts constructed on the occupied habitat. The total area of direct disturbance will be 0.383 meters^2 equating to approximately 7 *Physaria congesta* destroyed as a result of post construction.

The project is proposed to be constructed in October 2008 after the plants have gone dormant for the pending winter. Observations of the species indicate that at least a small percentage of the individuals above ground features will desiccate and thus will have no above ground vegetative expression. This makes it desirable to complete this project in the dormancy period for the

species to further minimize destruction of individuals. To reduce trampling by workers constructing the fence BLM proposes to bore the post holes from a 4'x 8' sheet of plywood with a 6" diameter hole cut in the center. This plywood platform will be placed on the surface while working on occupied habitat. The plywood would provide a working surface upon which to operate the auger and to place the soil excavated from the post holes which would avoid burying any plants that occur within close proximity to a given post. The soil excavated would then be placed in 5 gallon buckets and transported to the bar ditch adjacent to RBC 20 for dispersal within the road right-of-way. By working from this plywood platform compaction of the soils will be greatly reduced and trampling of individual plants will be minimized. Since not all individuals of *Physaria congesta* lose their above ground features during the dormancy period there will be potential for plants to be crushed or compacted underneath the plywood platform. It is reasonable to assume an additional 10% of the plants covered by the platform will be damaged or destroyed. This will result in approximately 170 additional plants either damaged or destroyed. It is believed that working from this platform will equate to far less damage to individual plants than if the platform were not employed. Trampling and soil compaction by workers installing the posts and cable would be far greater as there would be no protection for individuals and soils excavated from the post holes would bury plants occurring within proximity of the posts. By minimizing the compaction of the soils and reducing impacts to individual plants growing within proximity to this fence, it is thought that plants would reoccupy the disturbed areas associated with construction in 3-5 years at or above population levels observed prior to implementation of the proposed action.

The northern barricade fence will be constructed approximately 150 meters north of the northern boundary of the occupied habitat on soils derived from the Uintah formation which is not suitable for *Physaria congesta*. This fence would effectively eliminate motorized vehicles utilizing the route north of the closure from traveling south onto occupied habitat. The kiosk established at the intersection of the route with RBC 122 will educate motorists of the route closure and advise them of the travel restrictions established for the protection of the plants and habitat.

Based on the monitoring data collected on May 11, 2008 from the macro plot established on this population of *Physaria congesta* the overall population size is conservatively estimated to be approximately 500,000 individuals. Based on the assumptions derived as a result of this monitoring, the proposed action will damage or destroy approximately 177 individuals equating to 0.04% of the overall population. The damage to such a small percentage of the plants as a result of implementing the proposed action is considered acceptable and necessary to ensure the conservation of the remaining population and overall habitat quality.

Large juniper branches will act to slow erosion that has begun to occur as a result of the rutting caused by using the route during saturated periods. The branches will be placed perpendicular to the ruts with sufficient ground contact to effectively trap sediment during rain storms and runoff periods and restore the runoff to a more natural overland flow. No digging should be necessary to facilitate the effective implementation of this aspect of the project thus there will be no additional disturbance to occupied habitat. In time the sediment trapped by these features will provide suitable substrate for recolonization of *Physaria congesta* and other species commonly associated with the Thirteen Mile tongue. No additional reclamation will be conducted due to

the potential for unnecessary disturbance of the habitat or destruction of additional plants. Prior to the disturbance in 2007, the route had been effectively reoccupied by *Physaria congesta* and other species native to the habitat to suggest that with the elimination of vehicular induced disturbance the route would be effectively reoccupied by the species again. Seeding is not desired due to concern that any seeded species may competitively exclude sensitive plants conversely, there is not sufficient quantities of seed from locally gathered or genetic stock of locally gathered native species to maintain the genetic integrity of the occupied habitat or the ACEC.

Environmental Consequences of the No Action Alternative: Not implementing the proposed action would continue to disregard decisions made in the White River RMP/ROD by leaving the route open for motorists. Conversely, continued degradation of the habitat will continue as motorist use the route during saturated periods. Also, not implementing the proposed action would result in the BLM not meeting its obligations under the Endangered Species Act to protect and conserve imperiled species.

Mitigation: Formal consultation has been initiated and completed for the project and the Biological Opinion (BO) was presented to BLM on 10/06/2008. The following are Conservation recommendations issued within the BO:

Section 7(a)(1) of the Act directs Federal agencies to use their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information. We recommend the following:

- Please supply the Service with the annual monitoring reports conducted. These reports should include the number, size, and condition of individual plants and populations. The reports should also include a description of any unanticipated disturbance.
- Please consider constructing a barbed wire fence to exclude this population from grazing by livestock and wild horses.

