

U.S. Department of the Interior  
Bureau of Land Management  
Glenwood Springs Field Office  
50629 US Highway 6 & 24  
Glenwood Springs, CO 81601

## ENVIRONMENTAL ASSESSMENT

**NUMBER:** DOI-BLM-CO-N040-2009-0040-EA

**CASEFILE NUMBER:** 0507614

**PROJECT NAME:** Grazing Permit Renewals on the East Divide Common and Jackson Gulch Allotments

**LOCATION:** T6S R91W, T7S R91W– East Divide No. 08105, Jackson Gulch No. 18046 Allotments. Refer to attached allotment maps.

**APPLICANT:** Grazing Permittee

### **DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES**

**Proposed Action:** The Proposed Action is to renew term grazing permit for the above applicant. The number/kind of livestock, period of use, percent public land and Animal Unit Months (AUMS) will remain the same as the previous permit. The permit would be issued for a 10-year period. The proposed action is in accordance with 43 CFR 4130.2. The tables below summarize the scheduled grazing use and grazing preference for the permits.

#### **Scheduled Grazing Use:**

<b>Operator No.</b>	<b>Allotment Name &amp; No.</b>	<b>Livestock No. &amp; Kind</b>	<b>Period of use</b>	<b>Percent Public Land</b>	<b>AUMs</b>
0507614	Jackson Gulch No. 18046	150 Cattle	05/16 – 06/14	100	148
	East Divide No. 08105	236 Cattle	06/01 – 06/30	100	233
	East Divide No. 08105	235 Cattle	10/01 – 10/15	100	116

#### **Grazing Preference AUMS:**

<b>Operator No.</b>	<b>Allotment Name &amp; No.</b>	<b>Active</b>	<b>Suspended</b>	<b>Total</b>
0507614	East Divide No. 08105	349	208	557
	Jackson Gulch No. 18046	150	0	150

The following terms and conditions were included on the previous (expiring) permits and will be carried forward on the renewed permit:

- Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits. Maintenance shall be completed prior to turnout.
- Grazing use shall be in accordance with East Divide AMP Revision approved on 09/27/1984.
- Actual Use Statement for East Divide due no later than October 30.

**Additional Background Information:** The East Divide Allotment is under an Allotment Management Plan (AMP). The AMP specifies a grazing system in which cattle are rotated amongst six different pastures of the allotment during the spring use period. Period of use in each grazing area varies from 15 to 30 days. Lower elevation pastures (Lower Gibson, Upper Gibson, and Lower Basin) of the allotment are used first then most of the cattle are moved to higher elevation pastures (Upper Basin, Spruce Crossing, and Rhubarb) prior to moving onto the adjacent National Forest allotment. Some cattle remain in the lower pastures for the entire 30 day grazing period. The upper pastures are generally grazed from June 16 to June 30. Fall grazing occurs only in the Lower Basin, Upper Basin, Spruce Crossing and Rhubarb Pastures and is mostly trailing use from the National Forest to private land.

Other grazing permits exist on the East Divide Allotment that are not scheduled for renewal at this time. The table below summarizes the scheduled grazing use for these permits.

Operator No.	Allotment Name & No.	Livestock No. & Kind	Period of use	Percent Public Land	AUMs
0507670	East Divide No. 08105	369 Cattle	06/01 – 06/30	100	364
	East Divide No. 08105	369 Cattle	10/01 – 10/15	100	182
0507625	East Divide No. 08105	80 Cattle	06/01 – 06/30	100	79
	East Divide No. 08105	80 Cattle	10/01 – 10/15	100	39

There are no other grazing permits for the Jackson Gulch Allotment.

**ALTERNATIVES CONSIDERED BUT ELIMINATED:**

The No Grazing alternative has been eliminated from further consideration. No unresolved conflicts involving alternative use of available resources have been identified. For this reason, discontinuance of grazing use (No Grazing) will not be considered or assessed.

The No Action alternative has also been eliminated from further consideration. The No Action alternative would involve reissuing the permit/lease with current terms and conditions and no additional stipulations would be added to the permit/lease. Reissuing the permit/lease without the new stipulations would be unrealistic due to current Washington Office and Colorado State Office policies.

**PURPOSE AND NEED FOR THE ACTION:** These permits/leases are subject to renewal or transfer at the discretion of the Secretary of the Interior for a period of up to ten years. The U.S.

Bureau of Land Management has the authority to renew the livestock grazing permits/leases consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, and Glenwood Springs Field Office 's Resource Management Plan/Environmental Impact Statement. This Plan/EIS has been amended by Standards for Public Land Health in Colorado.

The renewal of the grazing permit is needed for the following reasons: (1) to meet the livestock grazing management objective of the Resource Management Plan of providing 56,885 animal unit months of livestock forage commensurate with meeting public land health standards, (2) to continue to allow livestock grazing on the specified allotment, (3) to meet the forage demands of local livestock operations, (4) to provide stability to these operations and help preserve their rural agricultural lands for open space and wildlife habitat, and (5) to allow use of native rangeland resource for conversion into protein suitable for human consumption.

**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:** Glenwood Springs Resource Management Plan.

**Date Approved:** Jan. 1984, revised 1988, amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance.

**Decision Number/Page:** The action is in conformance with Administrative Actions (pg. 5) and Livestock Grazing Management (pg. 20).

**Decision Language:** Administrative actions states, “Various types of actions will require special attention beyond the scope of this plan. Administrative actions are the day-to-day transactions required to serve the public and to provide optimal use of the resources. These actions are in conformance with the plan”. The livestock grazing management objective as amended states, “To provide 56,885 animal unit months of livestock forage commensurate with meeting public land health standards.”

### **STANDARDS FOR PUBLIC LAND HEALTH:**

The Colorado Standards for Public Land Health consist of 5 standards: upland soils, riparian systems, plant and animal communities, special status species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands.

The East Divide and Jackson Gulch Allotments are within the Divide Creek Landscape which is scheduled for a formal land health assessment in 2009. If the land health evaluation determines that one or both of these allotments are not meeting one or more of the standards and livestock grazing is a significant factor in failing to meet the standards, appropriate action to make

significant progress towards meeting the standards will be taken within one grazing season. Terms and conditions of the permit may be changed.

The impact analysis herein must address whether the proposed action would result in impacts which would improve, maintain or deteriorate land health conditions for each of the parameters found in the Standards for Public Land Health.

**COMPLIANCE WITH SECTION 302 OF FLPMA RELATIVE TO THE COMB WASH DECISION**

A review of applicable planning documents and a thoughtful consideration of new issues and new demands for the use of the public lands involved in this allotment have been made. This analysis concludes that the current land and resource uses are appropriate.

Reasons for the conclusion are: No new issues or new demands for the use of public lands involved in this grazing allotment have been identified since approval of the land use plan and amendments.

**AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**

This section provides a description of the human and natural environmental resources that could be affected by the proposed action and no action alternative. In addition, the section presents comparative analyses of the direct and indirect consequences on the affected environment stemming from the implementation of the various actions.

