United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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ENVIRONMENTAL ASSESSMENT

1. Introduction

NUMBER: **DOI-BLM-CO-040-2012-0062 EA**

CASEFILE NUMBER: COC69054 Amendment 1

PROJECT NAME: Eagle County Regional Trail System Phase II

LOCATION: Eagle County

LEGAL DESCRIPTIONS: T5S 86W Section 1,2,3 and 4

APPLICANT: Eagle County Government

BACKGROUND:

ECO Trails was created in 1996 following the passage of a half-percent sales tax to finance mass transportation improvements in Eagle County. The ECO Trails program develops, promotes and cooperatively maintains the Eagle valley regional trails system of urban, paved, multi-use, non-motorized trails. A program goal of ECO Trails is to assist or lead in the construction of an East-to-West Core Trail to connect Vail Pass Trail to Glenwood Canyon Trail (http://www.eaglecounty.us/ecoTrails/whatwedo.cfm).

The vision for the Eagle valley regional trails system is to connect the communities of the Eagle River and Gore Creek Valleys. The Plan is focused on the Interstate 70 and Highway 24 corridors. The primary aim is the creation of a core trail, the Eagle Valley Trail, that will span the county from Vail Pass at the east end to Glenwood Canyon at the west end. Links to other existing and planned public trails, paved and unpaved, within the Eagle River and Colorado River valleys are envisioned. (http://www.eaglecounty.us/ecoTrails/).

PURPOSE AND NEED FOR ACTION:

BLM is responding to a right-of-way application from Eagle County for the proposed trail. The trail ROW would enhance the regional network of pedestrian trails in the Eagle valley. The completion of this particular trail section will help connect Dotsero, CO to Gypsum, CO and the rest of the core trail system.

SCOPING AND PUBLIC INVOLVEMENT AND ISSUES:

This action was scoped internally with the NEPA Interdisciplinary Team on 5/2/2012. Issues raised during the internal scoping are itemized in table 3-1 and analyzed in Section 3 Affected Environment and Environmental Consequences.

2. Proposed Action and Alternatives Analyzed in Detail

DESCRIPTION OF PROPOSED ACTION

The proposed action is to issue a right-of-way to Eagle County, Colorado, to construct, operate, maintain, and terminate a public access trail. The surface width would be six feet, consisting of compacted earth/gravel, with adjacent sloping and drainage as needed to maintain the trail surface within a 20' width right-of-way. The trail's "soft-surface" will be paved at a later date.

The trail crosses three different BLM sections. The first section of the trail would travel approximately 1300' west from the BLM Horse Pasture entrance road, and would be a continuation of the existing developed trail that currently comes west from Gypsum. The second section consists of approximately 1000' in the right-of-way of Highway 6. The last section is the Dotsero lava flow section that starts at the east end and travels approximately 650' to the west side of BLM land in the Highway 6 right-of-way. Most of the proposed trail right-of-way would be within and coordinated with the existing Colorado Department of Transportation Hwy 6 right-of-way.

Details of the proposed action are located in the attached draft right-of-way, map, and stipulations. In addition, the submitted engineering design plans specify details of the trail construction methods and best management practices to ensure proper implementation and resource protection.

The proposed trail route appears to build on existing successful Eagle County trail planning, generally following an existing CDOT frontage road, and no alternative routes are analyzed in this Environmental Assessment.

Temporary staging for construction is also requested in the Horse Pasture parking lot. It will be restored to its original condition if any damage occurs.

DESCRIPTION OF NO ACTION ALTERNATIVE

The "No Action" alternative would be denial of the proposed right-of-way.

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 & 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; amended in August 2006 – Roan Plateau Planning Area Including Naval Oil Shale Reserves Numbers 1 & 3 Resource Management Plan Amendment & Environmental Impact Statement.

Decision Number/Page: Page 41, Utility and Communication Facility Management.

Decision Language: To respond, in a timely manner, to requests for utility and communication facility authorizations on public land while considering environmental, social, economic, and interagency concerns.

STANDARDS FOR PUBLIC LAND HEALTH

In January 1997, Colorado Bureau of Land Management (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.

The lands affected by the proposed action were the subject of a Land Health Assessment in 2003. The North Eagle Report and Determination Document, signed on April 9, 2004, determined that this portion of the landscape was meeting all the Standards except Standard 4 (Threatened and Endangered, Special Status Species) for sage grouse habitat. The proposed action would not occur in mapped greater sage-grouse habitat.

The impact analysis addresses whether the proposed action or any alternatives being analyzed would result in impacts that would maintain, improve, or deteriorate land health conditions for each of the five standards. These analyses are located in the program-specific analysis in this document.

3. Affected Environment & Environmental Consequences

DIRECT AND INDIRECT EFFECTS, MITIGATION MEASURES

This section provides a description of the human and natural environmental resources that could be affected by the proposed action and alternatives. 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 environmental elements. Not all programs, resources or uses are present in the area, or if they are present, may not be affected by the proposed action and alternatives (Table 3-1). Only those elements that are present and potentially affected are described and brought forth for detailed analysis.

Table 3-1. Programs, Resources, and Uses (Including Supplemental Authorities)	***Potentially Affected?***	
	Yes	**No**
Access and Transportation		X
Air Quality		X
Areas of Critical Environmental Concern		X
Cadastral Survey		X
Cultural Resources	X	
Native American Religious Concerns	X	
Environmental Justice		X
Farmlands, Prime or Unique		X
Fire/Fuels Management		X
Floodplains		X
Forests		X
Geology and Minerals		X
Law Enforcement		X
Livestock Grazing Management		X
Noise		X
Paleontology		X
Plants: Invasive, Non-native Species (Noxious Weeds)	X	
Plants: Sensitive, Threatened, or Endangered Species	X	
Plants: Vegetation	X	
Realty Authorizations		X
Recreation	X	

Social and/or Economics		X
Soils	X	
Visual Resources		X
Wastes, Hazardous or Solid		X
Water Quality, Surface and Ground		X
Water Rights		X
Wetlands and Riparian Zones		X
Wild and Scenic Rivers		X
Wilderness/WSAs/Wilderness Characteristics		X
Wildlife: Aquatic / Fisheries	X	
Wildlife: Migratory Birds	X	
Wildlife: Sensitive, Threatened, and Endangered Species	X	
Wildlife: Terrestrial	X	

Cultural Resources

Affected Environment:

Proposed Action

A records search of the general project area, and a Class III inventory of the Area of Potential Effect (APE), as defined in the National Historic Preservation Act (NHPA), was completed by a Colorado BLM permitted cultural resource contracting firm (CRVFO CRIR 1012-22). Conditions of the existing cultural environment are incorporated by this reference but the following briefly summarizes cultural resources in the APE. Two previous inventories have been conducted within the APE resulting in five cultural resource sites. Four of the five sites are historic features with associated historic trash scatter. Two (5EA.52 and 5EA.67) are eligible, one (5EA.271) is potentially eligible, and one (5EA.1597) is not eligible for the Nation Register of Historic Places (NRHP). Site 5EA.128 is a prehistoric open architectural site that is eligible for the NEHP. A complete Class III inventory was completed for the portion of this project within the BLM CRVFO management area and totals 1.8 acres. Two historic isolated finds (5EA.2935 and 5EA.2936) were identified during inventory and are not eligible for the NRHP. The project inventory and evaluation is in compliance with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

No Action Alternative

Under this alternative, there will be no direct or indirect impacts to cultural resources from project implementation because no related surface disturbing activities will occur.