No further recommendations are necessary for this project because Service recommendations were included as a part of the proposed action through successful interagency coordination prior to initiation of formal consultation.

Given the tenuous nature of route closures within this and other BLM offices, regular monitoring will be conducted by BLM biologists and CNAP volunteers to ensure motorists respect the route closure. During increased periods of use such as hunting season additional monitoring will be conducted by BLM law enforcement and, where motorists fail to respect the closure, appropriately cite those caught not obeying the travel restriction. Should monitoring indicate ineffective closure of the route, the fencing would be extended along RBC 20 in either an east or west direction to facilitate effective route closure. At which time re-initiation of consultation with the Fish and Wildlife Service will

be conducted in accordance with Section 7 of the Endangered Species Act of 1973, as amended and 50 CFR 402.

Finding on the Public Land Health Standard for Threatened & Endangered species: This project will seek to improve the applicable land health standards for the Dudley Bluffs Bladderpod and federally threatened species by eliminating motorized travel on occupied habitat which has been demonstrated to be detrimental to the population.

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

Affected Environment: This site is located in a small tributary to Yellow Creek (Segment 13b) that is classified for Aquatic Life Warm 2, Recreation, and Agriculture. This segment is listed as not meeting Aquatic Life Warm 2 standards based on selenium from mineralization.

Environmental Consequences of the Proposed Action: The installation of the barrier fence will have limited initial disturbance and potentially avoid sustained surface disturbance by restricting off-road vehicle traffic. With proper installation, net soil production from the project should be less. The installation of this fence is not likely to mobilize selenium levels above background levels. Selenium occurs naturally and is present in many sedimentary formations; however, it is often present in elevated amounts in marine formations of Tertiary and Cretaceous age and in soils derived from these formations. This includes some of the sedimentary formations that outcrop in the Yellow Creek watershed.

Pinion-Juniper trees will be lopped and spread on the disturbance created by off-road vehicle travel. This process will reduce rain splash erosion where it occurs and will also provide some surface roughness that will slow water and sediment and create microclimates conducive to vegetation establishment. These actions should reduce erosion rates from the disturbance created by the unauthorized travel last year, the same disturbance the barrier fence is designed to restrict.

Environmental Consequences of the No Action Alternative: Impacts would likely to continue from travel of road through this site.

Mitigation: Provide for erosion-resistant surface drainage prior to fall rain or snow and leave the disturbed area in a condition that provides drainage with no additional maintenance.

Finding on the Public Land Health Standard for water quality: It is extremely unlikely that the fence construction would result in an exceedence of state water quality standards, in fact it is likely to reduce sediment and selenium loads to Yellow Creek.

CRITICAL ELEMENTS NOT PRESENT OR NOT AFFECTED: No flood plains, prime and unique farmlands, 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

Determination	Resource	Rationale for Determination*
NON CRITICAL ELEMENTS:		
PI	Soils	No fragile soils or steep slopes were identified in the 1997 RMP. This hillside is steep with poor soils and therefore makes the impacts of the unauthorized use of this road more severe.
PI	Vegetation	Refer to Vegetation impacts addressed in T/E Plant section
NI	Livestock Grazing	No impacts
NP	Wildlife, Aquatic	There are no aquatic habitats that would be potentially influenced by the proposed action.
NI	Wildlife, Terrestrial	Although the project area lies within mule deer severe winter range, the removal of < 1 acre of habitat adjacent to a well traveled county road will have no measurable influence on big game distribution nor will it detract from habitat quality. Although this project is scheduled to take place outside of big game critical use periods (January – April), activities may temporarily displace resident wildlife, as project may last up to 5 days. There is no suitable nesting substrate (i.e., woodlands or cliffs) for raptors in the vicinity of the project area.

NP = not present in the area impacted by the proposed or alternative actions
NI = present, but not affected to a degree that detailed analysis is required
PI = present with potential for impact analyzed in detail in the EA

SOILS (includes a finding on Standard 1)

Affected Environment: The proposed action includes about 1,000 feet of barrier fence with posts two feet deep and set in concrete. The majority of this lower fence will be Glendive fine sandy loam soils that are deep, well drained soils typically found along drainageways on alluvial valley floors.

Environmental Consequences of the Proposed Action: If successful, the barrier fence and the stabilization should minimize continued impacts to soils from off-road travel. The potential for localized erosion during construction is possible; however any impacts are likely to be temporary and localized.

Environmental Consequences of the No Action Alternative: Continued impacts to soils from off-road travel would likely continue to occur.