A variety of laws, regulations, and policy directives mandate the evaluation of the effects of a proposed action and alternative(s) on certain critical environmental elements. Not all of the critical elements that require inclusion in this EA are present, or if they are present, may not be affected by the proposed action and alternative (Table 1). Only those mandatory critical elements that are present and affected are described in the following narrative.

In addition to the mandatory critical elements, there are additional resources that would be impacted by the proposed action and alternative. These are presented under **Other Affected Resources**.

**Critical Elements**

<b>Table 1. Critical Elements of the Human Environment</b>									
<i>Critical Element</i>	<i>Present</i>		<i>Affected</i>		<i>Critical Element</i>	<i>Present</i>		<i>Affected</i>	
	Yes	No	Yes	No		Yes	No	Yes	No
Air Quality		X		X	Prime or Unique Farmlands		X		X
ACECs		X		X	Special Status Species*	X		X	
Cultural Resources	X			X	Wastes, Hazardous or Solid		X		X
Environmental Justice	X			X	Water Quality, Surface and Ground*	X		X	
Floodplains		X		X	Wetlands and Riparian Zones*	X		X	

Invasive, Non-native Species	X		X		Wild and Scenic Rivers		X		X
Migratory Birds	X		X		Wilderness/ WSAs		X		X
Native American Religious Concerns		X		X					

\* Public Land Health Standard

### Cultural Resources and Native American Religious Concerns

Affected Environment: Range permit renewals are undertakings under Section 106 of the National Historic Preservation Act. Additional range improvements (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 (GSFO #1009-12) was completed for the Porcupine Common Allotment on January 28, 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, CO-2001-026, and CO-2002-029. The results of the assessment are summarized in the table below. A copy of the cultural resource assessment is available at the GSFO office.

Allotment Number	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level	Percent (%) Allotment Inventory data 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)
E. Divide	4694	9109	34	49	yes	No additional acres need to be inventoried. 36% of the allotment has 30%+ slopes.
Jackson Gulch	570	1267	31	14	yes	No additional acres need to be inventoried. 42% of the allotment has 30%+ slopes.
Total	5264	10,376	65	63		

Sixty-one Class III cultural resource inventories have been conducted within these allotments mostly Oil and Gas driven. There is a moderate to high probability of encountering cultural resources, historic properties, or areas of Native American Concern within these allotments. Twelve historic properties have been identified. Historic properties are cultural resources that are considered eligible or potentially eligible for listing on the National Register of Historic Places. Undiscovered historic era sites within this allotment could represent a time frame from the late 1800's through the 1950's; Native American sites could represent a time range from 200 to 10,000 years before present. Based on available data, there is a moderate potential for historic properties within the allotment.

Subsequent site field visits, inventory, and periodic monitoring may have to be done to identify if additional historic properties are present within the term of the permit and as funds are made available. If the BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

At present, there is one known area of Native American concern within these allotments. On November 7, 2008 the Glenwood Springs Field Office mailed an informational letter and maps to the Ute Tribe (Northern Ute Tribe), Southern Ute Tribe, and the Ute Mountain Ute Tribes, identifying the proposed 2009 grazing permit renewals. In addition an earlier consultation letter for the then Castle Springs Geographical Area Plan for gas development which encompass part of the East Divide Allotment was sent on January 13, 2005 informing the Tribes of a possible area of Native American Concern. In that letter we told the Utes that all the historic properties, including the Area of Concern would be avoided. No formal responses have been received. However, during recent field visits with the Utes they have informed us that they wanted these types of sites protected. If new data is disclosed, new terms and conditions may have to be added to the permit to accommodate their concerns. The BLM will take no action that would adversely affect these areas or location without consultation with the appropriate Native Americans.

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

Twelve historic properties were identified during the inventories for this allotment including an Area of Native American Concern. A determination of “**Conditional No Adverse Affect**” has been made for this renewal. In order to mitigate this potential affect all ground disturbing activity and the placement of supplemental feed, etc, must be at least 100m from these sites. The cultural resource specialist should be involved in discussions for improvements, maintenance, supplemental feeding areas, etc to ensure that the historic properties are avoided.

Mitigation: New improvements or maintenance of existing range improvements, additional feeding areas, etc may require cultural resource inventories, monitoring, and/or data recovery. These allotments may also contain undiscovered historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM may require modification to development proposals to protect such properties, or disapprove any activity that is likely to result in damage to historic properties or areas of Native American concern.

Education/Discovery stipulation: The permittee and all persons specifically associated with grazing operations must be informed that any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human

remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed, moved, or disturbed. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until notified in writing to proceed by the authorized officer (36CFR800.110 & 112, 43CFR 0.4).

### **Invasive, Non-native Species**

Affected Environment: Noxious weed inventory reports reveal the East Divide grazing allotment contains the following Colorado State listed noxious weeds: Musk thistle (*Carduus nutans*), Russian knapweed (*Acroptilon repens*), tamarisk (*Tamarisk sp*), black henbane (*Hyoscyamus niger*), yellow starthistle (*Centaurea solstitialis*), whitetop (*Cardaria draba*), houndstongue (*Cynoglossum officinale*), Canada thistle (*Cirsium arvense*), spotted knapweed (*Centaurea maculosa*), common mullein (*Verbascum Thapsus*), field bindweed (*Convolvulus arvensis*), bull thistle (*Cirsium vulgare*), and common burdock (*Arctium minus*). The population density of the above listed weeds is not fully known at this time since a landscape wide noxious weed survey has not been conducted on this allotment. However, of the information collected the thistles, Russian knapweed, and houndstongue are the most prevalent noxious weed species occurring on the allotment.

Noxious weed inventory reports reveal 11 locations of Russian knapweed occurring on the Jackson Gulch livestock grazing allotment. The total number of infested sites and the existence of other Colorado State listed noxious weeds is not known at this time since a landscape wide noxious weed survey has not been conducted on the allotment.

Environmental Consequences/Mitigation: Wind, water, vehicles, animals, and people transport weeds. Weeds generally germinate and become established in areas of surface disturbing activities such as road construction and maintenance, vehicular traffic, big game and livestock grazing. Livestock grazing can contribute to the establishment and expansion of noxious weeds through various mechanisms. Improperly managed grazing, (over-grazing), can cause a decline in desirable native plant species and ground cover which provides a niche for noxious weed invasion. In addition, noxious weed seed can be transported and introduced to new areas by fecal deposition or by seed that clings to the animal's coat. Conversely, properly managed livestock grazing which does not create areas of bare ground and which maintains the vigor and health of native plant species, particularly herbaceous species, is not expected to cause a substantial increase in noxious weeds.

The proposed season-of-use and livestock numbers are designed to sustain the overall rangeland health of the allotments. By sustaining or improving rangeland health, noxious or invasive weeds would less likely become established and a reduced rate of spread would result.