Environmental Consequences/Mitigation:

The "Lava Section" of the proposed trail has the potential to effect cultural resources so it is recommended to move the trail north to stay near the frontage road. Based on the findings from previous and current project inventory this project will not have direct or indirect impacts from

implementation if design criteria are followed. Based on the findings **Standard stipulations** also include:

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.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361).Non-compliance could result in fines up to $500,000 and imprisonment of up to six years or both.

Native American Religious Concerns

Affected Environment:

Proposed Action

American Indian religious concerns are legislatively considered under several acts and Executive Orders, namely the American Indian Religious Freedom Act of 1978 (PL 95-341), the Native American Graves Environmental Assessment Protection and Repatriation Act of 1990 (PL 101-601), and Executive Order 13007 (1996; Indian Sacred Sites). In summary, these require, in concert with other provisions such as those found in the NHPA and ARPA, that the federal government carefully and proactively take into consideration traditional and religious Native American culture and life and ensure, to the degree possible, that access to sacred sites, the treatment of human remains, the possession of sacred items, the conduct of traditional religious practices, and the preservation of important cultural properties are considered and not unduly infringed upon. In some cases, these concerns are directly related to "historic properties" and "archaeological resources". In some cases elements of the landscape without archaeological or other human material remains may be involved. Identification of these concerns is normally completed during the land use planning efforts, reference to existing studies, or via direct consultation. The Ute have a generalized concept of spiritual significance that is not easily transferred to Euro-American models or definitions. As such the BLM recognizes that they have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. No traditional cultural properties, natural resources, or properties of a type previously identified as being of interest to local tribes, were found during the cultural resources inventory of the project area or identified by consultation. There is no other known evidence that suggests that the project area holds special significance for Native Americans.

No Action Alternative
Under this alternative, there will be no direct or indirect impacts to cultural resources from project implementation because no related surface disturbing activities will occur. Therefore, areas of concern to Native American tribes would not be affected.

Environmental Consequences/Mitigation:
None. No additional Native American Indian consultation was conducted for the proposed project.

Plants: Invasive Non-Native Species (Noxious Weeds)

Affected Environment
The area of the proposed action has not been surveyed for noxious weeds. However, various noxious weeds have been documented at the BLM campground and picnic ground on either end of the proposed trail segment. These include hoary cress (*Cardaria draba*), Russian knapweed (*Acroptilon repens*), and Canada thistle (*Cirsium arvense*).

Environmental Effects
Proposed Action
Surface-disturbing activities provide a niche for the invasion and establishment of noxious weeds. Since noxious weeds already occur in the vicinity of the project, the potential for weeds to dominate the site following disturbance is high.

In order to minimize the impact of noxious weeds and invasive species in the project area, all disturbed areas outside of the packed trail surface will be hydroseeded with a mixture of native species. A seed mix designed to reclaim the site and deter establishment of noxious weeds is presented in the Vegetation section. The seed shall be certified free of noxious weeds. The project proponent shall reseed the site immediately following completion of trail construction.

No Action Alternative
Under this alternative, no trail would be constructed, no additional surface disturbance would be authorized and the risk of noxious weeds invading the site would be minimal.

Mitigation
The project proponent would assume responsibility for monitoring the ROW for the presence of noxious weeds annually during the growing season. The project proponent will be required to promptly treat and control any noxious weeds that invade the disturbed areas. A Pesticide Use Proposal must be approved by BLM prior to commencing any herbicide spraying. All of these concerns are addressed in the proposed ROW stipulations, Exhibit B.

Plants: Sensitive, Threatened, and Endangered

Affected Environment
The table below summarizes the 2011 species list from the U. S. Fish and Wildlife Service for Federally listed, proposed, or candidate plant species and the November 2009 Colorado BLM

State Director's Sensitive Species List for BLM sensitive plants that may occur within Eagle County and be impacted by the proposed action.

Special Status Plant Species in Eagle County

Federally Listed, Proposed or Candidate Plant Species		
Species	**Habitat**	**Potential Habitat Present / Absent**
Ute ladies'-tresses orchid (*Spiranthes diluvialis*)	Habitat for this threatened species is found below 6,500 feet along streams, lakes or in wetland areas with seasonally saturated or subirrigated soils.	**Absent**, no subirrigated or seasonally saturated soils present
BLM Sensitive Plant Species		
Species	**Habitat**	**Potential Habitat Present/Absent**
Harrington's penstemon (*Penstemon harringtonii*)	Open sagebrush stands of Wyoming and mountain big sagebrush on rocky loam or rocky clay loam soils between the elevations of 6,200 to 10,000 feet.	**Present,** project contains sagebrush communities within the elevational range of the species

Harrington's penstemon

The project area is within mapped potential habitat for Harrington's penstemon. A survey of the project area in April, 2012 determined that the vegetative community at the project site consisted of Basin big sagebrush (*Artemisia tridentata ssp. tridentata*) and black greasewood (*Sarcobatus vermiculatus*), with an understory of fringed sage (*Artemisia frigida*) and non-native grasses. Soils were fine-textured clay and gypsum which do not constitute suitable habitat for Harrington's penstemon.

Environmental Effects

Proposed Action

Due to the absence of any occupied or potential habitat for special status plants within the project area, the construction of this portion of the ECO-Trails project would have "No Effect" on any listed plant species and "No impact" on any sensitive plant species.

No Action Alternative

Under the No Action alternative, no trail construction would occur and there would be "No impacts" to any special status plant species.

Land Health Standards

No special status plants have been documented within the project area and a survey of the project area determined that the site contains no suitable habitat for special status plants. The proposed action would have no impact on Standard 4 for Threatened, Endangered and Sensitive Plants.

Plants: Vegetation

Affected Environment

Vegetation within the project area consists of Basin big sagebrush, black greasewood, fringed sage, crested wheatgrass (*Agropyron cristatum*) and several noxious weeds, including hoary cress (*Cardaria draba*) and Russian knapweed (*Acroptilon repens*).

Environmental Effects

Proposed Action

The proposed trail on BLM lands would be approximately 3,000 feet long and the width of the packed gravel surface would be approximately 6 feet. Construction of the trail would involve the permanent removal of approximately 0.4 acres of shrubs and herbaceous vegetation and the temporary loss of up to 2 additional acres of vegetation. With timely and appropriate reclamation, herbaceous vegetation should return to its former density and cover within 2-3 years. Woody vegetation (sagebrush) would not likely return to its former density and height for a period of 10-20 years.

Mitigation

To reduce the potential for noxious weed invasion and to reduce the length of time required to restore desirable, native, perennial vegetation along the proposed trail, all areas of surface disturbance shall be recontoured to blend with the adjacent natural terrain and shall be hydroseeded with the following seed mixture and application rate:

Species of Seed	Variety	Application Rate (PLS lbs/acre)
Western wheatgrass	**Arriba**	**8.0**
Sandberg bluegrass		**2.0**
Bluebunch wheatgrass	**P7**	**6.0**
Total		**16.0 lbs PLS/acre**

Application rates are for pure, live seed (PLS). There shall be no primary or secondary noxious weed seed in the seed mixture. Seed shall be tested and the viability testing of seed shall be done in accordance with State law(s) and within nine months prior to purchase. Commercial seed shall be either certified or registered seed. The seed mixture containers shall be tagged in accordance with State law(s) and available for inspection by the authorized officer.

The disturbed area will be considered satisfactorily reclaimed when:

A. Soil erosion resulting from the surface disturbance has been stabilized.
B. Vegetative canopy cover equal to or greater than that present prior to disturbance is established.
C. No noxious weeds occupy the disturbed areas.

Additional reclamation actions, including reseeding, may be required until these conditions are satisfied.

No Action

The No Action alternative would result in no change from the present situation and no additional risk associated with the Proposed Action as discussed above.

