

**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-N040-2010-0023-EA

CASEFILE/PROJECT NUMBER:

PROJECT NAME: Scutter Gulch Pond and Fence Extension

LEGAL DESCRIPTION: T5S R92W Sec 28 NESW, Garfield County, See attached maps

APPLICANT: Grazing Permittee

DESCRIPTION OF PROPOSED ACTION, BACKGROUND AND ALTERNATIVE:

PROPOSED ACTION:

Improve about 350 ft of road into the Scutter Gulch allotment. The permittee would use a tracked dozer to level the road, remove large ruts that are creating an erosion hazard, and place water bars in the road to keep water from running down it. There will be motorized use allowed on the road for administration only. The proposed action also involves the construction of a pond to catch the water running off the road and down the drainage. The new pond would hold less than 0.2 acre feet of water and would retain water during spring run-off and summer storms. New surface disturbance for pond construction would be approximately ½ acre. The allotment boundary will be modified to exclude sensitive resource areas. A steel gate will be installed on the southern portion of the allotment to keep unauthorized users from gaining access. Also, the existing fence extending above the ridgeline in the SWSW of section 21 would be abandoned and the road blocked off with a wire gate and about 25 feet of extra fence to restrict livestock and unauthorized vehicular use.

BACKGROUND & NEED FOR PROPOSED ACTION:

Most of the proposed construction is to mitigate a sensitive cultural resource. The boundaries of the allotment will be modified as shown in the attached map. The fence above the new allotment boundary will be abandoned but not removed. Instead a wire gate will be placed across the road and about 15 feet of fence installed to prevent access around the gate. The existing fence below the new boundary will need to be maintained and the road improvements are required to complete the fence maintenance. Since the road will be improved a steel gate will be placed in the road to prevent further access into the area. The proposed pond will assist in livestock grazing management.

NO ACTION:

Do not build the new pond and continue with current management.

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; amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance; amended in June 2007 – Record of Decision for the Approval of Portions of the Roan Plateau Resource Management Plan Amendment; and amended in March 2009 - Record of Decision for the Designation of Areas of Critical Environmental Concern for the Roan Plateau Resource Management Plan.

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

Decision Language: Construct facilities such as, springs, reservoirs, fences, corrals, and livestock trails where necessary to control and distribute livestock.

Standards for Public Land Health:

In January 1997, Colorado BLM approved the Standards for Public Land Health. The five 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.

A formal land health assessment was completed for the landscape that encompasses this proposed action in 2007. The allotment is Not Meeting Standard 3. The allotment is heavily dominated by cheatgrass and galleta grass. Shrubs and cool-season grasses are almost non-existent. Indicator 16 for Invasive Plants received a departure from expected rating of “extreme-to-total”; Indicator 12 for Functional Groups was rated “moderate-to-extreme” departure. Indicator 13 for Plant Mortality/Decadence and Indicator 14 for Litter Amount received departure ratings of “moderate”. Two other indicators were rated “slight-to-moderate” departure. The allotment has been a sheep allotment for many years and is now grazed by sheep from 5/1-5/15. The team felt that the land health issues were most likely caused by historic grazing and that existing livestock grazing is NOT a substantial contributing factor in the failure to achieve the standards. Standard 3 was not achieved due to an “extreme to total” departure from what is expected for the site.

The environmental analysis herein must address whether the proposed action or alternatives being analyzed would result in impacts that would maintain, improve, or deteriorate land health conditions relative to these five standards.

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 2). 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.

Table 2. Critical Elements of the Human Environment									
<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	Threatened, Endangered, and Sensitive Species*				
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					Wilderness/ WSAs		X		X
Native American Religious Concerns		X		X					

* Public Land Health Standard

AIR QUALITY

Affected Environment: The proposed action area (Garfield County) has been described as an attainment area under CAAQS (Colorado Ambient Air Quality Standards) and NAAQS (National Ambient Air Quality Standards). An attainment area is an area where ambient air pollution amounts are determined to be below NAAQS standards. For more information on existing air quality in the area, refer to the Roan Plateau RMPA and EIS which describes potential effects from oil and gas development (BLM 2006:4-26 to 4-37).

Proposed Action:

Environmental Consequences/Mitigation: The proposed activities would result in short-term localized vehicle emissions during construction and repair operations. Additionally, there is a potential for some dust generation if these activities occur in dry conditions. These effects would be minor, of short duration, and overall would have little or no effect on air quality.

No Action Alternative:

Environmental Consequences: The no action alternative would have no effect on air quality.

CULTURAL RESOURCES

Affected Environment: Class III inventories (CRVFO#15404-2 and 15810-1) have been conducted for the road, gate and pond. No historic properties eligible for listing on the National Register of Historic Places were found. This action will help protect an historic property by restricting livestock and possible livestock damage; it would also restrict unofficial vehicular traffic and OHV damage by the placement of gates from an area of concern. These efforts would likely reduce the potential for vandalism and illicit collection to an historic property.

Environmental Consequences

Proposed Action: As no historic properties were identified within the APE for this project a determination of **No Historic Properties Affected** can be made in accordance with the National Historic Preservation Act (16U.S.C 470f), National BLM/SHPO Programmatic Agreement (1997), and Colorado Protocol (1998).

Mitigation: The Inadvertent Discovery stipulation needs to be added and all personnel need to be informed about reporting and protecting cultural resources.

No Action: Under this alternative the pond and gates would not be installed and the potential for vandalism, vehicular damage, and livestock damage to the historic property would likely remain high.

ENVIRONMENTAL JUSTICE

Affected Environment: Review of 2004 data from US Census Bureau indicates the median annual income of Garfield County averages \$50,119 and is neither an impoverished or wealthy county. Median annual income of Mesa County averages \$40,045 and is not an impoverished or wealthy county. U.S. Census Bureau data from 2006 shows the minority population of Garfield and Mesa County comprises less than 0.7 % of the total population of Colorado¹.

Garfield County	Mesa County
Median Household Income (2004)	Median Household Income (2004)
Estimate	Estimate
\$50,119	\$40,045

Environmental Consequences/Mitigation: The proposed action and alternatives are not expected to create a disproportionately high and adverse human health impact or environmental effect on minority or low-income populations within the area.

INVASIVE, NON-NATIVE SPECIES

Affected Environment:

A landscape wide inventory for the presence of noxious and invasive species has not been completed at the project area. However, cheatgrass is noted to be a major component in the vegetative community in the area. Cheatgrass is an aggressive annual grass that quickly establishes in areas of soil surface disturbance. The following list of noxious weeds is common in Garfield County and has a high chance of becoming established at the project area.

- Canada thistle Musk thistle plumeless thistle Scotch thistle
- Russian knapweed cheatgrass houndstongue

Environmental Consequences

Proposed Action:

Surface disturbing activities, like those described in the proposed action, provide a niche for noxious and invasive plant species to become established. Equipment and vehicles associated with the project could transport weed seed and reproductive vegetative plant parts to the project area.

Mitigation:

The applicant will re-establish vegetation on all areas of soil disturbance. Proper dates and the seeding mix to be used will be provided by the Glenwood Springs Field Office.

¹ Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, Census of Population and Housing, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report
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Only certified weed free seed and mulch will be used in the reestablishment of vegetation. All reseeded sites should be monitored and permit holder notified if spot reseeded is required.

The applicant is to ensure equipment involved in land disturbing actions be clean of noxious weed seeds or propagative parts prior to entry on site. When working in areas with noxious weeds, equipment should be cleaned prior to moving off site.

No Action:

Under the no action alternative the disturbance associated with the proposed action would not occur. Noxious and invasive species would continue as before.