### **Migratory Birds**

Affected Environment:

These two grazing allotments are comprised of a variety of different vegetative/habitat types including sagebrush, pinyon/juniper, mixed mountain shrub/oakbrush, aspen, mixed coniferous forest, and limited riparian. Given the mix and diversity of vegetation present, these allotments provide cover, forage and nesting habitat for a variety of migratory bird species. Priority species on the USFWS Birds of Conservation Concern List that may nest in the area include: flammulated owl, Williamson's sapsucker, sage sparrow, Brewer's sparrow, Virginia's warbler, pinyon jay and black-throated gray warbler. Cooper's hawks, northern goshawks, red-tailed hawks, and great-horned owls are all known to nest on and near these allotments. These and other raptors hunt and forage on these allotments as well.

#### Environmental Consequences/Mitigation:

It is unlikely that livestock grazing in these allotments as proposed would reduce the extent or quality of habitat available for migratory bird breeding functions. The proposed grazing schedule for the Jackson allotment coincides with the breeding/nesting season for those birds found on the allotment noted above. However, this allotment is only grazed for 30 days in the late spring/early summer (May 16 – June 14). The East Divide Common allotment is grazed for 30 days in the early summer (June 1 -30) and for two weeks in the fall (October 1- 15). In addition, this allotment follows a six pasture rest and rotation grazing system that limits grazing in any one area for too long. These allotments receive adequate growing season rest and plant rest and recovery periods. Monitoring data show the allotments to be in generally good condition, providing healthy and productive habitat for migratory bird species. Portions of the Jackson Gulch allotment are seeing increased natural gas activity which is resulting in direct losses of cover and forage and fragmenting some habitats. Some site-specific areas along June Creek on the East Divide Common allotment have shown higher than desired utilization levels, but pasture rotation should limit use along this and other drainages and allow for riparian vegetation recovery.

No intentional take of native bird species is anticipated under the proposed action. Grazing by cattle could result in the accidental destruction of ground nests through trampling. This impact is expected to be minimal and isolated and would not influence populations of migratory birds on a landscape level.

#### **Special Status Species (includes an analysis of Public Land Health Standard 4)**

##### Affected Environment:

According to the latest species list from the U. S. Fish and Wildlife Service (<http://mountain-prairie.fws.gov/endspp/CountyLists/COLORADO.htm>), the following Federally listed, proposed, or candidate plant and animal species may occur within or be impacted by actions occurring in Garfield County: Colorado hookless cactus (*Sclerocactus glaucus*), Ute Ladies' Tresses orchid (*Spiranthes diluvialis*), Parachute beardtongue (*Penstemon debilis*), DeBeque phacelia (*Phacelia submutica*), Canada lynx (*Lynx canadensis*), Mexican spotted owl (*Strix occidentalis*), yellow-billed cuckoo (*Coccyzus americanus*), razorback sucker (*Xyrauchen texanus*), Colorado pikeminnow (*Ptychocheilus lucius*), bonytail chub (*Gila elegans*), and humpback chub (*Gila cypha*). The U. S. Fish and Wildlife Service announced the delisting of the bald eagle in June, 2007 with an effective date of August 8, 2007. The BLM now considers the bald eagle a sensitive species.

Listed, Proposed, Candidate Species:

No suitable habitat is found on the Jackson Gulch or East Divide allotments for any of the four federally-listed, proposed or candidate plant species that occur in Garfield County. No occupied habitat is present within the vicinity that could be indirectly impacted by the proposed action.

Canada lynx habitat is located on the southern portions of the East Divide Common allotment within the highest elevations and on north-facing slopes and drainages. Some limited winter foraging and summer foraging habitat is located in the area. Vegetation in the area consists of large expanses of aspen and pockets of Douglas and sub-alpine fir and spruce.

BLM Sensitive Species:

BLM sensitive plant species with habitat and/or occurrence records in Garfield County include adobe thistle (*Cirsium perplexans*), DeBeque milkvetch (*Astragalus debequaeus*), Naturita milkvetch (*Astragalus naturitensis*), Roan Cliffs blazing star (*Mentzelia rhizomata*), Piceance bladderpod (*Lesquerella parviflora*), and Harrington's penstemon (*Penstemon harringtonii*). None of these plant species are known to occur within these allotments and no suitable habitat for these species has been identified in these allotments.

The East Divide Common allotment contains populations of northern leopard frogs along June Creek and portions of East Divide Creek within the allotment.

East Divide Creek contains bluehead suckers within the East Divide Common allotment boundary. Bluehead suckers, flannelmouth suckers, and roundtail chubs are all found in Divide Creek located 1.75 miles west of the Jackson Gulch allotment.

The East Divide Common allotment contains a known northern goshawk nest complex.

Environmental Consequences/Mitigation:

Listed, Proposed, Candidate Species:

Due to the absence of any occupied or suitable habitat within or adjacent to these allotments, the proposed action would have “**No Effect**” to any of the four listed, proposed or candidate plant species.

*Canada lynx*

The proposed action would not result in direct mortality of individual lynx and any effects to lynx would be the result of changes in ecosystem structure. It is plausible that excessive losses of forage on a large scale could result in a reduction in hiding and movement cover and directly affect lynx's ability to effectively move through the landscape but this is highly unlikely via grazing and would be more common under circumstances such as post wildfire.

Indirect impacts associated with grazing are mainly associated with competition between livestock and lynx prey species for available forage. The Canada Lynx Conservation Assessment and Strategy identified that “grazing, in conjunction with increasing elk populations, may have resulted in increased competition for forage resources with lynx prey”. In summary, livestock compete with lynx prey species (snowshoe hare, jack rabbits, cottontails, blue grouse,

voles, squirrels) for available forage. In addition, livestock can remove hiding cover important to the survival of prey species, which could ultimately result in lower prey species productivity and density.

The proposed action is to renew the permit and authorize continued livestock grazing for another 10 year period. No changes in livestock numbers, season of use, or other parameters are being proposed. Habitat assessments specific to Canada lynx and land health standard 4 have been completed for the East Divide Common allotment (2002). In summary, the lynx habitat portions of the allotment were found to be in good condition, providing suitable habitat for lynx and their prey species. Forage utilization data showed use within the lynx habitat portions of the allotment to be slight to light with the higher use concentrated in the aspen stands and not the mixed coniferous forest portions of the lynx habitat. Abundant grasses and forbs were present with good diversity and productivity in the understory. Conifer stands were relatively healthy with a few age-classes and good structural diversity. Aspen stands were in good condition but regeneration appeared limited and saplings were often found stripped of their leaves. The allotment is meeting Public Land Health Standard 4 for lynx and current grazing management is not expected to degrade lynx habitat on the allotment.

The renewal of the East Divide Common allotment **“May Affect, but is Not Likely to Adversely Affect”** the Threatened, Canada lynx. Furthermore, the proposed action would not result in the destruction or adverse modification of Fish & Wildlife Service designated critical habitat. Programmatic consultation for Canada lynx was completed on the entire grazing program as administered by the GSFO. A “May Affect, Not Likely to Adversely Affect” determination was made and concurrence was obtained from the FWS (ES/GJ-6-CO-03-F-013). Consultation specific to this allotment regarding Canada lynx and livestock grazing was also completed in 2001 and concurrence on our “May Affect, Not Likely to Adversely Affect” determination was obtained from the FWS (ES/CO:BLM MS 65412 GJ) on 12/27/2001. Reauthorization of livestock grazing for another 10 year period “May Affect, but is Not Likely to Adversely Affect” Canada lynx. While no changes to the existing permit are being proposed, and this action is simply the reauthorization of grazing for another 10 year period. However, this allotment has been addressed in the 2009 Lynx Consultation BA submitted to the USFWS with any new site specific range data information to further support our effects determination.