Analysis on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): The proposed action is included in the North Eagle

Landscape. A formal Land Health Assessment and Determination Document for this landscape were completed and signed in 2004. Although the specific area involved in the proposed action was not visited as part of the assessment, the overall landscape was meeting Standard 3 for healthy plant communities.

The surface disturbance associated with the proposed action has the potential to encourage expansion and dominance of the site by noxious weeds. The proposed action, with the proposed mitigation to revegetate the site with native species and to control noxious weeds (ROW stipulations, Exhibit B), should not result in a failure of the landscape to meet Standard 3 for healthy plant communities.

Recreation

Affected Environment:
The Eagle River BLM public lands are located in the Glenwood Springs Extensive Recreation Management Area to manage for dispersed recreation use.

Environmental Effects
Proposed Action:
Although the project would have temporary impacts to recreation users during the project timeframe, the project would enhance day use activities in the urban landscape.

No Action Alternative:
The existing cross travel path would still be used for day use activities across BLM public lands. Not clearly identifying the path may lead to branches and redundant routes.

Mitigation: None needed.

Socio-Economics

Affected Environment
Review of 2010 data from US Census Bureau indicates the median annual income of Garfield County averages $62,716 and is neither an impoverished or wealthy county. Median annual income of Eagle County averages $74,220 and is not impoverished but is considered a wealthy county.

Table 3-4

Local Counties	**Median Household Income (2010 US Census)**
Garfield	$62,716
Pitkin	$69,352
Eagle	$74,220
Routt	$64,892

Environmental Effects
Proposed Action

The proposed action is not expected to create a disproportionately high and adverse human health impact or environmental impact on minority or low-income populations.

No Action Alternative
The No Action alternative would result in no change from the present situation and no additional risk associated with the Proposed Action as discussed above.

Soils

Affected Environment
A review of the soil survey by the NRCS for the *Aspen-Gypsum Area, Colorado, Parts of Eagle, Garfield, and Pitkin Counties* indicate two soil map units occur within the proposed project area (NRCS 1992). The NRCS soil map unit descriptions (NRCS 2011) are provided below:

Yamo loam (115) – This deep, well-drained soil is found on fans and toe slopes at elevations ranging from 6,200 to 7,500 feet and on slopes of 6 to 12 percent. This soil is derived primarily from sandstone, shale, and gypsum colluviums. Surface runoff for this soil is medium and the water erosion hazard is slight. Primary uses for this soil include rangeland, hayland, pasture, and homesite development.

Redrob loam (92) - This component is on flood plains, terraces, valley floors with slopes of 1-6 percent. The parent material consists of mixed alluvium derived from sandstone and shale. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat poorly drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is rarely flooded. It is not ponded. This soil does not meet hydric criteria.

Soil health was evaluated in 2003 during the Eagle River North Land Health Assessment. BLM staff concluded that soils were meeting land health standards throughout the project proposal area, with only slight departures from expected conditions (BLM 2004).

Environmental Effects
Proposed Action
Upland vegetation loss and soil compaction is expected to occur during the construction of the trail. Thus, soil displacement may 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 high intensity thunderstorms, but should decrease over time as vegetation is re-established adjacent to the trail. The total area of disturbance would be approximately 1.35 acres; thus soil impacts are considered minor and short term in duration. Best management practices to minimize erosion are detailed in the engineering design plans, and ensure that sediment control measures will be installed at the onset of grading operations so that effective sediment control can be achieved.

No Action Alternative
Under this alternative, no trail would be constructed; thus, no surface disturbance would be authorized and no impacts to soils would result.

Mitigation
The project proponent would assume responsibility for monitoring the ROW for proper installation and maintenance of erosion control BMP's.

Land Health Standard 1 for Soils:
Based on the Eagle River North Land Health Assessment, BLM staff concluded that soils are meeting Standard 1 (BLM 2004). Implementation of the proposed action is not anticipated to degrade soil health from current conditions.

Wildlife: Aquatic / Fisheries

Affected Environment
Aquatic wildlife includes animals, either vertebrate or invertebrate, which live in water for most or all of their life. Aquatic habitats include: lakes, ponds, springs, seeps, rivers and streams. Aquatic wildlife species are vulnerable to land use activities due to the fragility of their aquatic environments.

Amphibians possibly present in wetlands would include various species of frogs (e.g., western chorus frog (Pseudacris triseriata)), and toads (e.g., Great Basin spadefoot (Spea intermontana)), which are adapted to seasonal flow regimes in arid environments. Aquatic macroinvertebrates most likely to occur in the area include water striders, water boatmen, predaceous diving beetles, and the aquatic larvae of caddis flies and true flies.

The proposed trail is located adjacent to the Eagle River which contains rainbow and brown trout, and aquatic insects. For a discussion about special status aquatic wildlife see the Wildlife: Sensitive, Threatened, and Endangered section.

Environmental Effects
Proposed Action
Approximately 1.35 acres of upland vegetation would be removed to accommodate the proposed trail. The terrain is flat along the alignment and erosion potential is low. It is possible that small amounts of sediment will enter the Eagle River over time. However, sediment should be well within background levels carried by the river and be undetectable. The project should have minimal impact to aquatic wildlife.

No Action Alternative
Under the no action alternative, no trail would be constructed and no right-of-way would be granted. No impacts to aquatic wildlife would result.

Land Health Standards
A formal Land Health Assessment was completed for the area in 2004. The Eagle River was meeting Standard 3 for aquatic wildlife in the action area. The proposed trail should have little bearing on the watersheds ability to continue to meet Standard 3 for aquatic wildlife.

Wildlife: Migratory Birds

Affected Environment

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 proposed trail is located between Highway 6 & 24 and the Eagle River. Vegetation in the area is comprised primarily of sagebrush habitat with some grasses and forbs, and riparian species including mature cottonwood, willow, and sedges and rushes located along the Eagle River. Given the vegetation at the project site, the area provides cover, forage, and nesting habitat for a variety of migratory bird species.

Raptors and neotropical migrants (both game and nongame) are afforded protection under the Migratory Bird Treaty Act. Neotropical migrants include birds that breed in the United States and Canada and winter in Latin America (Nicholoff 2003). 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 2009) 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 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 Concern include the following:

