

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-110-2008-195-EA

**CASEFILE/PROJECT NUMBER:** N/A

**PROJECT NAME:** Hyberger Waterline

**LEGAL DESCRIPTION:** T 2S, R 95W Sec 13, 14

**APPLICANT:** Buckles Ranch, Chad and Eleanor Carter

**ISSUES AND CONCERNS:** None

**DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:**

***Background/Introduction:*** Currently, the allotment has four developed springs, three on public land and one on private land. Two small pit type ponds in the NW part of the allotment and an undeveloped seep in Rough Gulch have been providing water early in the grazing period.

**Proposed Action:** The proposed action is construction of 2 miles of buried waterline with 3 watering tanks to provide a dependable water source for livestock and wildlife. The pipeline will be constructed under contract and will be an extension of a well and pipeline system originating on private land at the head of Timber Gulch. The pipeline will be trenched and buried within the width of the existing two track road. The only new disturbance associated with the project will be placement of three 10' diameter stock tanks along the route. It is estimated that new earthen disturbance will not exceed 0.25 acres. All areas of earthen disturbance will be revegetated with Native Seed Mixture #2. The project would be authorized under Cooperative Agreement with the grazing permittees. Project participants include the Craig Grazing Advisory Board, BLM and the White-Yampa Habitat Partnership Committee

Native Seed Mixture #2		
Western wheatgrass (Rosanna,)	2	Deep Loam, Loamy
Indian ricegrass (Rimrock)	2	10"-14", Loamy Breaks,
Bluebunch wheatgrass (Whitmar)	2	Loamy Slopes, Rolling
Thickspike wheatgrass (Critana)	1	Loam, Mountain Loam,
Letterman needlegrass	1	Valley Bench
Utah sweetvetch*	1	
*Alternates: fourwing saltbush, American vetch, balsamroot, Globemallow		

**No Action Alternative:** The no-action alternative would entail denying the permittee's request to construct the pipeline.

**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: Livestock Grazing P 2-25

Decision Language: Rangeland improvements will be identified in activity plans. Range improvements are necessary to control livestock use and improve rangeland condition.

**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**

<b>DETERMINATION OF STAFF:</b>		
<b>Determination</b>	<b>Resource</b>	<b>Rationale for Determination*</b>
<b>CRITICAL ELEMENTS</b>		
NI	Air Quality	Disturbance will be minor.
NP	Areas of Critical Environmental Concern	There are no ACECs in the project area
NP	Cultural Resources	Class III inventory completed with negative results (Collins and Poulson 2008, Compliance Dated 7,30, 2008)

<b>DETERMINATION OF STAFF:</b>		
<b>Determination</b>	<b>Resource</b>	<b>Rationale for Determination*</b>
NP	Invasive, Non-native Species	There are no known noxious weed concerns in the project area.
NI	Migratory Birds	Installation in late summer/early fall months avoids any potential for direct disruption of nest activity
NI	Threatened, Endangered, and Sensitive Animal Species	No federally listed, proposed, or candidate animals involved. Proposed action would have no direct influence on habitat features or components important in maintaining populations or distribution of BLM sensitive animals (e.g., northern leopard frog, fringed myotis)
NP	Threatened, Endangered, and Sensitive Plant Species	There are no threatened, endangered, or BLM sensitive plant species or habitats associated with such species present with the project area.
NP	Wastes (hazardous or solid)	No hazardous or solid wastes are identified for use by this project
<b>PI</b>	Water Quality (Surface/Ground)	Including a review of the water rights in the area and for the project.
NP	Wetlands/Riparian Zones	There are no riparian zones or wetlands at the project site.
NP	Wilderness	There are no Wilderness or Wilderness Study areas in 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

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

*Affected Environment:* The proposed action would install a water line in the existing roadway in Timber Gulch that is 2 miles long and placement of 3 watering tanks.

*Environmental Consequences of the Proposed Action:* Pipeline installation will result in temporary disturbance of the surface along an existing road. If pipelines are improperly installed they may create preferential flow paths along the surface or subsurface. Due to the limited size of the trench needed and since this pipeline will be installed in existing disturbance, impacts are expected to be minor and not different than the impacts of the current two-track.