#### BLM Sensitive Species:

Due to the absence of any known occupied or suitable habitat for BLM sensitive plant species, the proposed action would have no impact on these species.

#### *Northern leopard frogs*

This species occurs in June Creek and East Divide Creek within the East Divide Common allotment. East Divide Creek is in good condition and sees very limited livestock use. The stream has abundant streamside vegetation with good cover of willow, cottonwoods, sedges, rushes, currant, and hawthorne. Grazing use along portions of June Creek has been higher than desired at some salt and stock pond concentration sites in the past. However, frog populations appear stable and the allotment is grazed for only 30 days in the early summer (June 1 -30) and for two weeks in the fall (October 1- 15). In addition, this allotment follows a six pasture rest and rotation grazing system that limits grazing in any one area for too long. This grazing

strategy allows for adequate growing season rest and plant rest and recovery periods. This should help to minimize potential impacts to this species.

#### *Northern goshawk*

This species is known to nest on the East Divide Common allotment. The East Divide Common allotment is grazed for only 30 days in the early summer (June 1 -30) and for two weeks in the fall (October 1- 15). In addition, this allotment follows a six pasture rest and rotation grazing system that limits grazing in any one area for too long. This allows for adequate growing season rest and plant rest and recovery periods. This should allow plenty of residual forage for potential goshawk prey species. The dense stands of aspen and pockets of mixed conifer provide good nesting habitat as well as hunting and foraging grounds. The proposed reauthorization of livestock grazing should have minimal impact to this species or its habitat.

#### *Bluehead sucker, flannelmouth sucker, roundtail chub*

Bluehead suckers are known to exist in East Divide Creek on the East Divide Common allotment. In addition, Divide Creek west of the Jackson Gulch allotment contains all three species. East Divide Creek within the allotment is in good condition and sees very limited livestock use. The stream has abundant streamside vegetation with good cover of willow, cottonwoods, sedges, rushes, currant, and hawthorne. The stream is flashy and carries a lot of sediment due to natural geology within the upper watershed. These species are well adapted to sediment and periodic influxes of sediment are important for habitat creation and maintenance. Any additional sediment would be of no concern to these fish. The Jackson Gulch allotment is only grazed for 30 days in the late spring/early summer (May 16 – June 14). The East Divide Common allotment is grazed for 30 days in the early summer (June 1 -30) and for two weeks in the fall (October 1- 15). In addition, this allotment follows a six pasture rest and rotation grazing system that limits grazing in any one area for too long. Given the grazing management in place on both allotments, reauthorization of livestock grazing should have minimal impact on these species or their habitats.

#### Analysis on the Public Land Health Standard for Special Status Species:

A formal Land Health Assessment has not been completed for this area. Based on the grazing management in place and existing allotment data, the proposed action should have little bearing on the areas ability to meet, maintain, or move towards meeting Standard 4 for Special Status Species.

#### **Water Quality, Surface & Ground (includes an analysis of Public Land Health Standard 5)**

Affected Environment: The Jackson Gulch Allotment is located south of the Town of New Castle, west of the perennials Baldy Creek and Garfield Creek, east of the perennial Divide Creek, and is within the 14,802 acre Lower Divide Creek 6<sup>th</sup> field watershed. Flowing through the northern portion of the allotment is the ephemeral Jackson Creek and through the southeast portion of the allotment is the ephemeral East Creek; both of which are tributary to Divide Creek to the west.

The East Divide Allotment is located south of the Jackson Gulch Allotment, west of the perennial West Divide Creek, east of the perennial Baldy Creek, and is essentially split in half by

the east west flowing perennial East Divide Creek. The northern portion of the allotment is within the 14,802 acre Lower Divide Creek 6<sup>th</sup> field watershed while the southern portion is within the 17,573 acre Lower East Divide Creek 6<sup>th</sup> field watershed. Within the allotment are several ephemeral tributaries to East Divide Creek that include June Creek, Tar Creek, and Corral Creek.

According to the *Stream Classifications and Water Quality Standards* (CDPHE, Water Quality Control Commission, Regulation No. 37) list, the drainages mentioned above are within the Lower Colorado River Basin segment 7b that includes the mainstem of Divide Creek, including all tributaries and wetlands, from the boundary of the White River National Forest to the confluence with the Colorado River. This segment has been classified aquatic life cold 1, recreation E, water supply, and agriculture. Aquatic life cold 1 indicates that this water course is capable of sustaining a wide variety of cold water biota. Recreation class E refers to waters in which primary contact recreation is presumed to be present. In addition, this segment is suitable or intended to become suitable for potable water supplies and agricultural purposes that include irrigation and livestock use.

The ephemeral drainages mentioned above are not currently listed on the State of Colorado's *303(d) List of Water Quality Limited Segments Requiring TMDLS* (CDPHE, Water Quality Control Commission, Regulation No. 93) or the *Monitoring and Evaluation List* (CDPHE, Water Quality Control Commission, Regulation No. 94) as waterbodies suspected to have water quality problems. In addition, no water quality data are currently available for these ephemeral drainages.

Environmental Consequences/Mitigation: Grazing activities would result in soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. In addition, the number of livestock in the area would increase the amount of feces present in close proximity to nearby drainages and could lead to stream bank trampling. The introduction of livestock feces to waterbodies often leads to water quality degradation by increasing fecal coliform bacteria levels and often leads to algal blooms which increase water temperatures. Due to the close proximity of the proposed activities to area drainages, there is potential that additional sediment associated with grazing practices as well as fecal coliform bacteria from livestock feces could reach the ephemeral drainages mentioned above. However, given the period of use and the distance from perennial drainages the potential for measureable water quality degradation is minimal.

Analysis on the Public Land Health Standard for Water Quality: The project area is within the Divide Creek Landscape Unit, which will be assessed by the Glenwood Springs Field Office in summer 2009. Based on the period of use and the distance of the allotments from perennial drainages, the proposed activities would not likely prevent Standard 5 for Water Quality from being met.

**Wetlands and Riparian Zones (includes an analysis on Standard 2)**

Affected Environment: The table below lists known riparian areas and their Proper Functioning Condition (PFC) assessment for each allotment:

Allotment	Riparian Area Name	Miles	Year Assessed	Condition Rating
East Divide Common	East Divide Creek Reach #1	0.6	1994	Proper Functioning Condition
	East Divide Creek Reach #2	0.7	1997	Functioning at Risk – Not Apparent Trend
	Clear Creek	1.5	1994	Proper Functioning Condition
	June Creek	2.6	1994	Proper Functioning Condition
	Corral Creek	0.3	1994	Proper Functioning Condition
	Spruce Crossing Gulch	1.5	1999	Functioning at Risk – Upward Trend
Jackson Gulch	No known riparian resources			

The Proper Functioning Condition assessments above did not raise or identify any issues with livestock grazing. Riparian photo points/plots were established on the East Divide Allotment in 1989 and 1990. There was an attempt to retake the photos in 2008; however, it does not appear that they were taken at the same location as the original photos. Consequently, trend is hard to interpret. There is no current monitoring, inventory or documented field observations for the affected riparian areas other than what is discussed above.