2008 List of Birds of Conservation Concern within the CRVFO.

Species	Habitat Description	Potential Occurrence
Gunnison Sage-Grouse *(Centrocercus minimus)*	Sagebrush communities for hiding and thermal cover, food, and nesting; open areas with sagebrush stands for leks; sagebrush-grass-forb mix for nesting; wet meadows for rearing chicks. No found within the CRVFO.	Not Present
American Bittern *(Botaurus lentiginosus)*	Marshes and wetlands; ground nester. Summer resident.	Unlikely
Bald Eagle *(Haliaeetus leucocephalus)*	Nests in forested rivers and lakes; winters in upland areas, often with rivers or lakes nearby. Generally winter resident, occasional breeding.	Possible
Ferruginous Hawk *(Buteo regalis)*	Open, rolling and/or rugged terrain in grasslands and shrubsteppe communities; also grasslands and cultivated fields; nests on cliffs and rocky outcrops. Fall/ winter resident, non-breeding.	Not Present
Golden Eagle *(Aquila chrysaetos)*	Open country, grasslands, woodlands, and barren areas in hilly or mountainous terrain; nests on rocky outcrops or large trees. Year-round resident, breeding.	Possible
Peregrine Falcon *(Falco peregrines)*	Open country near cliff habitat, often near water such as rivers, lakes, and marshes; nests on ledges or holes on cliff faces and crags. Spring/summer resident, breeding.	Not Present
Prairie Falcon *(Falco mexicanus)*	Open country in mountains, steppe, or prairie; winters in cultivated fields; nests in holes or on ledges on rocky cliffs or embankments . Spring/summer resident, breeding.	Not Present
Snowy Plover *(Charadrius alexandrinus nivosus/tenuirostris)*	Sparsely vegetated sand flats associated with pickleweed, greasewood, and saltgrass. Spring migrant, non-breeding. Spring migrant, non-breeding.	Not Present
Mountain Plover *(Charadrius montanus)*	High plain, cultivated fields, desert scrublands, and sagebrush habitats, often in association with heavy grazing, sometimes in association with prairie dog colonies ; short vegetation.	Not Present
Long-billed Curlew *(Numenius americanus)*	Lakes and wetlands and adjacent grassland and shrub communities. Spring/ fall migrant, non-breeding.	Unlikely
Yellow-billed Cuckoo *(Coccyzus americanus)*	Riparian, deciduous woodlands with dense undergrowth; nests in tall cottonwood ,mature willow riparian, moist thickets, orchards, abandoned pastures. Summer resident, breeding.	Unlikely
Burrowing Owl *(Athene cunicularia)*	Open grasslands and low shrublands often in association with prairie dog colonies; nests in abandoned burrows created by mammals; short vegetation.	Not Present
Lewis's Woodpecker *(Melanerpes lewis)*	Open woodland, often logged or burned, including oak, coniferous forest (often ponderosa), riparian woodland, and orchards, less often in pinyon-juniper.	Possible
Willow Flycatcher *(Empidonax traillii)*	Riparian and moist, shrubby areas; winters in shrubby openings with short vegetation. Summer resident, breeding.	Possible
Gray Vireo *(Vireo*	Uncommon summer resident (primarily Mesa County).	Not Present

Species	Habitat Description	Potential Occurrence
vicinior)	In habitats open pinyon-juniper woodlands.	
Pinyon Jay *(Gymnorhinus cyanocephalus)*	Common to abundant resident of pinyon-juniper woodlands. Year-round resident that travels broadly in flocks.	Possible
Juniper Titmouse *(Baeolophus ridgwayi)*	Pinyon-juniper woodlands, especially juniper; nests in tree cavities. Year-round resident, breeding.	Possible
Veery *(Catharus fuscescens)*	Dense riparian thickets and hillside brush near streams. Uncommon spring/fall migrant in Eastern Colorado.	Not Present
Bendire's Thrasher *(Toxostoma bendirei)*	Desert, especially areas of tall vegetation, cholla cactus, creosote bush and yucca, and in juniper woodland Possible summer resident.	Not Present
Grace's Warbler *(Dendroica graciae)*	Breeds in ponderosa pine forests. Uncommon summer resident in southwest Colorado.	Not Present
Grasshopper Sparrow *(Ammodramus savannarum)*	Open grasslands and cultivated fields. Spring migrant, non-breeding.	Not Present
Chestnut-collared Longspur *(Calcarius ornatus)*	Open grasslands and cultivated fields. Spring migrant, non-breeding.	Not Present
Black Rosy-Finch *(Leucosticte atrata)*	Open country including mountain meadows, high deserts, valleys, and plains; breeds/ nests in alpine areas near rock piles and cliffs. Winter resident, non-breeding.	Not Present
Brown-capped Rosy-Finch *(Leucosticte australis)*	Alpine meadows, cliffs, and talus and high-elevation parks and valleys. Summer resident, breeding.	Not Present
Cassin's Finch *(Carpodacus cassinii)*.	Open montane coniferous forests; breeds/ nests in coniferous forests. Year-round resident, breeding.	Possible

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 in addition to listed species would irregularly pass through the area or forage within the area if prey was sighted.

Environmental Effects

Proposed Action

The trail would result in the loss of approximately 1.35 acres of upland vegetation. However, given the sparse sagebrush vegetation in the immediate area and the proximity of the proposed trail to highway 6&24 and interstate 70, it is unlikely that the sage sparrow would be found here. This ground nesting species requires large, intact blocks of sagebrush not found at the project site. No impacts to this species are anticipated. The yellow-billed cuckoo and Lewis's woodpecker are both riparian species. Although the trail is close to riparian vegetation along the Eagle River, no riparian vegetation will be disturbed to accommodate the trail. It is possible that individual birds will be temporarily displaced from the area during trail construction due to noise, commotion, and human presence.

No Action Alternative

Under the no action alternative, no trail would be built and no right-of-way would be granted. No impacts to migratory birds would result.

Wildlife: Sensitive, Threatened, and Endangered

Affected Environment

(The Table below summarizes the latest: 1) species list (USFWS 2010) from the U. S. Fish and Wildlife Service for Federally listed, proposed, or candidate aquatic wildlife species and 2) Colorado BLM State Director's Sensitive Species List for aquatic species; that may occur within the CRVFO and be impacted by the proposed action.

Special Status Aquatic Wildlife Species.

Federally Listed, Proposed or Candidate Aquatic Wildlife Species		
Species	Habitat/Range	Occurrence/ Potentially Impacted
Greenback cutthroat trout *(Oncorhynchus clarki stomias)*	Federally listed as threatened. 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 the Western Slope of Colorado. Historically found in cold, clear, gravely headwater streams and mountain lakes of the Arkansas and South Platte River systems in Colorado and part of Wyoming. The greenback cutthroat trout was not identified on the USFWS list for Garfield County; however, recent surveys have identified a population in Cache Creek.	Absent /No
Bonytail *(Gila elegans)*	Federally listed as endangered. This large chub is a member of the minnow family found in large, fast-flowing waterways of the Colorado River system. Their current distribution and habitat status are largely unknown due to its rapid decline prior to research into its natural history. The bonytail is extremely rare in Colorado and no self-sustaining population exists. Only one has been captured in the state since 1980.	Absent /No
Colorado pikeminnow (formerly Colorado squawfish) *(Ptychocheilus lucius)*	Federally listed as endangered. Primarily exists 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. Colorado pikeminnow populations in the upper Colorado River basin are now relatively stable or growing. Designated Critical Habitat includes the Colorado River and its 100-year floodplain west (downstream) from the town of Rifle.	Absent /No
Humpback chub *(Gila cypha)*	Federally listed as endangered. Found in deep, clear to turbid waters of large rivers and reservoirs over mud, sand or gravel. The nearest known population of humpback chub is in the Colorado River at Black Rocks west of Grand Junction..	Absent /No

Federally Listed, Proposed or Candidate Aquatic Wildlife Species		
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.	Absent /No
Colorado BLM Sensitive Aquatic Species		
Species	Habitat/Range	Occurrence / Potentially Impacted
Northern leopard frog (*Rana pipiens)*	Generally found between 3,500 to 11,000 feet, in wet meadows and in shallow lentic habitats. They require year-round water sources, deep enough to provide ice free refugia in the winter. Within the CRVFO, this species has been documented in locales where quality riparian vegetation exists in conjunction with perennial water sources. Larger populations of this species have been documented northwest of King Mountain within the small drainage that feeds King Mountain (Ligon) Reservoir, June Creek and East Divide Creek south of Silt, Colorado, and in portions of the Rifle Creek watershed north of Rifle, Colorado.	Possible
Great Basin spadefoot toad	This toad is known to occupy a wide variety of habitat including lowlands, foothills, and shortgrass plain. This species generally inhabits and breeds in seasonal pools and ponds in pinyon-juniper woodland, sagebrush, and semi-desert shrubland habitats, mostly below 6,000 feet in elevation.	Absent /No
Bluehead sucker (*Catostomus discobolus*) , Flannelmouth sucker (*Catostomus latipinnis), and* Roundtail chub (*Gila robusta)*	Primarily found in larger rivers but may also be found in smaller tributaries with good connectivity to larger river systems. These fish are endemic to the Colorado River basin and reside within the mainstem Colorado River and its major tributary streams. Given their biology, feeding habits, habitat needs, and niche in the ecosystem, these species can persist in the face of actions that increase sediments to streams and rivers containing these species.	Possible/No
Mountain sucker (*Catostomus platyrhynchus*)	The mountain sucker is found primarily in small, low- mid elevation streams in northwestern Colorado with gravel, sand or mud bottoms. They inhabit undercut banks, eddies, small pools, and areas of moderate current. Young fish prefer backwaters and eddies. A population of mature adults is found in Steamboat Lake. Within the CRVFO, only known occurrence is in Piceance Creek.	Absent /No