*Environmental Consequences of the No Action Alternative:* No impacts identified.

*Mitigation:* If erosion features such as riling, gullying, and/or soil piping occur along the pipeline or around the water sources are observed, erosion features will be addressed by contacting the BLM and submitting a plan to address erosion problems.

The pipeline should be installed at a sufficient depth to allow maintenance of the road including blading of the road surface, construction of wing ditches and the ability to clean out barrow ditches if this road might be improved in the future

*Finding on the Public Land Health Standard for water quality:* It is unlikely that this project would result in an exceedence of state water quality standards.

**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.

Determination	Resource	Rationale for Determination*
<b>NON CRITICAL ELEMENTS:</b>		
<b>PI</b>	Soils	The proposed action will have an impact on soils
<b>PI</b>	Vegetation	The proposed action will have an impact on vegetation
NI	Wildlife, Aquatic	The proposed action is unlikely to have any discernible influence on associated aquatic habitats (e.g., Timber Gulch)
<b>PI</b>	Wildlife, Terrestrial	See terrestrial wildlife section below.

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

*Affected Environment:* Soils in the project area are in the Irigul- Parachute complex. The Irigul soils tend to be shallow, well-drained, formed in residuum from sandstone and shale parent material. The Parachute soils are moderately deep, well drained and are formed in residuum from sandstone parent material. The corresponding ecological site for both soils is Mountain Loam.

*Environmental Consequences of the Proposed Action:* The proposed action will create a maximum of 0.25 acres of earthen disturbance. The primary impact that could occur as a result of this disturbance would be if revegetation was not to occur and cheatgrass and/or noxious weeds were to invade the site(s). With the proposed mitigation, this is unlikely to occur. The watershed and allotment long term impact on soils and their properties would be beneficial due primarily to improved patterns of livestock distribution and its consequent improvement to plant cover, productivity, and thus, soil protection.

*Environmental Consequences of the No Action Alternative:* No impacts identified.

*Mitigation:* None

*Finding on the Public Land Health Standard for upland soils:* Soils in the project area currently meet the Standard and are expected to meet or exceed the Standard following implementation of the proposed action.

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

*Affected Environment:* The proposed pipeline and stock watering tanks will be constructed in the existing two track road and at historic salt grounds. Vegetation in the project area is primarily a mixed mountain shrub plant community consisting of mountain big sagebrush and Utah serviceberry as codominant species. The herbaceous understory is fairly diverse, consisting primarily of perennial grasses and forbs.

*Environmental Consequences of the Proposed Action:* The proposed action will create some minor destruction of vegetation. This will be less than 0.25 acres. The long term impact of the project will be to enhance plant community vigor and production as a result of the more managed grazing made possible by the additional water supply/locations.

*Environmental Consequences of the No Action Alternative:* No impacts identified.

*Mitigation:* None

*Finding on the Public Land Health Standard for upland plant communities:* Plant communities in the project area currently meet the Standard on a site, watershed and landscape basis and can be expected to meet or exceed the Standard following project implementation.

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

*Affected Environment:* Big game use this allotment throughout the year, but being composed primarily of higher elevation mountain big sagebrush and Gambel oakbrush/Utah serviceberry communities at elevations ranging from 7600' up to about 8100', it's more important role is likely served during the summer through early winter months. At these times, the availability of high quality herbaceous forage, in close proximity to water and appropriate cover, is paramount.

These higher elevation mixed shrub communities, particularly because of their close association with Douglas-fir stands (as winter habitat) support extensive nest and brood-rearing use by dusky grouse. Although feasible decades ago when it is presumed that land use practices predisposed more complete continuity of sagebrush dominated habitats east of the current Magnolia subpopulation, this allotment's sagebrush communities are not known to have supported greater sage-grouse for at least 30 years.