Environmental Consequences/Mitigation: The East Divide Allotment is under a grazing system in which cattle are rotated amongst six different pastures of the allotment during the late spring and early summer. Period of use in each pasture varies from 15 to 30 days. Some grazing use occurs in the fall for 15 days. There would be three months of grazing rest between these two grazing periods. The duration and period of use would allow for ample grazing rest and recovery time for riparian plant species. In consideration of this and the condition of riparian zones described in the Affected Environment, renewal of the grazing permit is not expected to cause adverse impacts to riparian zones. The condition of riparian areas would be maintained or improved. There would be no cumulative impacts.

There would be no impacts to riparian zones in the Jackson Gulch Allotment since the resource is not present.

Analysis on the Public Land Health Standard for riparian systems: The proposed action would not result in failure to achieve this standard and should maintain and/or improve land health conditions for riparian systems.

## **Other Affected Resources**

In addition to the critical elements, the resources presented in Table 2 were considered for impact analysis relative to the proposed action and no action alternative. Resources that would be affected by the proposed action and no action alternative are discussed below.

<b>Table 2. Other Resources Considered in the Analysis.</b>			
<i>Resource</i>	<i>NA or Not Present</i>	<i>Present and Not Affected</i>	<i>Present and Affected</i>
Access and Transportation		X	
Cadastral Survey	X		
Fire/Fuels Management	X		
Forest Management	X		
Geology and Minerals	X		
Law Enforcement	X		
Paleontology	X		
Noise	X		
Range Management		X	
Realty Authorizations	X		
Recreation		X	
Socio-Economics	X		
Soils*			X
Vegetation*			X
Visual Resources		X	
Wildlife, Aquatic*			X
Wildlife, Terrestrial*			X

\*Public Land Health Standard

### **Soils (includes an analysis of Public Land Health Standard 1)**

**Affected Environment:** According to the *Soil Survey of Rifle Area, Colorado: Parts of Garfield and Mesa Counties* (USDA 1985), the Jackson Gulch and East Divide Allotments contain six different soil map units that can be identified by the numerical code assigned by the soil survey. These soil map units are scattered throughout the allotments and some of them have been identified as having severe erosion hazards. In addition, many areas within the allotments are mapped as CSU 4 (Controlled Surface Use) for erosive soils on slopes greater than 30% and NSO 15 (No Surface Occupancy) for slopes greater than 50% regardless of soil type. Following is a brief description of the six soil map units found within the Jackson Gulch and East Divide Allotments.

- Bucklon-Inchau loams (12) – These soils occur on ridges and mountainsides at elevations ranging from 7,000 to 9,500 feet and on slopes of 25 to 50 percent. About 55 percent of this soil map unit is Bucklon soil and 35 percent Inchau soil. The remaining 10 percent of the soil map unit are made up of varying amounts of Cochetopa, Cimarron, and Jerry soils. The Bucklon soil is found on steep, convex areas while the Inchau soil is found on

more concave areas. The Bucklon soil is shallow, well drained and has medium surface runoff with severe erosion hazard. The Inchau soil is moderately deep, well drained and has medium surface runoff with severe erosion hazard. Primary uses for these soils include wildlife habitat and limited grazing.

- Morval loam (44) – This deep, well drained soil is found on mesas and the sides of valleys at elevations ranging from 6,500 to 8,000 feet and on slopes of 3 to 12 percent. Parent material for this soil is alluvium derived from basalt and sandstone. Surface runoff for this soil is slow and the erosion hazard is slight. Primary uses for this soil include grazing, pasture use, and hay production.
- Morval-Tridell complex (45) – This soil map unit is found on alluvial fans and the sides of mesas at elevations ranging from 6,500 to 8,000 feet and on slopes of 6 to 25 percent. The Morval soil makes up about 55 percent of the unit and is found on lower slopes while the Tridell soil makes up about 30 percent of the unit and is found on the sides of mesas. Both soils are deep, well drained and have medium surface runoff and moderate erosion hazard. The primary uses for this soil map unit include grazing and wildlife habitat.
- Torriorthents-Camborthids-Rock outcrop complex, steep (66) – This soil map unit consists of sandstone and shale bedrock and soils of variable depth occurring on slopes of 15 to 70 percent. About 45 percent of this complex is Torriorthents, 20 percent is Camborthids, and 15 percent is Rock outcrop. The Camborthids occur on the lower toe slopes on foothills and mountainsides while the Torriorthents are found on the foothills and mountainsides below the Rock outcrop. The Torriorthents are shallow to moderately deep, and clayey to loamy with gravel, cobbles, and stones. The Camborthids are shallow to deep and clayey to loamy. Rock outcrop primarily consists of Mesa Verde sandstones and Wasatch shales with occasional basaltic boulders and stones. This complex is characterized by moderate to severe erosion hazard. Primary uses for this complex include grazing, wildlife habitat, and recreation.
- Torriorthents-Rock outcrop complex, steep (67) – This complex consists of stony soils and exposed outcrops of Mesa Verde sandstone and Wasatch shale that occur on slopes of 15 to 70 percent. Approximately 60 percent of this complex is Torriorthents and 25 percent is Rock outcrop. The Torriorthents are clayey to loamy and contain gravel, cobbles, and stones; many of which are basaltic in origin. They are found on mountainsides below the Rock outcrop. Erosion hazard for this complex varies from moderate to severe. Primary uses for this complex include limited grazing, wildlife habitat, and recreation.
- Villa Grove-Zoltay loams (71) – These soils occur on mountainsides and alluvial fans at elevations ranging from 7,500 to 7,600 feet and on slopes of 15 to 30 percent. About 50 percent of this soil map unit is the Villa Grove soil and 40 percent the Zoltay soil. The remaining 10 percent of this soil map unit consists of varying amounts of Vale, Potts, and Morval soils. The Villa Grove soil is deep, well drained and has slow surface runoff with slight erosion hazard. The Zoltay soil is deep, well drained and has medium surface runoff with moderate erosion hazard. Primary uses for these soils include grazing, wildlife habitat, and irrigated pasture.

Environmental Consequences/Mitigation: As mentioned above, a high percentage of the East Divide and Jackson Gulch Allotments occur on soils with severe erosion hazards and on slopes

greater than 30% (17°). Grazing activities would result in soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. Due to the close proximity of the proposed activities to ephemeral drainages, there is potential that additional sediment associated with grazing practices could reach the ephemeral drainages mentioned in the water section above. However, given the period of use and the distance from perennial drainages the potential for measureable sediment transport and negative soil impacts is minimal.

Analysis on the Public Land Health Standard 1 for Upland Soils: The project area is within the Divide Creek Landscape Unit, which will be assessed by the Glenwood Springs Field Office in summer 2009. Based on the period of use and existing conditions, the proposed activities would not likely prevent Standard 1 for Upland Soils from being met.