Federally Listed, Proposed or Candidate Aquatic Wildlife Species		
Colorado River cutthroat trout (CRCT) (*Oncorhynchus clarkii pleuriticus)*	CRCT are one of three subspecies of native trout found in Colorado. CRCT prefer clear, cool headwaters streams with coarse substrates, well-distributed pools, stable streambanks, and abundant stream cover. CRCT have been documented as occurring in Parachute Creek, Abrams Creek, Battlement Creek, Mitchell Creek, North Thompson Creek and Red Dirt Creek. It is likely that all of the perennial waters capable of harboring fish historically contained this native trout species. CRCT have hybridized with non-native salmonids in many areas, reducing the genetic integrity of this subspecies. Rainbow trout hybridize with cutthroat trout. Brook and brown trout tend to replace them in streams and rivers.	Absent /No

The table below summarizes the latest: 1) species list (USFWS 2010) from the U. S. Fish and Wildlife Service for Federally listed, proposed, or candidate terrestrial wildlife species and 2) Colorado BLM State Director's Sensitive Species List (Updated November 2009) for terrestrial species; that may occur within the CRVFO and be impacted by the proposed action.

Special Status Terrestrial Wildlife Species.

Federally Listed, Proposed or Candidate Terrestrial Wildlife Species		
Species	Habitat/Range	Occurrence/ Potentially Impacted
Black-footed Ferret (*Mustela nigripes*)	Federally listed as endangered. Black-footed ferrets have ranged statewide but never have been abundant in Colorado. Their habitat included the eastern plains, the mountain parks and the western valleys – grasslands or shrub lands that supported some species of prairie dog, the ferret's primary prey. State and federal biologists have established two major black-footed ferret colonies: one at Coyote Basin (Colorado-Utah border west of Rangely) and another at the BLM's Wolf Creek Management Area southeast of Dinosaur National Monument .	Absent /No
Canada lynx (*Lynx Canadensis)*	Federally listed as threatened. Canada lynx occupy high-latitude or high-elevation coniferous forests characterized by cold, snowy winters and an adequate prey base. In the western US, 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 (*Lepus americanus*) are the preferred prey, lynx in also feed on mountain cottontails (*Sylvilagus nuttallii*), pine squirrels (*Tamiasciurus hudsonicus*), and blue grouse (*Dendragapus obscurus*). The Forest Service has mapped suitable denning, winter, and other habitat for lynx within the White River and Routt National Forests. The mapped suitable habitat comprises areas known as Lynx Analysis Units (LAUs) that are the approximate the size of a female's home range. Several LAUs include small parcels of BLM lands.	Absent/No

Federally Listed, Proposed or Candidate Terrestrial Wildlife Species		
Mexican spotted owl *(Strix occidentalis lucida)*	Federally listed as endangered. This owl nests, roosts, and hunts in mature coniferous forests in canyons and foothills. The key habitat components are old-growth forests with uneven-age stands, high canopy closure, high tree density, fallen logs and snags. 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.	Absent /No
Greater Sage-grouse (*Centrocercus urophasianus)*	Candidate for Federal listing. Sage-grouse, as the name implies, are found only in areas where sagebrush is abundant, providing both food and cover. Sage-grouse prefer relatively open sagebrush flats or rolling sagebrush hills. In winter, sagebrush accounts for 100% of the diet for these birds. In addition, it provides important escape cover and protection from the elements. In late winter, males begin to concentrate on traditional strutting grounds or leks. Females arrive at the leks 1-2 weeks later. Leks can occur on a variety of land types or formations (windswept ridges, knolls, areas of flat sagebrush, flat bare openings in the sagebrush. Breeding occurs on the leks and in the adjacent sagebrush, typically from March through May. Females and their chicks remain largely dependent on forbs and insects for food well into early fall. Within the CRVFO sage-grouse are still present in the northeast part of the Field Office in the Northern Eagle/Southern Routt population, while small (<500 birds), probably has, or had, a relationship with the larger population in Moffat, Rio Blanco and western Routt counties, and probably with the Middle Park population to the east.	Absent /No
Yellow-billed cuckoo *(Coccyzus americanus)*	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.	Posible /No
Colorado BLM Sensitive Terrestrial Wildlife Species		
Species	Habitat/Range	Occurrence/ Potentially Impacted
Townsend's big-eared bat (*Corynorhinus townsendii*) and Fringed myotis (*Myotis thysanodes)*	Occur as scattered populations at moderate elevations on the western slope of Colorado. Habitat associations are not well defined. Both bats will forage over water and along the edge of vegetation for aerial insects. commonly roost in caves, rock crevices, mines, or buildings, but also may roost in tree cavities. Both species are widely distributed and usually occur in small groups. Townsend's big-eared bat is not very abundant anywhere in its range. This is attributed to patchy distribution and limited availability of suitable roosting habitat (Gruver, J.C. and D.A. Keinath 2006).	Possible /No
Midget faded rattlesnake *(Crotalus viridis concolor)*	A small, pale-colored subspecies of the common and widespread western rattlesnake. The midget faded rattlesnake is endemic to northwestern Colorado, including western Garfield County. Habitats include sandy and rocky areas in pinyon-juniper and semi-desert shrub.	Absent /No

Federally Listed, Proposed or Candidate Terrestrial Wildlife Species		
Northern goshawk (*Accipter gentilis)*	An uncommon resident in mountains. Occasional migrant that may winter at lower elevations. Predominantly uses mature stands of aspen, and ponderosa/ lodgepole pines. Goshawks prey on small-medium sized birds and mammals. It breeds in coniferous deciduous and mixed forests. The nest is typically located on a northerly aspect in a drainage or canyon and is often near a stream. Nest areas contain one or more stands of large, old trees with a dense canopy cover. A goshawk pair occupies its nest area from March until late September. The nest area is the center of all movements and behaviors associated with breeding from courtship through fledging.	Absent /No
Goldeneye, Barrow's (*Bucephala islandica)*	This bird is an uncommon winter resident and spring/fall migrant. A few may breed in the northern mountains such as the Flat Tops Wilderness Area. Goldeneye's prefer alkaline-freshwater lakes in parkland areas and to a lesser extent subalpine/alpine lakes/beaver ponds for breeding.	Possible /No
Brewer's sparrow (*Spizella berweri*)	Neotropical migrant that summers in western Colorado mountain parks and spring/fall migrant at lower elevations. Breeds primarily in sagebrush shrublands.	Possible /No
American Peregrine Falcon *(Falco peregrines anatum)*	Rare spring and fall migrant in western valleys. Peregrine falcons inhabit open spaces associated with high cliffs and bluffs overlooking rivers. The falcon nests on high cliffs and forages over nearby woodlands.	Absent /No
Ibis, white-faced (*Plegadis chihi)*	The species inhabits primarily freshwater wetlands, especially cattail (*Typha* spp.) and bulrush (*Scirpus* spp.) marshes. This bird is a very rare, non-breeding, summer migrant to western Colorado valleys and mountain lakes This species feeds in flooded hay meadows, agricultural fields, and estuarine wetlands. This species breeds in isolated colonies in mainly shallow marshes with "islands" of emergent vegetation. This species is more commonly found on the eastern slope of Colorado (e.g. San Luis valley).	Possible /No

Environmental Effects

Proposed Action

The black-footed ferret, Canada lynx, Mexican spotted owl, and western yellow-billed cuckoo and the Endangered Big River fishes are not expected to be impacted based on habitat types present and documented occurrences. Therefore, the Proposed Action would have ***No Effect*** on these species.