The abundance and composition of nongame bird communities associated with this allotment's predominantly mountain shrub and mixed mountain big sagebrush communities are considered representative and complete with no obvious deficiencies in composition. Small mammal populations and distribution are poorly documented; however, the 20 or so species potentially occurring on this allotment are widely distributed throughout the State and the Great Basin or Rocky Mountain regions. Even though several species have relatively specialized habitat affiliation (i.e., riparian associates such as the western jumping mouse and long-tailed vole), all species display broad ecological tolerance and are documented from habitats ranging from

foothill to alpine sites. No narrowly distributed or highly specialized species or subspecific populations are known to occur in these allotments.

Although historic grazing use is presumed to have exerted strong reductions in the extent and quality of habitat available for species associated with herbaceous riparian growth (e.g., primarily small mammals), the allotment's potential riparian habitats are diminutive, simple, and in their current state, largely undifferentiated from surrounding uplands as nongame habitat.

*Environmental Consequences of the Proposed Action:* The proposed installation of three water tanks along this higher elevation ridge above Timber Gulch would accelerate reductions of herbaceous growth as wildlife cover and forage, most notably during the reproductive season for resident dusky grouse and small mammals, and migratory birds (June through early August). The availability of effective herbaceous cover and seed production across this ridgeline found in late August was relegated primarily to that beneath or among shrub crowns, but this situation probably offered cover and forage conditions sufficient for sustaining or effecting only minor declines in the current abundance of these groups. It is suspected that with increased intensity of livestock use near the proposed tanks, these conditions would be achieved within the first 30 to 45 days of the grazing period (coincident with the reproductive period). Breeding bird densities (and presumably small mammal populations) in shrub communities are positively correlated with herbaceous volume and height; four-fold increases in herbaceous foliage density doubled breeding bird populations in mesquite grassland in Arizona. It is reasonable to suggest that, in the short term, grazing effects in close proximity to these proposed waters would decrease breeding bird density by up to half. As a means of reducing the rate of herbaceous decline during the reproductive period, it is suggested that these tanks be placed on ridgeline situations that do not constitute saddles, thereby indirectly attenuating grazing use in preferred basin and drainage positions.

The operational details of this water system were not available, but in the absence of a rotation strategy, persistent and longer term livestock use through June and July is expected to prompt declining plant vigor and further shifts in herbaceous composition toward grazing tolerant species within about 0.25 mile of the tanks. In this situation, it is likely that, in the long term, habitat utility for these species or groups would decline. Although habitat more distant from these waters would also be subjected to more intense grazing use, but cumulative losses during June and July would not be expected to strongly influence population performance in these groups.

Conversely, with the installation of these waters, grazing influences would be expected to decline in those areas near existing waters that are impaired from heavy and persistent growing season use (i.e., low herbaceous density and vigor, and undesirable composition). It is likely that ground cover conditions in these areas severely depress reproductive and/or overwintering populations of dusky grouse, migratory bird, and small mammals. In the long term, these areas would be expected to slowly redevelop cover conditions and understory composition more conducive to the support of these groups. Providing a means to control the availability of water at these developments would be expected to hasten recovery.

In consideration of the likely balance between areas where grazing is likely to increase in intensity or duration because of new waters and those degraded areas where habitat conditions would be expected to improve, the BLM anticipates no net loss of habitat function or utility for populations of blue grouse, small mammals, and migratory birds. Certainly, the proposed project would not result in substantive population level effects that would compromise the viability or effective distribution of any species or species group.

Habitat conditions for deer and elk would not be expected to undergo substantive change under this proposal. Moderated use in degraded areas near historic waters would tend offer more favorable herbaceous forage quality and quantity over time. Increasing grazing use around new waters would reduce forage volume, but would tend to increase the availability of grass regrowth and early seral forbs that are preferred, especially by deer. Forage and water availability is not considered to be an issue with respect to elk abundance and distribution in this portion of Piceance Basin. Because of the nearby availability of water in Timber Gulch and its tributaries, it is not considered necessary to provide water in this system for big game use outside the livestock use period.