### **Vegetation (includes an analysis of Public Land Health Standard 3)**

#### Affected Environment:

Jackson Gulch allotment spans two deep, ephemeral drainages, Jackson Gulch and East Gulch, and several smaller drainages. The majority of the allotment consists of moderately steep to steep slopes of pinyon-juniper woodlands with a sparse understory. Small sagebrush parks are scattered throughout the allotment on the flatter terraces at the upper elevations of the allotment and along the ephemeral drainages.

The lower elevations of the East Divide Common allotment consist of pinyon-juniper woodlands with some sagebrush parks. The middle elevations support oakbrush and other mixed mountain shrubs. Aspen woodlands with some mixed conifers are found at the highest elevations of the allotment. Approximately one-third of the allotment is steep slopes that are largely inaccessible for cattle grazing.

#### Environmental Consequences/Mitigation:

The East Divide Allotment is under a grazing system in which cattle are rotated amongst six different pastures of the allotment during the late spring and early summer (June 1- 30). Period of use in each pasture varies from 15 to 30 days. Grazing use also occurs in the fall for 15 days. There would be three months of grazing rest between these two grazing periods. The pasture rotation system should provide adequate growing season rest for plant recovery and for seed dissemination and seedling establishment. Monitoring data indicates some portions of the allotment may be receiving disproportionately greater use resulting in some reduction of vegetative vigor, diversity and cover. Other grazing permits are authorized on the East Divide Common allotment and these are contributing to the cumulative use and distribution on the allotment. If proper rotational grazing is practiced, such that use in upland areas does not exceed 50% , and a 4" minimum stubble height is maintained in riparian areas, the proposed action would not be expected to degrade vegetative conditions in this allotment.

Little monitoring data has been collected on the Jackson Gulch allotment. The data that does exist indicates that grazing use is patchy with most use occurring in the drainages and on the flat

terraces. Pinyon-juniper trees appear to be encroaching into some sagebrush parks. Noxious weeds, particularly Russian knapweed, were scattered in a few locations in the allotment, but appeared to be more prevalent on adjacent private land.

The Jackson Gulch allotment is grazed for 30 days in the late spring/early summer (May 16 - June 14). This period of use should allow for adequate growing season rest for plant recovery and for seed dissemination and seedling establishment provided that livestock are not concentrated in any location for an extended period of time. The continuation of grazing under the Proposed Action would not be expected to degrade vegetative conditions across the allotment.

Analysis on the Public Land Health Standard for Plant and Animal Communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): The Jackson Gulch and East Divide Common allotments are within the Divide Creek Landscape Unit, which will be assessed by the Glenwood Springs Field Office in summer 2009. Based on the period of use and terms and conditions of the permit, the proposed activities would not likely prevent Standard 3 for plant communities from being met.

### **Wildlife, Aquatic (includes an analysis of Public Land Health Standard 3):**

#### Affected Environment:

The East Divide Common allotment contains several major drainages including East Divide Creek, Corral Creek, June Creek, Clear Creek, Spruce Crossing Creek, Timber Creek, Dean Creek, Bear Creek, Gibson Gulch, and Tar Gulch. In addition to these named drainages the allotment contains several small unnamed ephemeral drainages. The only perennial streams in the area are East Divide Creek and possibly portions of Clear Creek and June Creek. East Divide Creek contains bluehead suckers (addressed in the TES section above), and speckled dace within the action area. Clear Creek has had rainbow trout in the past and may still contain a limited fishery. Both of these streams contain aquatic insects. The remaining drainages are all ephemeral and do not contain fish.

The Jackson Gulch allotment contains no perennial waters. The allotment is drained via ephemeral drainages the two most prominent being Jackson Gulch and East Gulch. The nearest perennial stream is Divide Creek 1.5 miles west, and Garfield Creek 1.0 mile to the northeast. Garfield Creek contains rainbow trout, creek chubs, and speckled dace. In addition to the Special Status fish addressed in the TES section above, Divide Creek contains native speckled dace.

#### Environmental Consequences/Mitigation:

Continued livestock grazing activities across each of these allotments would result in some soil compaction and displacement and increase the likelihood of erosional processes, especially on steep slopes, areas devoid of vegetation, and in concentration areas such as salting sites, stock waters, and drainage bottoms. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. Due to the close proximity of grazing to area drainages, there is potential that additional sediment associated with grazing practices could reach area drainages. Excessive

sediment can impact trout by silting in important spawning substrates or in the event eggs are present, by smothering eggs. In addition, important micro habitats such as pools needed for overwinter and oversummer thermal protection can be silted in which reduces depth and makes these habitats less usable. Aquatic insect productivity can also be reduced due to excessive sediment as the interstitial spaces between stream substrates where these insects live are covered. This can result in reduced food sources for fish and terrestrial bird and bat species. Speckled dace are very adaptable and do fine with sediment. The East Divide Creek drainage is flashy and carries a lot of sediment due to natural geology in the upper watershed. This species would not be affected by any potential increased sediment loading.

The grazing management in place provides plenty of growing season rest and plant rest and recovery periods. The Jackson Gulch allotment is only grazed for 30 days in the late spring/early summer (May 16 - June 14). The East Divide Common allotment is grazed for 30 days in the early summer (June 1 - 30) and for two weeks in the fall (October 1- 15). In addition, this allotment follows a six pasture rest and rotation grazing system that limits grazing in any one area for too long. This should help to maintain upland habitats and minimize the potential offsite movement of soils.

Analysis on the Public Land Health Standard 3 for Plant and Animal Communities (partial, see also Vegetation and Wildlife, Terrestrial): A formal Land Health Assessment has not been completed for this area. Based on the grazing management in place and existing allotment data, the proposed action should have little bearing on the areas ability to meet, maintain, or move towards meeting Standard 3 for aquatic wildlife.

### **Wildlife, Terrestrial (includes an analysis of Public Land Health Standard 3)**

#### Affected Environment:

These grazing allotments are comprised of a variety of vegetative/habitat types including sagebrush, pinyon/juniper, mixed mountain shrub, oakbrush, and some mixed coniferous forest and aspen. Given the diversity of vegetation found on this allotment, a variety of wildlife species may be found here. This allotment provides cover, forage, breeding, and nesting habitat for a variety of big game, small game, and non-game mammals, reptiles, and birds. Portions of these allotments are mapped as important big game winter habitat (CDOW 2008). In addition, the East Divide Creek Common allotment provides transitional range for big game.

#### Environmental Consequences/Mitigation:

It is unlikely that the proposed action would have any large scale negative impacts to terrestrial wildlife habitat. The Jackson Gulch allotment is only grazed for 30 days in the late spring/early summer (May 16 – June 14). The East Divide Common allotment is grazed for 30 days in the early summer (June 1 -30) and for two weeks in the fall (October 1- 15). In addition, this allotment follows a six pasture rest and rotation grazing system that limits grazing in any one area for too long. These allotments receive adequate growing season rest and plant rest and recovery periods. Monitoring data show the allotments to be in generally good condition, providing healthy and productive habitat for resident wildlife. The Jackson Gulch allotment is seeing increased natural gas activity which is resulting in some direct loss of cover and forage

and fragmenting habitat. The proposed grazing management should maintain habitat condition and provide for the forage and cover needs of resident wildlife.