In general, the potential effects to special status wildlife from the proposed action would be similar to those described other wildlife (see the sections on Wildlife, Aquatic and Wildlife, Terrestrial), although they are potentially more vulnerable due to their relative rarity and sensitivity. Based on the information presented above, no adverse impacts to special status species are expected to result from the habitat types and the work associated with the Proposed Action.

No Action Alternative

Under the no action alternative, no trail would be constructed and no right-of-way would be granted. No impacts to special status species would result.

Mitigation

None Needed

Land Health Standards
The proposed action is included in the North Eagle Landscape. A formal Land Health Assessment and Determination Document for this landscape were completed and signed in 2004. Although portions of the landscape were not meeting Standard 4 for sage grouse, the specific area of the proposed action is not considered historic or current sage grouse habitat. The area is mapped as bald eagle winter range and habitats in the area along the Eagle River are providing foraging habitat. The construction of the non-motorized trail should not result in a failure of the landscape to achieve Standard 4.

Wildlife: Terrestrial

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.

Mammals
Numerous small mammals reside within the CRVFO, 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.

The mule deer *(Odocoileus hemionus)* is a recreationally important species that is 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. BLM lands provide a large portion of the undeveloped winter range available to deer and elk.

Resident Raptors and Other Birds
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 CRVFO include the:

red-tailed hawk (*Buteo jamaicenis*), American kestrel *(Falco sparverius)*, great horned owl *(Bubo virginanus)*, Cooper's hawk *(Accipiter cooperii)*, and sharp-shinned hawk *(A. striatus)*.

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 Dusky grouse (*Dendragapus obscures*), are found throughout the CRVFO.

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)*.

Reptiles and Amphibians
Reptile species most likely to occur in the project area 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/riparian areas. Other reptiles potentially present along creeks, are the milk snake (*Lampropeltis triangulum*) and smooth green snake (*Opheodrys vernalis*).

Environmental Effects
Proposed Action
Approximately 1.35 acres of upland habitat would be removed to accommodate the trail. This would result in losses of forage and cover. However, due to the proximity of highway and interstate, wildlife use of the area is likely very low. It is likely that during trail construction resident wildlife will be displaced away from the area due to noise, commotion, and human presence. Overall, the proposed action should have minimal impact to terrestrial wildlife.

No Action Alternative
Under the no action alternative, no trail would be built, and no right-of-way would be granted. No impacts to terrestrial wildlife would result.

Land Health Standards
A formal Land Health Assessment was completed for the area in 2004. The area was meeting Standard 3 for terrestrial wildlife in the action area. Given the trails location, the proposed action should have little bearing on the watersheds ability to continue to meet Standard 3 for terrestrial wildlife.

CUMULATIVE EFFECTS

Soil and Water. Cumulative impacts to soil and water resources can occur from the existing roads and trails throughout the proposed project area. The proximity of the highway and frontage road can contribute to increased surface runoff and accelerated erosion, especially where proper drainage is lacking. Other impacts such as vegetation treatments or weed treatments may also

change water infiltration or runoff rates and affect soil and water resources. Based on limited land management activities occurring throughout the project area, it is assumed that cumulative effects to soil and water are minor and unmeasureable if proper best management practices are implemented.

RESIDUAL EFFECTS
None

4. Tribes, Individuals, Organizations, or Agencies Consulted

- Colorado Parks and Wildlife
- Century Link
- Holy Cross Energy

5. List of Preparers

Members of the CRVFO Interdisciplinary Team who participated in the impact analysis of the Proposed Action and alternatives, development of appropriate mitigation measures, and preparation of this EA are listed in Table 6-1, along with their areas of responsibility.

Table 6-1. BLM Interdisciplinary Team Authors and Reviewers

Name	*Title*	*Areas of Participation*
Kimberly Miller	Outdoor Recreation Planner	Wild and Scenic Rivers, Wilderness, Recreation
Monte Senor	Rangeland Management Specialist	NEPA Lead, Invasive, Non-native species, Realty
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern, Threatened, Endangered, and Sensitive Plants, Vegetation
Pauline Adams	Hydrologist	Soil, Water, Air
Erin Leifeld	Archaeologist	Cultural Resources and Native American Concerns
Sylvia Ringer	Wildlife Biologist	Migratory Birds, Terrestrial Wildlife and T/E/S Terrestrial Wildlife, Aquatic Wildlife and T/E/S Aquatic Wildlife
Everett Bartz	Rangeland Management Specialist	Wetlands & Riparian Zones

6. References

Bureau of Land Management (BLM). 1984. Glenwood Springs Resource Management Plan. Glenwood Springs Field Office, Colorado.

_____. 1991. Record of Decision, Oil and Gas Plan Amendment. Glenwood Springs Field Office, Colorado.

_____. 1998. Oil & Gas Leasing & Development – Draft Supplemental Environmental Impact Statement. Glenwood Spring Field Office, Colorado.

_____. 1999a. Oil & Gas Leasing & Development – Final Supplemental Environmental Impact Statement. Glenwood Spring Field Office, Colorado.

_____. 1999b. Oil &Gas Leasing & Development – Record of Decision and Resource Management Plan Amendment. Glenwood Spring Field Office, Colorado.

_____. 2004. Eagle River North Land Health Assessment Summary Report. Unpublished report. Colorado River Valley Field Office, Silt, CO.

_____. 2005. Rifle-West Watershed Land Health Assessment. Glenwood Springs Field Office, Colorado.

_____. 2006. Final Roan Plateau Resource Management Plan Amendment & Environmental Impact Statement, Volume III, Appendix C. Glenwood Springs Field Office, Colorado.

Natural Resource Conservation Service (NRCS). 1992. Soil Survey of Aspen-Gypsum Area, Colorado, Parts of Eagle, Garfield and Pitkin Counties. Available online: http://soils.usda.gov/survey/online_surveys/colorado/

Natural Resource Conservation Service (NRCS). 2011. Map Unit Descriptions for *Aspen-Gypsum Area, Colorado, Parts of Eagle, Garfield, and Pitkin Counties*. Soil Data Viewer application. Available online: http://soils.usda.gov/sdv/.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COLORADO RIVER VALLEY FIELD OFFICE
SILT, COLORADO

FINDING OF NO SIGNIFICANT IMPACT

DOI-BLM-N040-2012-0062-EA

Finding of No Significant Impact
I have reviewed the direct, indirect and cumulative effects of the proposed action documented in the EA referenced above. The effects of the proposed action are disclosed in the Alternatives and Environmental Effects sections of the EA. Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of the effects.

BACKGROUND

The Bureau of Land Management prepared an Environmental Assessment (EA) which analyzed the effects of granting a right of ways to the Eagle County for the purpose of expanding the ECO Trails trail system between Dotsero and Gypsum, Colorado. The EA considered both a No Action and the Proposed Action Alternative when assessing impacts in the area.

The EA identified the applicant's (Eagle County) application and Plan of Development alternative as the Proposed Action.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the EA, and all other information available to me, it is my determination that: 1) the implementation of the Proposed Action or alternatives will not have significant environmental impacts beyond those already addressed in the "Record of Decision and Resource Management Plan," (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; amended in August 2006 - Roan Plateau Planning Area Including Naval Oil Shale Reserves Numbers 1 & 3 Resource Management Plan Amendment & Environmental Impact Statement.); (2) the Proposed Action is in conformance with the Resource Management Plan; and (3) the Proposed Action does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement is not necessary and will not be prepared.

The finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR § 1508.27), both with regard to the context and to the intensity of the impacts described in the EA.

Karl R. Mendonca, Associate Field Manager
Colorado River Valley Field Office

6/04/2012
Date

DECISION RECORD

DOI-BLM-CO-040-2012-0062 EA

FINAL DECISION: It is my decision to approve the Proposed Action as described in the attached EA.

A Finding of No Significant Impact (FONSI) has been prepared and executed. Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR § 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

RATIONALE: The proposed project is consistent with the current land use plan. The following mitigation measures are included in my decision to eliminate or reduce environmental impacts that have been identified in this EA.

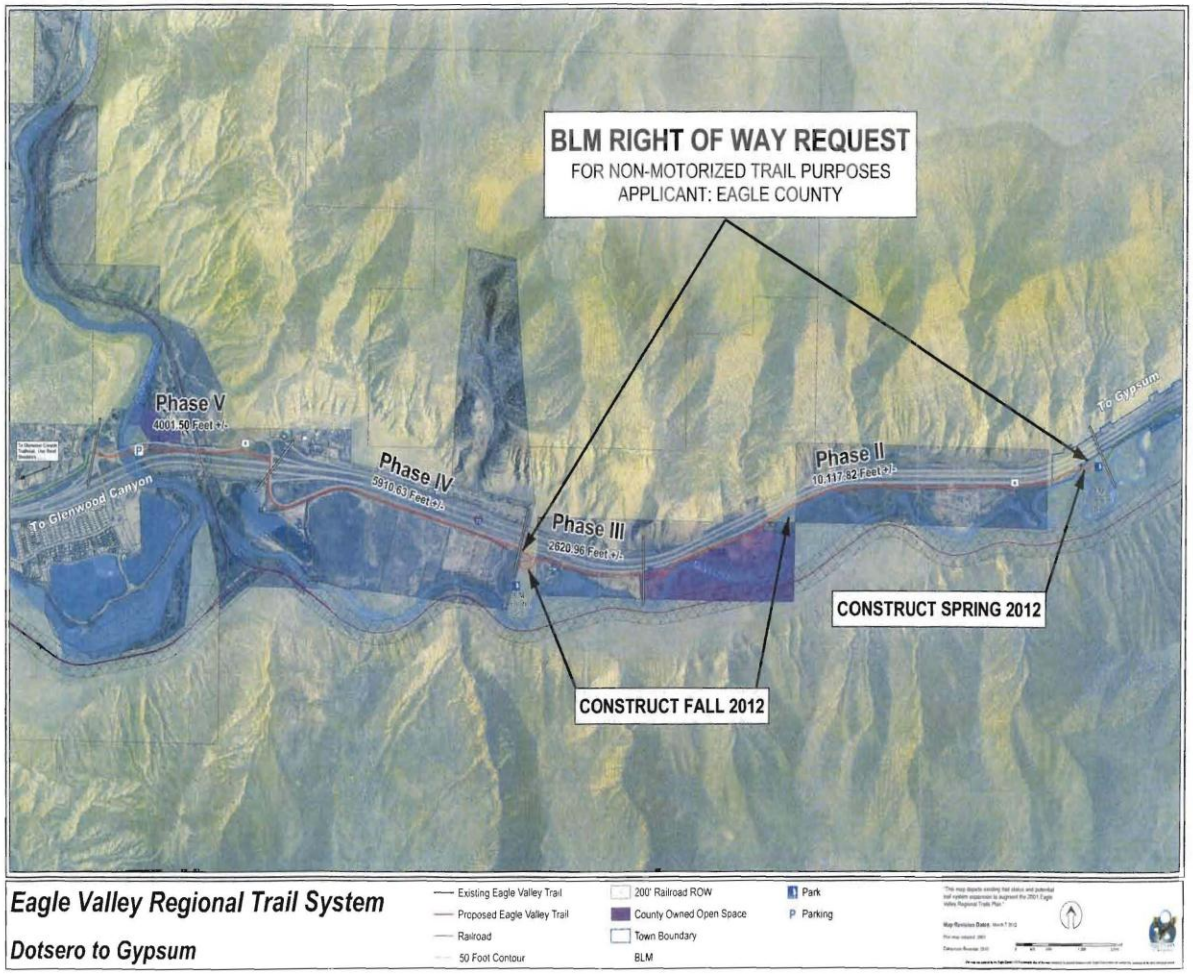
MITIGATION MEASURES: The stipulations included in the proposed right-of-way would mitigate adverse impacts to the greatest practical extent.

NAME OF PREPARER: Monte Senor

SIGNATURE OF AUTHORIZED OFFICIAL

Karl Mendonca
Associate Field Manager

DATE: 6/04/2012



Eagle Valley Regional Trail System

Dotsero to Gypsum

Existing Eagle Valley Trail
Proposed Eagle Valley Trail
Railroad
50 Foot Contour
200' Railroad ROW
County Owned Open Space
Town Boundary
BLM
Park
P Parking