MIGRATORY BIRDS

Affected Environment:

BLM Instruction Memorandum No. 2008-050 provides guidance toward meeting the Bureau of Land Management's (BLM) responsibilities under the Migratory Bird Treaty Act (MBTA) and the Executive Order (EO) 13186. The guidance directs Field Offices to promote the maintenance and improvement of habitat quantity and quality. To avoid, reduce or mitigate adverse impacts on the habitats of migratory bird species of conservation concern to the extent feasible, and in a manner consistent with regional or statewide bird conservation priorities.

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service (USFWS) to "identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act (ESA) of 1973." The "*BIRDS OF CONSERVATION CONCERN 2008*" (U.S. Fish and Wildlife Service 2008) is the most recent effort to carry out this mandate.

The MBTA prohibits the "take" of a protected species. Under the Act, the term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The USFWS interprets "harm" and "kill" to include loss of eggs or nestlings due to abandonment or reduced attentiveness by one or both adults as a result of disturbance by human activity, as well as physical destruction of an occupied nest.

The conservation concerns are the result of population declines - naturally or human-caused, small ranges or population sizes, threats to habitat, or other factors. Although there are general patterns that can be inferred, there is no single reason why any species was is on the list. Habitat loss is believed to be the major reason for the declines of many species. When considering potential impacts to migratory birds the impact on habitat, including: 1) the degree of fragmentation/connectivity expected from the proposed project relative to before the proposed project; and 2) the fragmentation/connectivity within and between habitat types (e.g., within nesting habitat or between nesting and feeding habitats. Continued private land development, surface disturbing actions in key

habitats (e.g. riparian areas) and the proliferation of roads, pipelines, powerlines and trails are local factors that reduce habitat quality and quantity for many species.

The Colorado River Valley Field Office (CRVFO) is within the Southern Rockies/Colorado Plateau Bird Conservation Region (BCR). The 2008 list of Birds of Conservation include the following: Gunnison Sage-Grouse (*Centrocercus minimus*), American Bittern (*Botaurus lentiginosus*), Bald Eagle (*Haliaeetus leucocephalus*), Ferruginous Hawk (*Buteo regalis*), Golden Eagle (*Aquila chrysaetos*), Peregrine Falcon (*Falco peregrines*), Prairie Falcon (*Falco mexicanus*), Snowy Plover (*Charadrius alexandrinus nivosus/tenuirostris*), Mountain Plover (*Charadrius montanus*), Long-billed Curlew (*Numenius americanus*), Yellow-billed Cuckoo (*Coccyzus americanus*), Burrowing Owl (*Athene cunicularia*), Lewis's Woodpecker (*Melanerpes lewis*), Willow Flycatcher (*Empidonax traillii*), Gray Vireo (*Vireo vicinior*), Pinyon Jay (*Gymnorhinus cyanocephalus*), Juniper Titmouse (*Baeolophus ridgwayi*), Veery (*Catharus fuscescens*), Bendire's Thrasher (*Toxostoma bendirei*), Grace's Warbler (*Dendroica graciae*), Brewer's Sparrow (*Spizella breweri*), Grasshopper Sparrow (*Ammodramus savannarum*), Chestnut-collared Longspur (*Calcarius ornatus*), Black Rosy-Finch (*Leucosticte atrata*), Brown-capped Rosy-Finch (*Leucosticte australis*), and Cassin's Finch (*Carpodacus cassinii*).

The CRVFO planning area provides both foraging and nesting habitat for a variety of migratory birds that summer, winter, or migrate through the area. The habitat diversity provided by the broad expanses of sagebrush, mixed mountain shrub, oakbrush, aspen, pinyon-juniper woodlands, other types of coniferous forests and riparian and wetland areas support many bird species. The Gray Vireo, Pinyon Jay, Juniper Titmouse, Lewis's Woodpecker and Grace's Warbler are characteristically found in pinyon/juniper woodlands. All of the P/J species are tree nesters. The sage sparrow is a ground nester that nests in sagebrush. The Brewer's sparrow (*Spizella breweri*) is also found within sagebrush habitats.

Many species of raptors (red-tailed hawks, Cooper's hawks, kestrels and owls) not on the Fish & Wildlife Service's Birds of Conservation Concern list also can be seen in the area. Golden eagles and red-tailed hawks likely forage throughout the project area. Raptor surveys have not been conducted in the area for the project however no nest sites are known to occur in such small trees. Nesting habitat for these species is present near the project area.

Bald eagle (*Haliaeetus leucocephalus*). Bald eagles are increasing in numbers throughout their range and were removed from the federal threatened and endangered species list in 2007 however bald eagles are still protected under the Migratory Bird Treaty Act. Bald eagles are known to winter along portions of the Colorado, Eagle and Roaring Fork Rivers and its major tributaries. Wintering bald eagles are generally present from mid-November to mid-April. Large mature cottonwood trees along the rivers and their major tributaries are used as roosting and perching sites, and these waterways provide the main food sources of fish and waterfowl. Upland habitats adjacent to these

waterways are used as scavenging areas primarily for winter killed animals. Major threats include habitat loss, human disturbance and illegal shooting.

The 2007 land health assessment noted that the watershed assessment area appears to be meeting the needs of migratory birds. Habitat condition is generally good, and the majority of the upland sites assessed were meeting Standard 3.

Environmental Consequences

Proposed Action:

Limited bird count or species data exists for the area however the proposed actions do have a slight potential to impact migratory bird species if they are present in the area.

Species-Level Impacts. Species require specific habitats to survive and reproduce. Meeting critical habitat needs may include ensuring perpetuation of characteristics important for breeding, producing, and rearing of young, feeding, refuge from predators, and protection from inclement environmental conditions. The project may impact individuals but would not contribute to a trend towards the loss of viability of a population or species because all BCC species would only use the project area for part of the year or part of their life cycle.

Overall, the amount of affected habitat, the relative abundance of pinjon/juniper and sagebrush habitats over the landscape reduces the chance of this project individually or cumulatively influencing populations of migratory birds on a landscape level. If similar habitat is broadly distributed regionally, then any local effects in a specific project area may be inconsequential to species viability. The conclusion is that the impacts to migratory birds would be regionally negligible and isolated and would not likely impact (e.g. species distribution, abundance, migratory/dispersal characteristics) the population at the species level for any BCC species.

Individuals. Surface disturbing projects can create long-term (e.g., destruction of habitat, fragmentation of habitat) and short-term impacts (e.g., human presence, noise, commotion) to individual birds. If the project work occurs during the nesting season additional impacts (e.g., destruction of eggs/young, nests and nesting habitat) could occur. If disturbance occurs during the nesting period the destruction of active nests could occur. Due to the small size of this project it is likely that no BCC birds would be affected and negative impacts would be negligible.

Raptors are not expected to be negatively affected as no known nests are located within 0.25 mile of project area and upland foraging habitat is plentiful in the area.

The pond would provide an additional water source and food sources for BCC species in the area.

Mitigation:

None proposed.

No Action:

Under the no action alternative, no surface-disturbing activities would be conducted. No change in habitat conditions for migratory birds would result.

NATIVE AMERICAN RELIGIOUS CONCERNS

Affected Environment: No Native American Religious Concerns were identified during the cultural inventories for this project. However, an historic property and area of concern is known in the vicinity. The Ute tribes are aware of and requested that this area be protected.

Environmental Consequences:

Proposed Action: The proposed action will reduce the potential for vandalism and unofficial traffic in the area thereby protecting this area of concern somewhat.

Mitigation: The Inadvertent Discovery stipulation needs to be added and all personnel need to be informed about reporting and protecting cultural resources.

No Action: Under this alternative the pond and gates would not be installed and the potential for vandalism, vehicular damage, and livestock damage to the historic property would likely remain high.

THREATENED, ENDANGERED, & SENSITIVE SPECIES (includes an analysis on Standard 4)

Affected Environment:

Federally Listed, Proposed or Candidate Plant Species

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 threatened or endangered plant 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*), and DeBeque phacelia (*Phacelia submutica*).