Analysis on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): A formal Land Health Assessment has not been completed for this area. Based on the grazing management in place and existing allotment data, the proposed action should have little bearing on the areas ability to meet, maintain, or move towards meeting Standard 3 for terrestrial wildlife.

**SUMMARY OF CUMULATIVE IMPACTS**

No cumulative impacts have been identified.

**PERSONS AND AGENCIES CONSULTED:**

A notice of public scoping was posted on the Colorado BLM’s Internet web page and a news release was issued on November 13, 2008 regarding grazing permits and associated allotments scheduled for renewal in 2009. The public was provided an opportunity to offer any information or concerns, or to be considered as an interested public on a permit or allotment scheduled for renewal. There have been no responses received specific to the permit renewal or allotments addressed in this NEPA document. The Glenwood Springs Field Office Internet NEPA Register also lists grazing permit renewal NEPA documents that have been initiated. They are generally posted approximately one month prior to the estimated completion date.

Programmatic consultation for Canada lynx was completed on the entire grazing program as administered by the GSFO. A “May Affect, Not Likely to Adversely Affect” determination was made and concurrence was obtained from the FWS (ES/GJ-6-CO-03-F-013). Consultation specific to the East Divide Allotment regarding Canada lynx and livestock grazing was also completed in 2001 and concurrence on our “May Affect, Not Likely to Adversely Affect” determination was obtained from the FWS (ES/CO:BLM MS 65412 GJ) on 12/27/2001. This allotment has been addressed in the 2009 Lynx Consultation BA submitted to the USFWS with any new site specific range data information to further support our effects determination.

The following individuals, groups, organizations and/or local governments were also consulted:

- Grazing permittees associated with the permit renewals
- Southern Ute Tribe
- Northern Ute Tribe
- Ute Mtn. Ute Tribe