*Environmental Consequences of the No Action Alternative:* Based on similar habitats that receive little livestock use, the removal of livestock from the allotment would prompt strong understory response in terms of ground cover density and effective cover height throughout the reproductive period of resident and migratory birds and small mammals. This effect would probably be of minor population-level consequence across the majority of the allotment (i.e., those rangelands greater than 0.25 mile from water) through the reproductive seasons. Although such herbaceous response would be expected to enhance habitat utility for these wildlife groups, the long term removal of all grazing use may, conversely, have a minor negative influence on the availability of nutritious regrowth available for big game species in the later summer and fall months (i.e., preconditioning of herbaceous forage for deer).

*Mitigation:* As an aid in prompting accelerated improvement in the vigor and composition of herbaceous understories in areas influenced by historic water availability (see environmental assessment CO-WRFO-99-53-EA), it is suggested that means of control be installed on spring developments on the northern boundary of the allotment (e.g., T2S, R95W, sec. 14 NWNW, and sec 13 NWNE) to allow for increased control of livestock distribution during the growing season. Too, not only maintain overflows on these existing springs and tank systems to maintain site stability, but protective pole fences should be constructed, (sec 13 site) and relocated and reconstructed,(sec 14 site) to promote vegetation armoring of the adjacent channels or sources.

Although tank sites were not available for analysis in the proposed action, tanks should be located on ridgeline positions that do not form saddles. Tanks in these positions would help defer accelerated depletion of herbaceous ground cover in basins and saddles as preferred (i.e., higher potential for more robust herbaceous expression as forage and cover) dusky grouse and nongame bird and mammal reproductive and yearlong habitats.

On pipeline corridors that may deviate from established roads, concerted efforts should be made by the proponents to promote successful reclamation by deterring concentrated livestock use and,

particularly, subsequent vehicle travel by distributing cleared brush back onto the corridor and installing fencing sufficient to dissuade use by vehicles.

Due to the availability of perennial waters in close proximity to this project (e.g., Timber Gulch); BLM finds no reason to provide water in this system for wildlife outside the livestock use period. Therefore these tanks will be shut off October 31 of each year or whenever livestock are removed, whichever one occurs first.

*Finding on the Public Land Health Standard for plant and animal communities* (partial, see also Vegetation and Wildlife, Aquatic): Considering the habitats’ potential, depleted vigor and density of herbaceous ground cover on lands within about 0.25 mile of existing water sources cannot be considered consistent with meeting the Land Health Standards for wildlife. This project is intended to help alleviate that situation by providing alternate water sources and distributing livestock use to moderate the intensity and, perhaps, duration and timing of that use. Provided the grazing use regimen associated with these waters is consistent with the maintenance of current understory composition in areas proximal to new water sources, it is expected that this project would promote long term improvements in those degraded rangelands associated with historic waters and allow for continued meeting of the land health standard in areas influenced by new waters.

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

<b>Non-Critical Element</b>	<b>NA or Not Present</b>	<b>Applicable or Present, No Impact</b>	<b>Applicable &amp; Present and Brought Forward for Analysis</b>
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 proposed action is located in an area generally mapped as the Uinta Formation which the BLM, WRFO has classified as a PFYC 4/5 formation meaning it is known to produce fossils of scientific interest.

*Environmental Consequences of the Proposed Action:* If it should become necessary to excavate into the underlying rock formation to bury the pipeline there is a high potential to impact scientifically important fossil resources.

*Consequences of the No Action Alternative:* There would be no new impacts to fossil resources under the No Action Alternative.

*Mitigation:* 1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

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

## RANGELAND MANAGEMENT

*Affected Environment:* The proposed action is within the Hyberger allotment (06009) which is located within the eastern part of Piceance Basin and is used by Carters on a yearly basis as follows:

Livestock		Grazing Period		Percent Public Lands	AUMs
Number	Kind	Begin	End Date		
85	Cattle	6/1	9/30	100	341
85	Cattle	10/1	10/31	11	9

The lack of dependable waters sources on the western part of the allotment has resulted in a lack of forage utilization in the western half of the allotment.

*Environmental Consequences of the Proposed Action:* Completion of the pipeline project will enable livestock to make more uniform utilization of forage on the allotment and reduce livestock use and dependence on the spring's tributary to Timber Gulch on the south side.

*Environmental Consequences of the No Action Alternative:* No impacts identified.