There are no known occurrences or known suitable habitat for any listed, proposed or candidate plant species within or immediately adjacent to the project area.

BLM Sensitive Plant 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*).

There are no known occurrences of any BLM sensitive plant species within the vicinity of the project area. cursory surveys were conducted within the Scutter Gulch allotment during the land health assessment fieldwork and no suitable habitat for any BLM sensitive plant species was identified.

Environmental Consequences

Proposed Action:

Federally Listed, Proposed or Candidate Plant Species

Due to the absence of any known occurrences or suitable habitat for any listed, proposed or candidate plant species, the proposed action should have “**No Effect**” on these species.

BLM Sensitive Plant Species

Due to the absence of any known occurrences or suitable habitat for any BLM Sensitive plant species within or adjacent to the project area that could be affected by the action, the proposed action would have no impact on BLM Sensitive plant species.

Mitigation:

None proposed.

No Action:

Under the no action alternative, no surface-disturbing activities would be conducted. No change in existing conditions for special status species would occur.

Analysis on the Public Land Health Standard 4 for Special Status Species Plants:

Due to the absence of any known occurrences or suitable habitat for any BLM Sensitive plant species within or adjacent to the project area that could be affected by the action, the proposed action and no action alternatives would have no impact on BLM Sensitive plant species.

Affected Environment:

Federally Listed, Proposed or Candidate Terrestrial Wildlife Species

According to the latest species list from the U. S. Fish and Wildlife Service (U.S. Fish and Wildlife Service. 2008), the following Federally listed, proposed, or candidate terrestrial wildlife species may occur within or be impacted by actions occurring within the GSFO (Table 1):

Table 1.

Terrestrial Wildlife Species	Habitat/Range	Eagle County	Garfield County	Mesa County	Pitkin County	Routt County
Black-footed Ferret (<i>Mustela nigripes</i>)	In Colorado habitat includes the eastern plains, the mountain parks and the western valleys. Specifically grasslands or shrublands that supported some species of prairie dog, the ferret’s primary prey.	X				
Canada lynx (<i>Lynx Canadensis</i>)	Mesic forests of lodgepole pine, subalpine fir, Engelmann spruce, and quaking aspen in the upper montane and subalpine zones, generally between 8,000 and 12,000 feet in elevation.	X	X	X	X	X
Mexican spotted owl (<i>Strix occidentalis lucida</i>)	Mature montane forests, shady canyons, and steep canyons. The key components in montane forests are common to old-growth forests: uneven-age stands with high canopy closure and tree density, fallen logs and snags.	X	X		X	

Terrestrial Wildlife Species	Habitat/Range	Eagle County	Garfield County	Mesa County	Pitkin County	Routt County
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	Mature riparian forests of cottonwoods and other large deciduous trees with a well-developed understory of tall riparian shrubs. Uncommon summer resident of Colorado.	X	X	X	X	X
Uncompahgre fritillary butterfly (<i>Boloria acrocnema</i>)	Patches of snow willow (<i>Salix spp.</i>) at high elevations.	X			X	

These species: their status, their distributions, habitat associations, and as appropriate their association to the project area is summarized below.

Canada Lynx (*Lynx canadensis*). Federally listed as threatened. Canada lynx (*Lynx canadensis*) was listed as a federally threatened species, effective April 24, 2000 (Federal Register Volume 65, No. 58). Canada lynx occupy high-latitude or high-elevation coniferous forests characterized by cold, snowy winters and an adequate prey base (Ruggiero et al. 1999). The preferred prey of Canada lynx throughout their range is the snowshoe hare (*Lepus americanus*). In the western United States, lynx are associated with mesic forests of lodgepole pine, subalpine fir, Engelmann spruce, and quaking aspen in the upper montane and subalpine zones, generally between 8,000 and 12,000 feet in elevation. Although snowshoe hares are the preferred prey in Colorado, lynx in also feed on other species such as the mountain cottontail (*Sylvilagus nuttallii*), pine squirrel (*Tamiasciurus hudsonicus*), and blue grouse (*Dendragapus obscurus*).

The U.S. Forest Service (USFS) has mapped suitable denning, winter, and other habitat for lynx within the White River National Forest (WRNF). The mapped suitable habitat in the WRNF comprises several areas known as Lynx Analysis Units (LAUs). Lynx analysis units (LAUs) are management areas that contain suitable lynx habitat and approximate the size of a female home range. Several LAUs border BLM lands however no areas large enough to be considered LAUs occur within the GSFO. BLM lands within the CRVFO area generally support the movement of lynx dispersing to a new area or, potentially, moving to lower elevations during severe winter weather in search of prey. No mapped habitat or mapped linkage occurs within the area of the proposed action so this species is not considered further.

Mexican Spotted Owl (*Strix occidentalis*). Federally listed as endangered. This owl nests, roosts, and hunts in mature coniferous forests in canyons and foothills. The only extant populations in Colorado are in the Pikes Peak and Wet Mountain areas of south-central Colorado and the Mesa Verde area of southwestern Colorado. Because no known occurrences have been documented and the occurrence of the species in this area is unlikely due to range and habitat conditions, this species is not considered further.

Western Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*). Candidate for Federal listing. This secretive species occurs in mature riparian forests of cottonwoods

and other large deciduous trees with a well-developed understory of tall riparian shrubs. Western cuckoos breed in large blocks of riparian habitats, particularly woodlands with cottonwoods (*Populus fremontii*) and willows (*Salix* sp.). A few sightings of yellow-billed cuckoo have occurred in western Colorado along the Colorado River near Grand Junction (USFWS 2009b). Riparian areas in the project area do not provide suitable habitat for this species due to the patchy nature of the stands and the general lack of a tall-shrub understory. Because no known occurrences have been documented and the occurrence of the species in this area is unlikely due to range and habitat conditions, this species is not considered further.

BLM Sensitive - Terrestrial Wildlife Species

According to the latest *Colorado BLM State Director's Sensitive Species List (Animals and Plants) June, 2000*, the following terrestrial wildlife species may occur within or be impacted by actions occurring within the GSFO (Table 3):

Table 2.

Name	Habitat/Range	Habitat Potential Present / Absent
Townsend's big-eared bat (<i>Corynorhinus townsendii</i>) and Fringed myotis (<i>Myotis thysanodes</i>)	Occur as scattered populations at moderate elevations on the Western Slope, along the foothills of the Front Range and the mesas of southeastern Colorado. Maximum elevation is 7,500 feet. Breeds and roosts in caves, trees, mines, and buildings; hunts over pinyon-juniper, montane conifer, and semi-desert shrubland habitats. Known occurrences - Potential in caves, mines or trees	Present in area
Northern goshawk (<i>Accipiter gentilis</i>)	Resident in foothills and mountains and occasional in migration and winter at lower elevations. Predominantly uses mature stands of aspen, and pines (ponderosa and lodgepole). Uncommon - seasonal	Absent
Goldeneye, Barrow's (<i>Bucephala islandica</i>)	Rare winter resident and spring/fall migrant in lowlands and mountains; a few breed in the northern mountains. Uncommon - seasonal	Absent
Ibis, white-faced (<i>Plegadis chihi</i>)	Inhabits wet meadows, marsh edges and reservoir shorelines. Very rare, non-breeding, summer migrant to western Colorado valleys and mountain lakes. Main breeding area is in the San Luis valley.	Absent
Greater sage grouse (<i>Centrocercus urophasianus</i>)	Resident of relatively large, open sagebrush flats or rolling sagebrush hills. Uncommon and unlikely on this parcel of land.	Absent

The following narratives address species with a habitat potential to be present in the project area.