Mitigation: See the Water Quality Section

Finding on the Public Land Health Standard for upland soils: With mitigation this action is unlikely to reduce the productivity of soils impacted by surface disturbing activities on public lands and has the potential to improve the productivity of soils locally.

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
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	

CUMULATIVE IMPACTS SUMMARY: Cumulative impacts from oil and gas development were analyzed in the White River Resource Area Proposed Resource Management Plan/Final Environmental Impact Statement (PRMP/FEIS) completed in June 1996. Current development, including the proposed action, has not exceeded the cumulative impacts from the foreseeable development analyzed in the PRMP/FEIS.

REFERENCES CITED:

Bureau of Land Management, 2004. BLM manual 8110: Identifying and evaluating Cultural Resources..

Bureau of Land Management. 2008. Biological Assessment Barricade Fence and Route Closure within the Duck Creek Area of Critical Environmental Concern. White River Field Office, Bureau of Land Management, Meeker, CO. 8 pp.

Federal Register. 1990. Endangered and threatened wildlife and plants: Final Rule To Determine Lesquerella Congests (Dudley Bluffs Bladderpod) and Physaria

Obcordata (Dudley Bluffs Twinpod) To Be Threatened Species. Federal Register 55 vol. 25 4152-4157.

U.S. Fish and Wildlife Service. 2008. Dudley Bluffs Bladderpod (*Lesquerella congesta or Physaria congesta*) And Dudley Bluffs Twinpod (*Physaria obcordata*) 5-Year Review Summary and Evaluation, Western Colorado Field office, U.S. Fish and Wildlife Service, Grand Junction, Colorado. 24 pp.

PERSONS / AGENCIES CONSULTED:

U.S. Fish and Wildlife Service
Colorado Natural Areas Program
Colorado Natural Heritage Program
The Nature Conservancy

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility
Bob Lange	Hydrologist	Air Quality, Wastes (Hazardous or Solids), Water Quality (Surface and Ground), Hydrology and Water Rights, and Soils.
Ken Holsinger	Botanist	Areas of Critical Environmental Concern, Threatened and Endangered Plant Species
Michael Selle	Archeologist	Cultural Resources, Paleontological Resources
Mark Hafkenschiel	Rangeland Management Specialist	Invasive, Non-Native Species, Vegetation , Rangeland Management
Lisa Belmonte	Wildlife Biologist	Migratory Birds, Threatened, Endangered and Sensitive Animal Species, Terrestrial and Aquatic Wildlife, Wetlands and Riparian Zones
Chris Ham	Outdoor Recreation Planner	Wilderness, Access and Transportation, Recreation,
Jim Michels	Fire / Fuels Technician	Fire Management
Jim Michels	Fire / Fuels Technician	Forest Management
Paul Daggett	Mining Engineer	Geology and Minerals
Penny Brown	Realty Specialist	Realty Authorizations
Chris Ham	Outdoor Recreation Planner	Visual Resources
Melissa J. Kindall	Range Technician	Wild Horses

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

CO-110-2008-220-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 approve the proposed action with the addition of the mitigation listed below.

MITIGATION MEASURES:

1. Supply the US Fish and Wildlife Service with the annual monitoring reports conducted. These reports should include the number, size, and condition of individual plants and populations. The reports should also include a description of any unanticipated disturbance.

2. Consider constructing a barbed wire fence to exclude this population from grazing by livestock and wild horses.

3. Given the tenuous nature of route closures within this and other BLM offices, regular monitoring will be conducted by BLM biologists and CNAP volunteers to ensure motorists respect the route closure. During increased periods of use such as hunting season additional monitoring will be conducted by BLM law enforcement and, where motorists fail to respect the closure, appropriately cite those caught not obeying the travel restriction. Should monitoring indicate ineffective closure of the route, the fencing would be extended along RBC 20 in either an east or west direction to facilitate effective route closure. At which time re-initiation of consultation with the Fish and Wildlife Service will be conducted in accordance with Section 7 of the Endangered Species Act of 1973, as amended and 50 CFR 402.

4. Provide for erosion-resistant surface drainage prior to fall rain or snow and leave the disturbed area in a condition that provides drainage with no additional maintenance.

COMPLIANCE/MONITORING: As per mitigation

NAME OF PREPARER: Ken Holsinger

NAME OF ENVIRONMENTAL COORDINATOR: Caroline Hollowed

SIGNATURE OF AUTHORIZED OFFICIAL: _____
Field Manager

DATE SIGNED: 10/16/08

ATTACHMENTS: Map of the Proposed Action
Final Biological Opinion

CO-110-2008-220-EA

Legend

- T & E Plant Habitat
- Projects: line
- ACEC's
- Major roads

N

0 0.05 0.1 Miles

10/2/08