*Mitigation:* None

**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:

Collins, Gary D., and Lorraine L. Poulson  
2008 Class III Cultural Resource Inventory of the Hyberger Water Pipeline and Tanks' Location in Rio Blanco County, Colorado. Bureau of Land Management, White River Field Office, Meeker, Colorado.

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

**PERSONS / AGENCIES CONSULTED:** Chad and Eleanor Carter, White –Yampa Habitat Partnership Committee

**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), Hydrology and Water Rights, and Soils.
Ken Holsinger	Botanist	Areas of Critical Environmental Concern, Threatened and Endangered Plant Species
Mike Selle	Archeologist	Cultural Resources, Paleontological Resources
Mark Hafkenschiel	Rangeland Management Specialist	Invasive, Non-Native Species, Vegetation , Soils, Rangeland Management, Wetlands and Riparian Zones
Ed Hollowed	Wildlife Biologist	Migratory Birds, Threatened, Endangered and Sensitive Animal Species, Terrestrial and Aquatic Wildlife
Chris Ham	Outdoor Recreation Planner	Wilderness, Access and Transportation, Recreation & Visual Resources
Jim Michels	Fire/Fuels Technician	Fire Management, Forest Management
Paul Daggett	Mining Engineer	Geology and Minerals
Linda Jones	Realty Specialist	Realty Authorizations

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

## **CO-110-2008-195-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 implementation of the mitigation measures listed below.

### **MITIGATION MEASURES:**

1. If erosion features such as riling, gulying, and/or soil piping occur along the pipeline or around the water sources are observed, erosion features will be addressed by contacting the BLM and submitting a plan to address erosion problems.
2. The pipeline should be installed at a sufficient depth to allow maintenance of the road including blading of the road surface, construction of wing ditches and the ability to clean out barrow ditches if this road might be improved in the future
3. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:
  - whether the materials appear eligible for the National Register of Historic Places
  - the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
  - a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the

required mitigation has been completed, the operator will then be allowed to resume construction.

4. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
5. As an aid in prompting accelerated improvement in the vigor and composition of herbaceous understories in areas influenced by historic water availability (see environmental assessment CO-WRFO-99-53-EA), it is suggested that means of control be installed on spring developments on the northern boundary of the allotment (e.g., T2S, R95W, sec. 14 NWNW, and sec 13 NWNE) to allow for increased control of livestock distribution during the growing season. Too, not only maintain overflows on these existing springs and tank systems to maintain site stability, but protective pole fences should be constructed, (sec 13 site) and relocated and reconstructed,(sec 14 site) to promote vegetation armoring of the adjacent channels or sources
6. Although tank sites were not available for analysis in the proposed action, tanks should be located on ridgeline positions that do not form saddles. Tanks in these positions would help defer accelerated depletion of herbaceous ground cover in basins and saddles as preferred (i.e., higher potential for more robust herbaceous expression as forage and cover) dusky grouse and nongame bird and mammal reproductive and yearlong habitats.
7. On pipeline corridors that may deviate from established roads, concerted efforts should be made by the proponents to promote successful reclamation by deterring concentrated livestock use and, particularly, subsequent vehicle travel by distributing cleared brush back onto the corridor and installing fencing sufficient to dissuade use by vehicles.
8. Due to the availability of perennial waters in close proximity to this project (e.g., Timber Gulch); BLM finds no reason to provide water in this system for wildlife outside the livestock use period. Therefore these tanks will be shut off October 31 of each year or whenever livestock are removed, whichever one occurs first.
9. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:
  - whether the materials appear eligible for the National Register of Historic Places
  - the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
  - a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to

confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

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

**COMPLIANCE/MONITORING:** Hyberger rangeland monitoring studies

**NAME OF PREPARER:** Mark Hafkenschiel 9/2/08

**NAME OF ENVIRONMENTAL COORDINATOR:** Caroline Hollowed

**SIGNATURE OF AUTHORIZED OFFICIAL:**



Field Manager

**DATE SIGNED:**

09/03/08

**ATTACHMENTS:** Map of proposed action

# Hyberger water line T2S R95W Sec 13 and Sec 14