Fringed Myotis (*Myotis thysanodes*) and Townsend's Big-eared Bat (*Plecotus townsendii*). Occur as scattered populations at moderate elevations on the Western Slope of Colorado. Habitat associations are not well defined. Both of these bats will forage over water and along the edge of vegetation (pinyon-juniper woodlands, montane conifer woodlands, semi-desert shrublands) for aerial insects. Although they commonly roost in caves, rock crevices, mines, or buildings, they also may roost in tree cavities. Both species are widely distributed and usually occur in small groups. The animals roost in

rock crevices, caves, mines, buildings and trees. Townsend’s big-eared bat is not very abundant anywhere in its range and this is attributed to patchy distribution and limited availability of suitable roosting habitat (Gruver, J.C. and D.A. Keinath 2006).

Environmental Consequences

Proposed Action:

Federally Listed, Proposed or Candidate Terrestrial Wildlife Species

No U.S. Fish & Wildlife Service designated critical habitat for any of the above terrestrial wildlife species is found within the CRVFO. No occupied habitat is present within the vicinity that could be directly or indirectly impacted by the proposed action. Due to the absence of any known occurrences, suitable habitat or landscape linkage for any listed, proposed or candidate terrestrial wildlife species, the proposed action should have “No Effect” on these species.

BLM Sensitive - Terrestrial Wildlife Species

The proposed action would have negligible and immeasurable impacts, positive and negative, on both wide-ranging species of bats. Qualitatively the pond would create would create additional foraging habitat.

Mitigation:

None proposed.

No Action:

Under the no action alternative, no surface-disturbing activities would be conducted. No change in habitat conditions would result.

Analysis on the Public Land Health Standard 4 for Special Status Terrestrial Wildlife Species: The proposed action would have negligible and immeasurable impacts, positive and negative, on land health standard 4 for terrestrial wildlife species.

Affected Environment:

Federally Listed, Proposed or Candidate Aquatic Wildlife Species

According to the latest species list from the U. S. Fish and Wildlife Service (U.S. Fish and Wildlife Service. 2008), the following Federally-listed, proposed, or candidate aquatic wildlife species may occur within or be impacted by actions occurring within the CRVFO (Table 3):

Table 3.

Aquatic Wildlife Species	Habitat/Range	Eagle County	Garfield County	Mesa County	Pitkin County	Routt County
Greenback cutthroat trout (<i>Oncorhynchus clarki stomias</i>)	Cold, clear, gravely headwater streams and mountain lakes. Originally found in the mountain and foothill areas of the Arkansas and South Platte river systems in Colorado and part of Wyoming.	X	X	X	X	X
Bonytail (<i>Gila elegans</i>)	Large, fast-flowing waterways of the Colorado River system.	X	X	X	X	X

Aquatic Wildlife Species	Habitat/Range	Eagle County	Garfield County	Mesa County	Pitkin County	Routt County
Colorado pikeminnow (<i>Ptychocheilus lucius</i>)	Swift flowing muddy rivers with quiet, warm backwaters of the Green, Yampa, White, Colorado, Gunnison, San Juan, and Dolores rivers.	X	X	X	X	X
Humpback chub (<i>Gila cypha</i>)	Deep, fast-moving, turbid waters often associated with large boulders and steep cliffs such as canyon-bound portions of the Colorado River system such as Black Rocks and Westwater canyons.	X	X	X		X
Razorback sucker (<i>Xyrauchen texanus</i>)	Deep, clear to turbid waters of large rivers and reservoirs over mud, sand or gravel. Currently low numbers in the Yampa, Colorado and Gunnison rivers. Reproducing populations remain only in the Colorado River near Grand Junction.	X	X	X	X	X

These species: their status, their distributions, habitat associations, and as appropriate their association to the project area is summarized below.

Greenback Cutthroat Trout (*Oncorhynchus clarki stomias*). Federally listed as threatened. The greenback cutthroat trout was not identified on the USFWS list for Garfield County; however, recent surveys have identified a population in Cache Creek, located several drainages east of the project area. The greenback is the subspecies of cutthroat trout native to the Platte River drainage on the Eastern Slope of Colorado, while the Colorado River cutthroat trout is the subspecies native to Garfield County and throughout the Western Slope of Colorado. Although the occurrence of greenbacks in Cache Creek and potentially elsewhere in the GSFO and WRNF areas is apparently the result of human intervention (e.g., sanctioned or *ad hoc* transplantation of fish from the Eastern Slope), its status as threatened applies to Western Slope populations. However, because drainages within the project area do not support this species, it is not considered further.

These four species of Federally listed big-river fishes occur within the Colorado River drainage basin downstream from the project area. The main factor identified as potentially affecting these fishes is the consumptive use of water from the Colorado River or its tributaries, resulting in decreased flows and adverse modification of critical habitat.

Bonytail (*G. elegans*). Federally listed as endangered. This large chub is a member of the minnow family. Their current distribution and habitat status are largely unknown due to its rapid decline prior to research into its natural history. Historically, bonytails were present in the Colorado River system, which includes the Yampa, Green, Colorado and Gunnison rivers. The bonytail is extremely rare in Colorado and no self-sustaining population exist throughout the Colorado River basin. Only one has been captured in the state since 1980. Restoration stocking of bonytail in the wild to develop adult populations is the priority recovery action in Colorado.

Colorado Pikeminnow (*Ptychocheilus lucius*). Federally listed as endangered. The Colorado pikeminnow (formerly Colorado squawfish) Colorado pikeminnow were once abundant in the main stem of the Colorado River and most of its major tributaries in Colorado, Wyoming, Utah, New Mexico, Arizona, Nevada, California and Mexico. Now, they exist primarily in the Green River below the confluence with the Yampa River, the lower Duchesne River in Utah, the Yampa River below Craig, Colo., the White River from Taylor Draw Dam near Rangely downstream to the confluence with the Green River, the Gunnison River in Colorado, and the Colorado River from Palisade, Colo., downstream to Lake Powell. Biologists believe Colorado pikeminnow populations in the upper Colorado River basin are now relatively stable and in some areas may even be growing. Designated Critical Habitat for the Colorado pikeminnow includes the Colorado River and its 100-year floodplain west (downstream) from the town of Rifle.

Humpback Chub (*Gila cypha*). Federally listed as endangered. The nearest known habitat for the humpback chub and bonytail is within the Colorado River approximately 70 miles downstream from the project area. Only one population of humpback chub, at Black Rocks west of Grand Junction, is known to exist in Colorado.

Razorback Sucker (*Xyrauchen texanus*). Federally listed as endangered. The razorback sucker was once widespread throughout most of the Colorado River Basin from Wyoming to Mexico. In the upper Colorado River Basin, they are now found only in the upper Green River in Utah, the lower Yampa River in Colorado and occasionally in the Colorado River near Grand Junction. Because so few of these fish remain in the wild, biologists have been actively raising them in hatcheries in Utah and Colorado and stocking them in the Colorado River. Designated critical habitat for the razorback sucker includes the Colorado River and its 100-year floodplain west (downstream) from the town of Rifle.

BLM Sensitive - Aquatic Wildlife Species

According to the latest *Colorado BLM State Director's Sensitive Species List (Animals and Plants) June, 2000*, the following aquatic wildlife species may occur within or be impacted by actions occurring within the GSFO (Table 4):

Table 4.