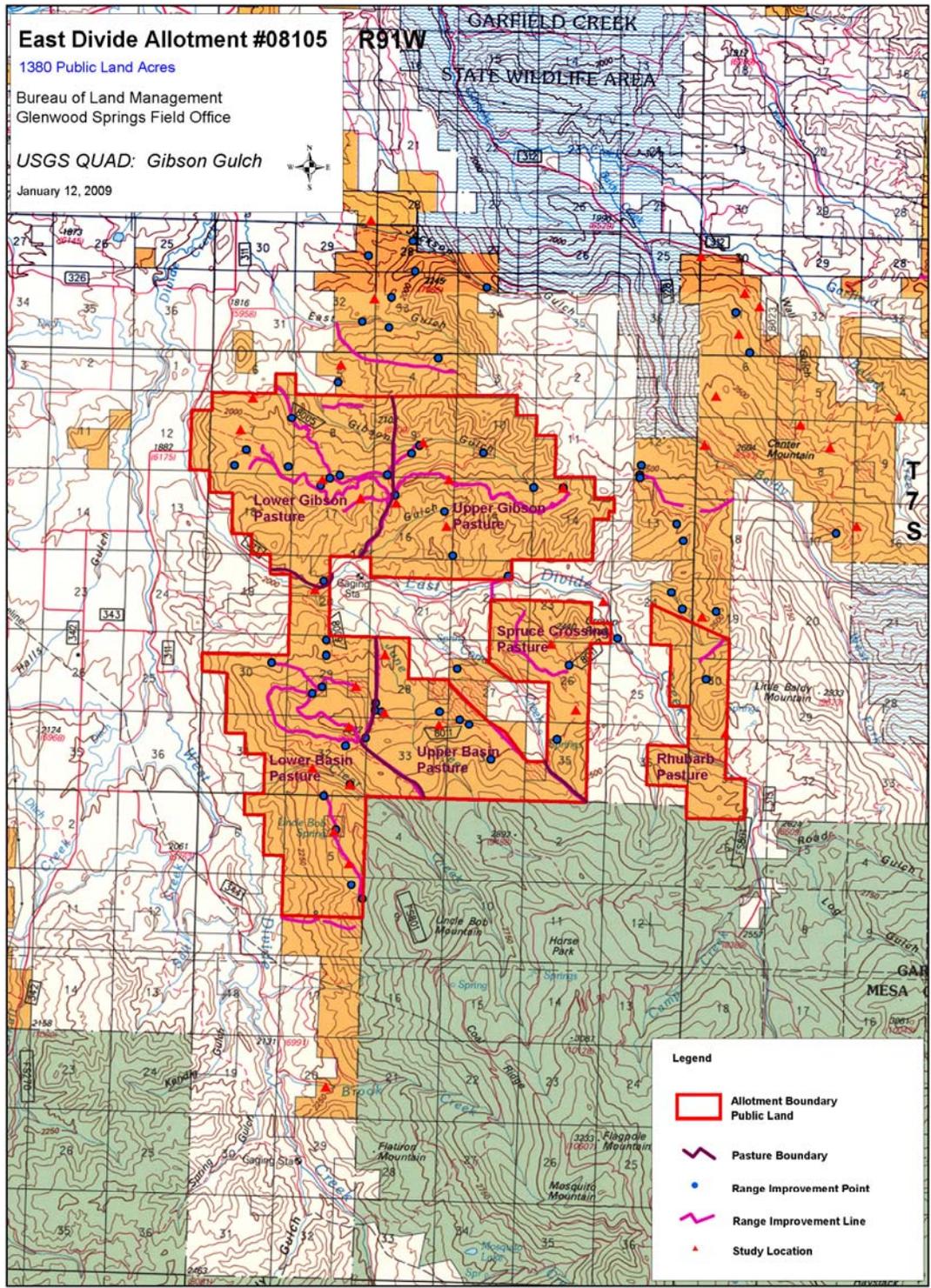
**INTERDISCIPLINARY REVIEW:**

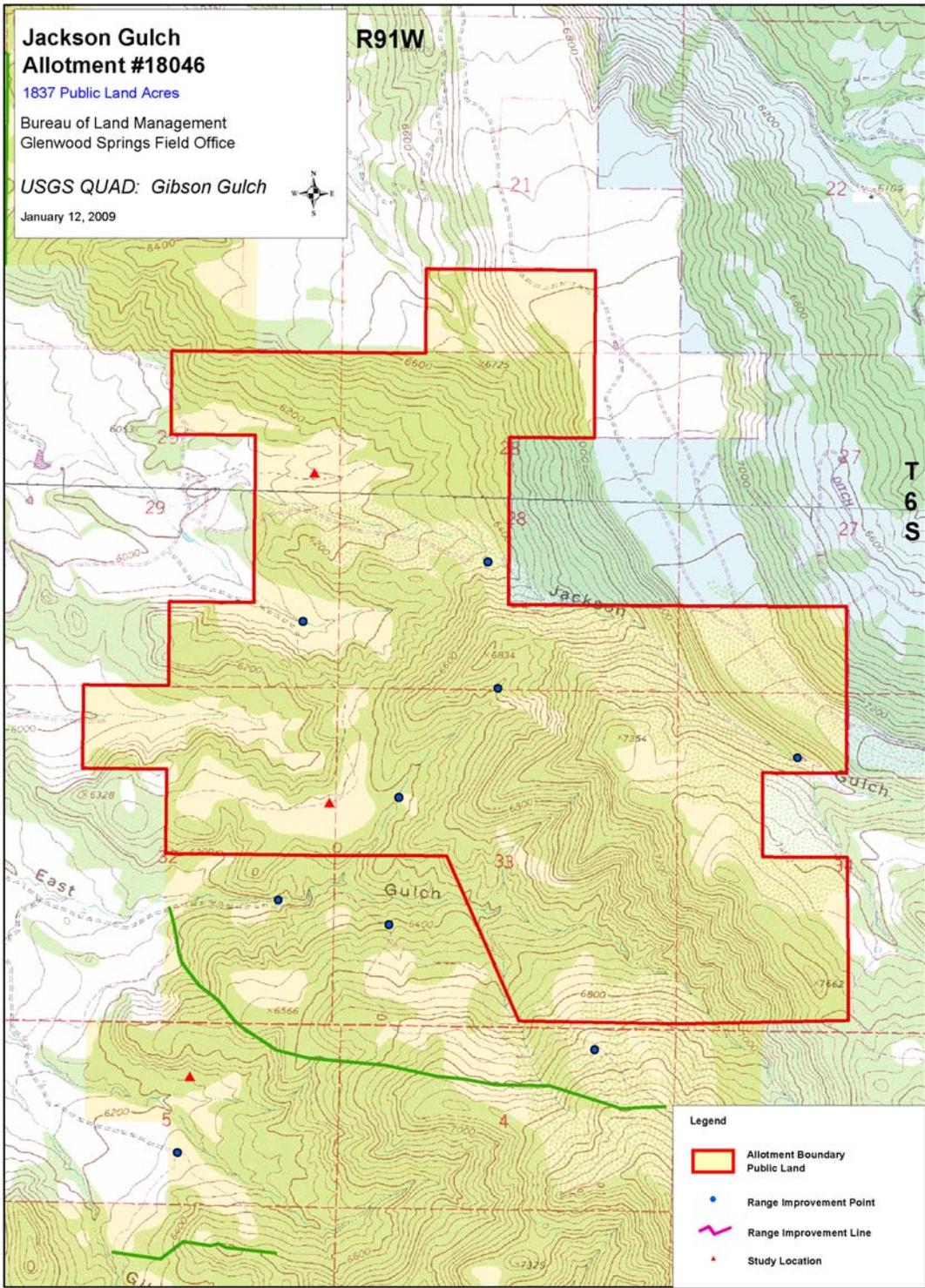
<i>Name</i>	<i>Title</i>	<i>Responsibility</i>
Michael Kinser	Rangeland Management Specialist	NEPA Lead, Wetlands and Riparian Zones, Range Management
Jeff O’Connell	Hydrologist/Geologist	Soil, Air, Water, Floodplains, Geology

Kay Hopkins	Outdoor Recreation Planner	WSR, Wilderness, VRM, Recreation, Transportation, ACECs, Wild & Scenic Rivers, WSAs
Cheryl Harrison	Archaeologist	Cultural Resources and Native American Concerns
Carla DeYoung	Ecologist	ACEC, Vegetation, T/E/S Plants, Land Health Stds
Tom Fresques	Fisheries Biologist	Aquatic Wildlife and T/E/S Aquatic Wildlife, Migratory Birds

APPENDDICES: None

ATTACHMENTS: Allotment Maps, FONSI





UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
GLENWOOD SPRINGS FIELD OFFICE  
**FINDING OF NO SIGNIFICANT IMPACT**

**Grazing Permit Renewal on the East Divide and Jackson Gulch Allotments.**

**DOI-BLM-CO140-2009-0040-EA**

**Finding of No Significant Impact**

I have reviewed the direct, indirect and cumulative effects of the proposed action documented in the EA for the grazing permit renewal on the East Divide and Jackson Gulch Allotment. The effects of the proposed action are disclosed in the Alternatives and Environmental Impacts sections of the EA. Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of the effects. Significant, as used in NEPA, requires consideration of both *context* and *intensity* as follows:

**(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long-term effects are relevant (40 CFR 1508.27):**

The disclosure of effects in the EA found the actions limited in context. The planning area is limited in size and activities limited in potential. Effects are local in nature and are not likely to significantly affect regional or national resources.

**(b) Intensity. This requirement refers to the severity of the impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).**

*1. Impacts that may be both beneficial and/or adverse.*

Impacts associated with the livestock grazing permit renewal are identified and discussed in the Environmental Impacts section of the EA. The proposed action will not have any significant beneficial or adverse impacts on the resources identified and described in the EA.

*2. The degree to which the proposed action affects health or safety.*

The proposed activities will not significantly affect public health or safety. The purpose of the proposed action is to allow for multiple uses while maintaining or improving resource conditions to meet standards for rangeland health in the allotment. Similar actions have not significantly affected public health or safety.

*3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

Unique characteristics for the allotments have been identified and addressed in the EA. These include wetlands/riparian zones and cultural resources. A determination of “Conditional No Adverse Affect” has been made for historic properties that occur in the allotments. The proposed action is not expected to cause adverse impacts to riparian zones. No other unique characteristics are known to occur in the allotments.

*4. The degree to which the effects are likely to be highly controversial.*

The analysis did not identify any effects that are highly controversial.

*5. The degree to which the effects are highly uncertain or involve unique or unknown risks.*

The possible effects on the human environment are not highly uncertain nor do they involve unique or uncertain risks. The technical analyses conducted for the determination of the impacts to the resources are supportable with use of accepted techniques, reliable data, and professional judgment. Therefore, I conclude that there are no highly uncertain, unique, or unknown risks.

*6. The degree to which the action may establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.*

This EA is specific to the East Divide and Jackson Gulch Allotments. It is not expected to set precedent for future actions with significant effects or represent a decision in principle about a future management consideration in or outside of this allotment.

*7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The analysis in the EA did not identify any related actions with cumulative significant effects.

*8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant, cultural, or historical resources.*

The proposed action is not considered to adversely affect districts, sites, highways or structures. A determination of “Conditional No Adverse Affect” has been made for historic properties that occur in the allotments.

*9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

There is no designated critical habitat for any listed Threatened or Endangered species within the project area. The EA discloses that the proposed action would is not likely to adversely affect any species listed as threatened or endangered.

*10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The proposed action does not violate or threaten to violate any Federal, State or local laws or requirements imposed for the protection of the environment.

Based upon the review of the test for significance and the environmental analyses conducted, I have determined that the actions analyzed in the EA will not significantly affect the quality of the human environment. Accordingly, I have determined that the preparation of an Environmental Impact Statement is not necessary for this proposal.

  
\_\_\_\_\_  
Authorized Official  
Glenwood Springs Field Office

2/25/2009  
Date