Name	Habitat	Occurrence
Northern leopard frog (<i>Rana pipiens</i>)	Wet meadows and the banks and shallows of marshes, ponds, glacial kettle ponds, beaver ponds, lakes, reservoirs, streams, and irrigation ditches.	Absent
Bluehead sucker (<i>Catostomus discobolus</i>)	Primarily larger rivers and streams but may also be found in smaller tributaries with good connectivity to larger river systems.	Absent
Flannelmouth sucker (<i>Catostomus latipinnis</i>)	Generally restricted to rivers and larger tributaries.	Absent
Mountain sucker (<i>Catostomus platyrhynchus</i>)	Small low to mid elevation streams and rivers primarily in northwestern Colorado. Within the GSFO, only known in Piceance Creek.	Absent

Name	Habitat	Occurrence
Roundtail chub (<i>Gila robusta</i>)	Generally restricted to rivers and larger tributaries.	Absent
Colorado River cutthroat trout (<i>Oncorhynchus clarkii pleuriticus</i>)	Prefers clear, cool headwaters streams with coarse substrates, well-distributed pools, stable streambanks, and abundant stream cover.	Absent

Environmental Consequences

Proposed Action:

Federally Listed, Proposed or Candidate Aquatic Wildlife Species

The project area is three miles north of the Colorado River and as such will have little to no direct effect on big river fish species or their habitat. The project area is not near an known Greenback cutthroat trout streams. Due to the absence of any known occurrences, suitable habitat for any listed, proposed or candidate aquatic wildlife species, the proposed action should have “No Effect” on any of these aquatic species

BLM Sensitive - Aquatic Wildlife Species

Due to the absence of any known occurrences, suitable habitat for any BLM sensitive aquatic wildlife species, the proposed action should not impact any of these aquatic species.

Mitigation:

None proposed.

No Action:

Under the no action alternative, no surface-disturbing activities would be conducted. No change in habitat conditions would result.

Analysis on the Public Land Health Standard 4 for Special Status Aquatic Wildlife Species: The 2007 land health assessment noted that the Colorado River located within BLM lands within the watershed appear to be meeting Standard 4 for these fish. The majority of factors negatively affecting these fishes are largely outside of the BLM’s management control (BLM 2008). The proposed action would have negligible and immeasurable impacts, positive and negative, on land health standard 4 for aquatic wildlife species.

WASTES, HAZARDOUS OR SOLID

Affected Environment: Vehicle and equipment fuel and lubricants would be present and used during repair and construction operations.

Proposed Action

Environmental Consequences/Mitigation: Fuels and lubricants would be stored in appropriate containers and refueling would occur in designated areas. Based on the

distance of the proposed activities from area drainages, the existing slope angles, and good vegetative cover; it is unlikely that fuels or lubricants would be transported to area drainages.

No Action

Environmental Consequences: Under the no action alternative there would be no fuel or lubricants present associated with vehicles and equipment.

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.

Table 2. Other Resources Considered in the Analysis.			
<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

*Land Health Standard

RANGE MANAGEMENT

Affected Environment: The Scutter Gulch allotment (#18037) consisting of 321 acres of public land is located about 5 miles northwest of Silt, CO. It is permitted for 300 sheep from 5/1 to 5/16 for a total of 16 AUMs. The allotment consists of sagebrush flats and pinyon/juniper slopes. The allotment is heavily dominated by cheatgrass and galleta grass.

Environmental Consequences/Mitigation: The construction of the proposed pond will help the grazing permittee to hold sheep on the lower portions of the allotment in the early spring. The pond will hold spring run-off from the adjacent road. Road improvements are necessary to safely administer the grazing permit. Gates on the road

will help in alleviating unnecessary traffic on the road. There will be no loss in AUMs from the adjustment of the allotment boundary. Sheep have not been using the area of the allotment that is culturally sensitive.

No Action Alternative: Maintaining the allotment in its existing condition would have no adverse or beneficial effects. The new pond would not be constructed. Some portions of the allotment that are currently unused due to lack of water or access would remain unused by livestock.

SOILS (includes a analysis on Standard 1)

Affected Environment: According to the *Soil Survey of Rifle Area, Colorado: Parts of Garfield and Mesa Counties* (USDA 1985), the Scutter Gulch Allotment contains three different soil map units that can be identified by the numerical code assigned by the soil survey. These soil map units are identified as having severe erosion hazard potential. In addition, a small percentage of this allotment is mapped as CSU 4 (Controlled Surface Use) for erosive soils on slopes greater than 30%. Following is a brief description of the three soil map units found within the allotment.

- Arvada loam (4) – This deep, well drained, sloping soil is found on fans and high terraces at elevations ranging from 5,100 to 6,200 feet and on slopes of 6 to 20 percent. This soil is derived from sandstone and shale and was formed in saline alluvium. Surface runoff for this soil is moderately rapid and erosion hazard is severe. Primary uses for this soil include wildlife habitat and limited grazing.
- Badland (9) – This soil map unit consists of steep, barren land that has been dissected by intermittent drainages. This unit occurs in soft shale, sandstone, and siltstone of the Green River, Wasatch, Mancos, and Mesa Verde Formations. This soil map is approximately 85 percent unvegetated, has very severe erosion hazard, and frequent active erosion.
- 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.

Proposed Action

Environmental Consequences/Mitigation: The proposed repair and construction activities would result in some 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. Based on the scale of the proposed activities, good vegetative cover, and the lack of perennial drainages of concern within the allotment, the potential for measureable sediment transport and negative soil impacts is minimal.

No Action Alternative

Environmental Consequences: The no action alternative would have no effect on soil resources.

Analysis on the Public Land Health Standard 1 for Upland Soils: In 2007 the BLM Glenwood Springs Field Office assessed area conditions as part of the Elk Creek Watershed Land Health Assessment. During that time, the Scutter Gulch Allotment was rated as achieving or moving towards achieving standards. The proposed action and no action alternative would not likely prevent Standard 1 from being

VEGETATION (includes an analysis on Standard 3)

Affected Environment:

The Scutter Gulch allotment occupies the footslopes on the south side of the Grand Hogback. The allotment contains several ephemeral drainages that lie in broad, open valleys. Nearly barren hillsides rise steeply from the valley floor and are topped by open mesas or ridges. The open valleys formerly supported sagebrush parks but now are heavily dominated by the noxious annual weed, cheatgrass (*Bromus tectorum*), bulbous bluegrass (*Poa bulbosa*), and galleta grass (*Pleuraphis jamesii*). Sand dropseed (*Sporobolus cryptandrus*) is present in minor amounts. Shrubs, cool-season grasses, and forbs are almost non-existent. The hillsides are dotted with Utah juniper (*Juniperus osteosperma*) and Pinyon pine (*Pinus edulis*). The mesa tops are vegetated with big sagebrush (*Artemisia tridentata*) with an understory primarily of cheatgrass.

Environmental Consequences:

Proposed Action

The construction of the proposed pond would result in the direct removal of approximately 0.5 acres of sparse Utah juniper, sagebrush and cheatgrass vegetation. The road repairs and the installation of the gate and fence extensions would remove an additional small amount of sagebrush and grass vegetation.

The ground disturbance associated with the proposed action would provide a niche for the expansion of the cheatgrass infestation in the allotment.

Mitigation

To reduce the opportunities for weeds to become established, the disturbed areas will be seeded at the appropriate time of year with a certified weed-seed free mixture of native grasses adapted to the site.

No Action

Under the No Action alternative, the proposed pond, steel gates and fence extensions would not be constructed. The road would not be repaired to allow vehicular access. Maintaining the allotment in its existing condition would have no adverse or beneficial effects on vegetation. Some portions of the allotment that are currently unused due to lack of water or access would remain unused by livestock.

Analysis on the Public Land Health Standard for Plant and Animal Communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial):

A formal land health assessment was completed on the Scutter Gulch allotment that encompasses this proposed action in 2007. The allotment was determined Not to Be Meeting Standard 3. The allotment is heavily dominated by cheatgrass and galleta grass. Shrubs, forbs and cool-season grasses are almost non-existent. The proposed action would remove approximately 0.5 acres of sparse Utah juniper, sagebrush and grass vegetation. The proposed action would also facilitate livestock grazing in a portion of the allotment that previously received little grazing use due to lack of water. These actions would have little effect on overall land health conditions and the allotment is likely to continue to fail to meet Standard 3 for healthy plant communities.

WILDLIFE AQUATIC (includes an analysis on Standard 3)

Affected Environment:

There are no perennial waters in the project area. No amphibians or fish are known to exist within the area of the proposed action.

Environmental Consequences

Proposed Action:

Since no mapped aquatic habitat occurs within the project area aquatic species would be unaffected by the proposed actions.

Mitigation:

None proposed.

No Action:

Under the no action alternative, no surface-disturbing activities would be conducted. No change in habitat conditions for aquatic wildlife species would result.

Analysis on the Public Land Health Standard for Plant and Animal Communities (partial, see also Vegetation and Wildlife, Terrestrial): The proposed action would have negligible and immeasurable impacts, positive and negative, on land health standard 3 for all aquatic wildlife species.

WILDLIFE TERRESTRIAL (includes an analysis on Standard 3)

Affected Environment:

The CRVFO supports a wide variety of terrestrial wildlife species that summer, winter, or migrate through the area. The habitat diversity provided by the broad expanses of sagebrush, mixed mountain shrub, aspen, pinyon-juniper woodlands, other types of coniferous forests, and riparian/wetland areas support many species. The current condition of wildlife habitats varies across the landscape. Some habitat is altered by power lines, pipelines, fences, public recreation

use, residential and commercial development, vegetative treatments, livestock and wild ungulate grazing, oil and gas development, and roads/trails. These factors have contributed to some degradation/fragmentation of habitat as well as causing disturbance to some species.

Reptiles. Reptile species most likely to occur include the western fence lizard (*Sceloporus undulatus*) and gopher snake (bullsnake) (*Pituophis catenifer*) in xeric shrublands or grassy clearings and the western terrestrial garter snake (*Thamnophis elegans*) along creeks. Other reptiles potentially present along creeks, although more commonly found at lower elevations than the site, are the milk snake (*Lampropeltis triangulum*) and smooth green snake (*Opheodrys vernalis*).

Birds. Passerine (perching) birds commonly found in the area include the: American robin (*Turdus migratorius*), Pinyon jay (*Gymnorhinus cyanocephalus*) western scrub-jay (*Aphelocoma californica*), and black-billed magpie (*Pica pica*). Two gallinaceous species, the wild turkey (*Meleagris gallopavo*) and the Dusty grouse (*Dendragapus obscurus*), are found here.

Birds of prey (eagles, falcons, hawks, and owls) may migrate through the area or nest in cottonwoods, conifers, or very tall oaks, while the numerous songbirds and small mammal populations provide the primary prey base. Common raptor species in the area include the: red-tailed hawk (*Buteo jamaicensis*), golden eagle (*Aquila chrysaetos*) American kestrel (*Falco sparverius*), great horned owl (*Bubo virginianus*), Cooper's hawk (*Accipiter cooperii*), and sharp-shinned hawk (*A. striatus*).

Numerous streams, rivers, reservoirs, ponds, and associated riparian vegetation provide habitat for a wide variety of waterfowl and shorebirds. Common species include: great blue herons (*Ardea Herodias*), Canada geese (*Branta canadensis*), mallards (*Anas platyrhynchos*), pintails (*A. acuta*), gadwalls (*A. strepera*), and American wigeon (*A. americana*) are common.

Mammals. Numerous small mammals reside within the planning area, including ground squirrels (*Spermophilus* spp.), chipmunks (*Neotamias* spp.), rabbits (*Sylvilagus* spp.), skunks (*Mephitis mephitis*), and raccoons (*Procyon lotor*). Many of these small mammals provide the main prey for raptors and larger carnivores. These species are most likely to occur along the drainages, near the margins of dense oakbrush, in pinyon-juniper woodland, or in the small area of aspen and spruce/fir. Larger carnivores expected to occur include the bobcat (*Lynx rufus*) and the coyote (*Canis latrans*). Black bears (*Ursus americanus*) make use of oaks and the associated chokecherries and serviceberries for cover and food, while mountain lions (*Felis concolor*) are likely to occur during seasons when mule deer (*Odocoileus hemionus*) are present.

Big Game. The mule deer (*Odocoileus hemionus*) is a recreationally important species that are common throughout suitable habitats in the region. Another recreationally important big game ungulate (hoofed animal), the Rocky Mountain elk (*Cervus elaphus nelsonii*), is also present. Mule deer and elk usually occupy higher elevations, forested habitat, during the summer and then migrate to sagebrush-dominant ridges and south-facing slopes at lower elevation in the winter.

Environmental Consequences

Proposed Action:

Reptiles. Due to the small size of this project it is likely that negative impacts to reptiles would be negligible. Reptiles in the vicinity of the project might be displaced by the ground-disturbing activities. They would likely re-establish home ranges nearby.

Birds and Mammals. Due to the small size of this project it is likely that negative impacts to birds and small mammals would be negligible. Birds and small mammals in the vicinity of the project might be displaced by the ground-disturbing activities. Birds and small mammals would benefit from the additional but temporary water source.

Mule Deer and Elk. The allotment contains CDOW mapped mule deer critical winter range. Big game would benefit from the additional, but temporary, water source and improved livestock distribution.

Mitigation:

None proposed.

No Action:

Under the no action alternative, no surface-disturbing activities would be conducted. No change in habitat conditions for terrestrial wildlife species would result.

Analysis on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): Five of the allotments visited in the 2007 land health assessment were not meeting the standard for productive, diverse wildlife habitat (Castle, Hogback, Jewell, Pretti/Roberts and Scutter Gulch). Cheatgrass was the primary contributing factor that prevented the allotments from meeting Standard 3. An abundance of weedy species reduces the value of habitat for most wildlife species (BLM 2008). The proposed action would have negligible and immeasurable impacts, positive and negative, on land health standard 3 for terrestrial wildlife species.

CUMULATIVE IMPACTS SUMMARY:

No Impacts cumulative in nature have been identified in this analysis.

MITIGATION:

1. Education/Discovery/NAGPRA Stipulation:
The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act. Non-compliance could result in fines or prison time. Non-compliance could result in fines up to \$250,000 and imprisonment of up to six years or both.
2. To reduce the opportunities for weeds to become established, the disturbed areas will be reseeded with a certified weed-seed free mixture of native grasses adapted to the site. The permittee will monitor the reservoir disturbance to detect the presence of any

noxious weeds and will be responsible for promptly controlling any noxious weeds on the Colorado State List A or B (except redstem filaree) within the area disturbed from reservoir construction. If the permittee chooses to use herbicides as the control method on public lands, a Pesticide Use Proposal shall be submitted to the BLM and approved prior to initiating any herbicide spraying.

REFERENCES:

Bureau of Land Management (BLM). 2008. Elk Creek Land Health Assessment Summary Report. Unpublished. Glenwood Springs Field Office. U.S. Department of the Interior.

Gruver, J.C. and D.A. Keinath (2006, October 25). Townsend’s Big-eared Bat (*Corynorhinus townsendii*): a technical conservation assessment. USDA Forest Service, Rocky Mountain Region. Available: <http://www.fs.fed.us/r2/projects/scp/assessments/townsendsbigearedbat.pdf>.

PERSONS/AGENCIES CONSULTED:

Grazing Permittee

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Isaac Pittman	Rangeland Management Specialist	Range, NEPA Lead
Mike Kinser	Rangeland Management Specialist	Riparian Zones
Jeff O’Connell	Hydrologist/Geologist	Soil, Air, Water, Geology
Kimberly Miller	Outdoor Recreation Planner	Wilderness, WSR, Recreation
Greg Wolfgang	Outdoor Recreation Planner	VRM, Travel
Carla DeYoung	Ecologist	ACEC, T/E/S Plants, Vegetation, Land Health Assessments
Cheryl Harrison	Archaeologist	Cultural & Native American Concerns
Brian Hopkins	Wildlife Biologist	Wildlife Terrestrial, T/E/S (Terrestrial Wildlife), Wildlife Aquatic, T/E/S (Fish)
Monte Senior	Range Management Specialist	Invasive, Non-native Species

FONSI

DOI-BLM-CO-N040-2010-0023-EA

The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. The proposed action with mitigation measures 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 RECORD

DECISION:

It is my decision to approve the proposal submitted and implemented by the grazing permittee on the Scutter Gulch allotment. This decision will facilitate livestock grazing management and help protect sensitive cultural resources.

RATIONALE:

1. The construction of the pond will allow for better control and distribution of cattle. The pond will supply water for both livestock and wildlife on BLM administered land. Fencing and gates will help protect sensitive cultural resources.
2. The environmental impacts have been mitigated with measures included in the attached Cooperative Agreement for Range Improvement.

MITIGATION MEASURES:

1. The Discovery/Education stipulation: The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act. Non-compliance could result in fines up to \$250,000 and imprisonment of up to six years or both.
2. To reduce the opportunities for weeds to become established and to reduce the opportunities for offsite sediment transport, the disturbed areas will be reseeded with a certified weed-seed free mixture of native grasses adapted to the site. The permittee will monitor the disturbance to detect the presence of any noxious weeds and will be responsible for promptly controlling any noxious weeds on the Colorado State List A or B (except redstem filaree) within the area disturbed from construction. If the permittee

chooses to use herbicides as the control method on public lands, a Pesticide Use Proposal shall be submitted to the BLM and approved prior to initiating any herbicide spraying. The operator is to ensure equipment involved in land disturbing actions be clean of noxious weed seeds or propagative parts prior to entry on site. When working in areas with noxious weeds, equipment should be cleaned prior to moving off site.

NAME OF PREPARER: Isaac Pittman, Rangeland Management Specialist

SIGNATURE OF AUTHORIZED OFFICIAL:

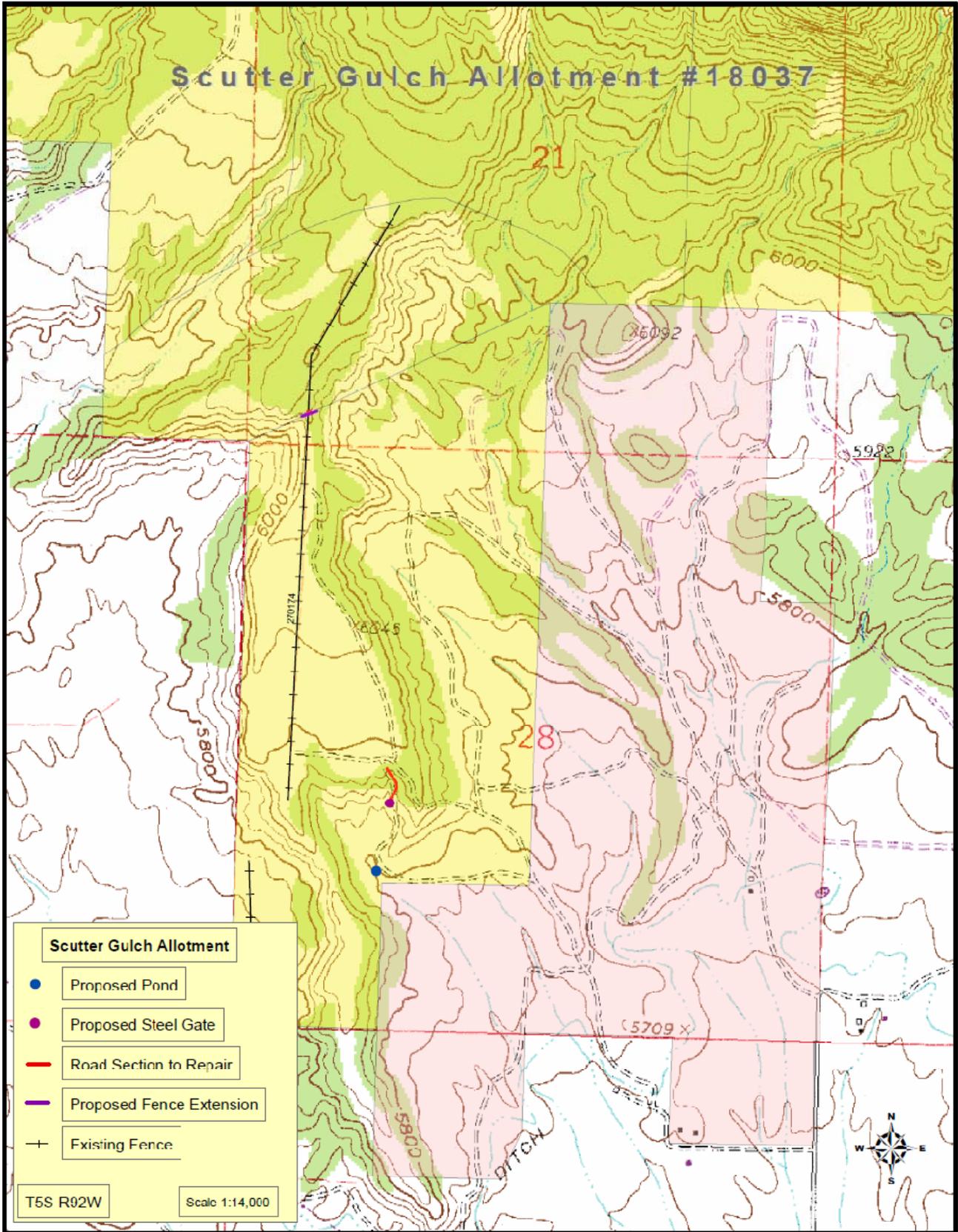

Karl Mendonca
Associate Field Manager

DATE SIGNED: 6/1/2010

APPENDIX:

1. Project Maps
2. Project Location Pictures
3. Project Specifications

Appendix 1



Appendix 2



Pond Location

Appendix 2



Section of Road to Repair

Appendix 3

02291 WORK DATA SHEET

for

SECTION 02291 - MINOR EARTH DAMS AND PITS

1. Pit depth in ft 4 to 6 ft
2. Pit length in ft (L): 10 to 15 ft
3. Pit width in ft (W): 10 to 15 ft
4. End slope: 2:1
5. Side slope: 3:1
6. Embankment shape: U
7. Distance between pit and berm (A): None
8. Dam height in ft: 5 to 8 ft
9. Crest width: 12 ft
10. Crest length: 70 to 150 ft
11. Downstream slope (D. S.): 2:1
12. Upstream slope (U. S.): 2.5:1
13. Cut spillway width: 6 to 8 ft
14. Cut spillway side slope: 1:1
15. Cut spillway depth: 2 to 3 ft
16. Natural spillway depth: 2 to 3 ft
17. Depth of cut off trench (core): 2 to 4 ft
18. Borrow area side slope: 1:1
19. Borrow area end slope: 3:

PART 1: GENERAL

1.01 SUMMARY:

- A. Section Includes: Clearing, grubbing, excavation, embankment development, and core trenching for construction of minor earth dams and water-retention pits.
- B. Related Sections: N/A

1.02 DEFINITIONS:

- A. Common Excavation: Materials to be removed from excavation, except igneous, metamorphic and sedimentary rock which cannot be excavated without blasting, will be considered common excavation. When ripping is required, the material will also be considered common excavation. Material which cannot be ripped with a rear-mounted, heavy duty, single-tooth, ripping attachment mounted on a crawler tractor having a power rating of at least 195 net flywheel hp shall be considered rock.

PART 2: PRODUCTS

2.01 MATERIALS:

- A. General: See definitions.
- B. Embankment: Excavated materials shall be placed in the embankment. Pervious materials, such as sand and gravel, shall be placed above the high water level.

PART 3: EXECUTION

3.01 PREPARATION:

- A. Clearing and Grubbing: The surface area to be covered by embankments, surface of borrow areas and cut spillways shall be thoroughly cleared and stripped of vegetative matter, brush, trees, stumps, roots, loose rocks, and other objectionable materials, including sand, gravel, silt, and debris in channels within the foundation areas.
- B. Conservation of Topsoil: Suitable material removed in conjunction with clearing, grubbing, bank sloping, and borrow area preparation shall be conserved in neat stockpiles at locations designated by the Contracting Officer.
- C. Depth of Stripping: Normal stripping depth is not expected to exceed 6 inches, although variations may be encountered. The Contractor shall conserve available topsoil.

3.02 INSTALLATION:

- A. Placement of Topsoil: After construction of the embankment and excavation areas is completed, the stockpiled topsoil shall be uniformly placed over cut and fill areas above high water line with priority to the top and upstream slopes of reservoirs, spillways, and borrow pits. Spreading of topsoil shall not be done when the ground or topsoil is frozen, or excessively wet. Topsoil shall be spread to depths as shown on the plans or designated by the Contracting Officer.
- B. Excavation: Additional excavation for the convenience of the Contractor, or due to careless operations, including the cost of backfilling, shall be at the expense of the Contractor. The Contractor shall use care not to disturb sod or vegetation in natural spillways or sodded watercourse areas below excavated spillways. Further requirements are:
1. End and side slopes of the borrow excavation shall be as shown on the Work Data Sheet. The dimensions of excavation shall be as shown on the drawings and the Work Data Sheet.
 2. Suitable materials from excavations for specified permanent construction shall be used in the embankment and shall either be placed in the embankment directly from excavation or shall be placed in temporary stockpiles and later placed in the embankment as approved by the Contracting Officer.
 3. Excavated materials which are unsuitable for, or are in excess of the requirements, for the embankment or other earthwork, as determined by the Contracting Officer, shall be deposited as waste. The material shall be placed immediately below the downstream toe of the embankment in a manner that shall not leave windrows. Compaction of such waste materials shall not be required. Costs of placing material in temporary stockpiles shall be included in the unit price for common excavation.
 4. Core trenches, where required, shall be excavated and suitable materials, as determined by the Contracting Officer, shall be placed in the embankment. Material determined not suitable shall be wasted at the downstream toe of the embankment in a manner that will not leave windrows.
- E. Embankment: The embankment shall be constructed downstream from the borrow excavation, as shown on the drawings. Embankment materials shall be free of sod, roots, brush, snow, other waste matter and rocks of a shape or size that will interfere with uniform placement of materials in layers of specified thickness. Fill materials shall not be placed when either materials, or surface on which they will be placed, are frozen or too wet for satisfactory compaction as determined by the Contracting Officer. The scarified surface shall be compacted with the first layer of earthfill. Further requirements are:
1. Materials shall be placed parallel to the axis of the embankment in even, continuous, horizontal layers not more

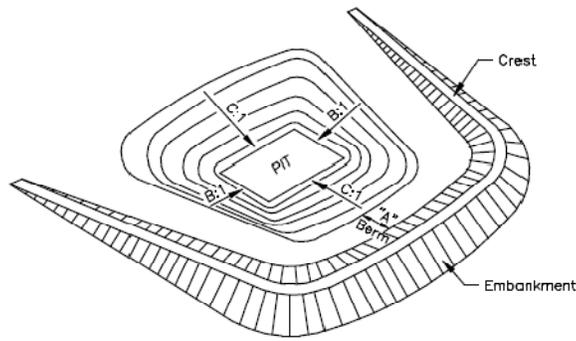
than 8 inches in thickness as deposited by scrapers. The full cross section of the fill shall be maintained as each successive layer is placed.

2. Successive loads of material shall be dumped on earthfill so as to produce an optimum distribution of material, subject to approval of the Contracting Officer. Distribution and gradation of materials throughout earthfill shall be free from lenses, pockets, streaks, or layers of material differing substantially in texture or gradation from surrounding material. Combined excavation and placement operations shall be such that materials, when compacted in the embankment, shall be blended sufficiently to secure the optimum compaction and stability.
3. Slopes of embankments shall be finished to conform to lines and grades shown on the Work Data Sheet. The top of the embankment shall be constructed level.
4. Core trenches, where required, shall be backfilled with material excavated from the pit, spillway, or borrow area, with its suitability determined by the Contracting Officer.

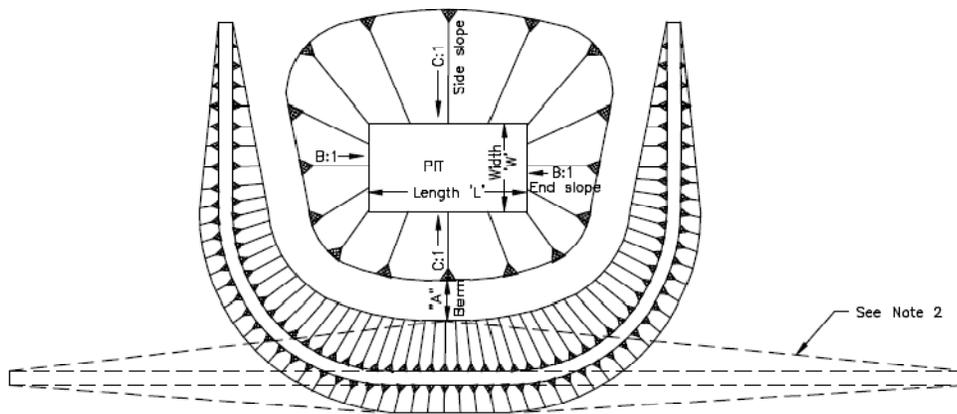
3.03 FIELD QUALITY CONTROL:

- A. Core Trenches: During backfill operations, the Contractor shall operate hauling equipment evenly over the full width of the excavated core trench to obtain maximum compaction.
- B. Embankment: The Contractor shall route hauling equipment over the layers of embankment material already in place, and shall distribute travel evenly over the entire width of the embankment to obtain maximum compaction while placing material. Overcompaction shall be avoided along hauling route.

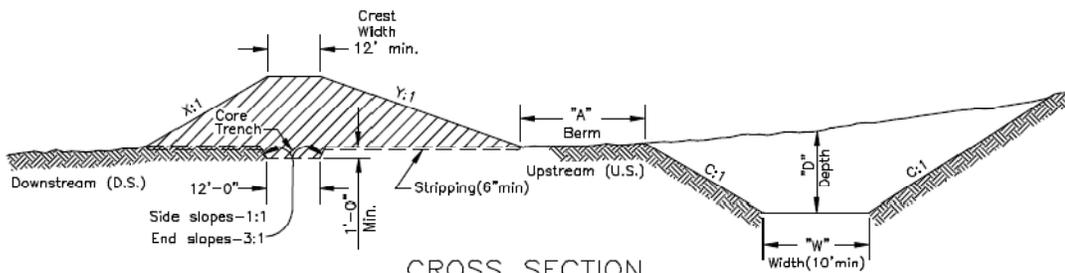
END OF SECTION



PERSPECTIVE VIEW



PLAN



CROSS SECTION

NOTES:

1. Pit and embankment slopes and dimensions shall be as shown on the Work Data Sheet or as staked.
2. Embankment may be "U", "L", "I", or straight line shape. Construct as indicated in specifications or as staked.

ALWAYS THINK SAFETY

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT DIVISION OF TECHNICAL SERVICES SERVICE CENTER	
TYPICAL WATER RETENTION PIT	
DESIGNED	by others
REVIEWED	
APPROVED	
DRAWN	SCALE NONE
DATE AUGUST 5, 1990	SHEET OF
DRAWING NO. 02291-1	