Eage Valley Regional Trail System

Gypsum to Dotsero
Phase II

Proposed Trail Alignment

100' Station

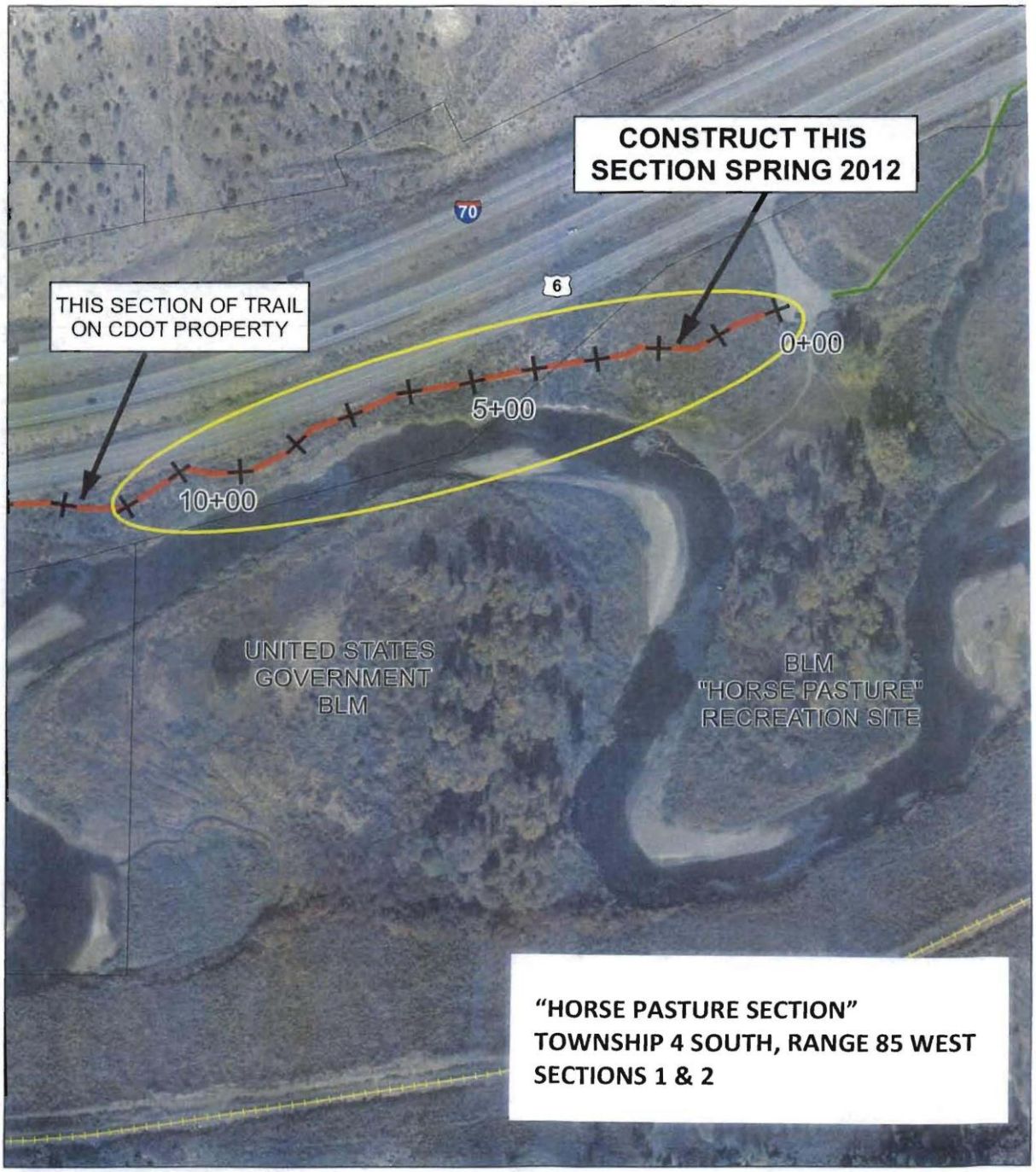
Railroad Track

Parcel Boundary

0 50 100 200
Feet

1 inch = 200 feet

This map was created by the Eagle County GIS Department. Use of this map should be for general purpose only. Eagle County does not warrant the accuracy of the data contained herein.



Eage Valley Regional Trail System

Gypsum to Dotsero
Phase II

Proposed Trail Alignment

Existing Paved Trail

Railroad Track

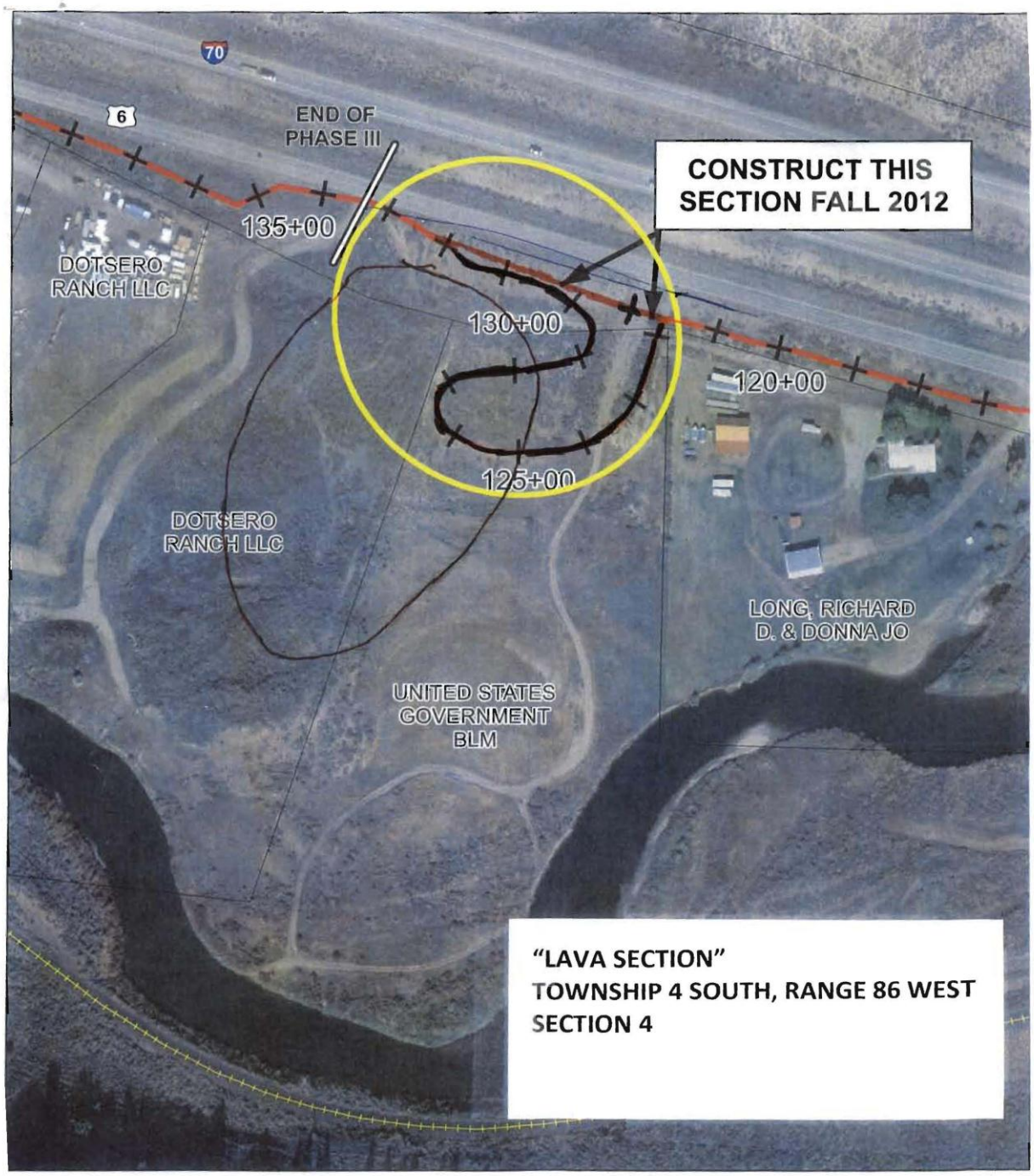
100' Station

Parcel Boundary

0 62.5 125 250
Feet

1 inch = 200 feet

This map was created by the Eagle County GIS Department
Use of this map should be for general purpose only.
Eagle County does not warrant the accuracy of the data contained herein



Eage Valley Regional
Trail System

Gypsum to Dotsero
Phase II

Proposed Trail Alignment

100' Station

Railroad Track

Parcel Boundary

0 60 120 240
Feet
1 inch = 187 feet

This map was created by the Eagle County GIS Department. Use of this map should be for general purpose only. Eagle County does not warrant the accuracy of the data contained herein.

COC69054 Amendment 001
Form 2800-14
(August 1985)

Issuing Office
Colorado River Valley Field Office

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT

SERIAL NUMBER COC69054

1. A right-of-way is hereby granted pursuant to Title V of the Federal land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

   a. By this instrument, the holder:

      Eagle County
      ECO Trails Department
      P.O. Box 1070
      Gypsum, Colorado 81637

   receives a right to construct, operate, maintain, and terminate a public county trail on public lands described as follows:

      6th Principal Meridian

      T5S 86W Section 1; Lot 8
      T5S 86W Section 1; TR 50A
      T5S 86W Section 2; Lot 13
      T5S 86W Section 3; Lot 12
      T5S 86W Section 4; Lot 22

      And as shown on the attached map in Exhibit A.

   b. The right-of-way or permit area granted herein is 20 feet wide, 2950 feet long, and contains 1.35 acres, more or less.

   c. This instrument shall terminate on December 31, 2041, unless, prior thereto, it is

relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental: The County of Eagle is exempt from rental payments.

4. Terms and Conditions:

a. This grant is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800, and all other applicable federal, state, and local laws, regulations, and standards.

b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.

c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.

d. The plans, maps, and designs set forth in the Application, the map in Exhibit A, and Special Stipulations and Condition in Exhibit B, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.

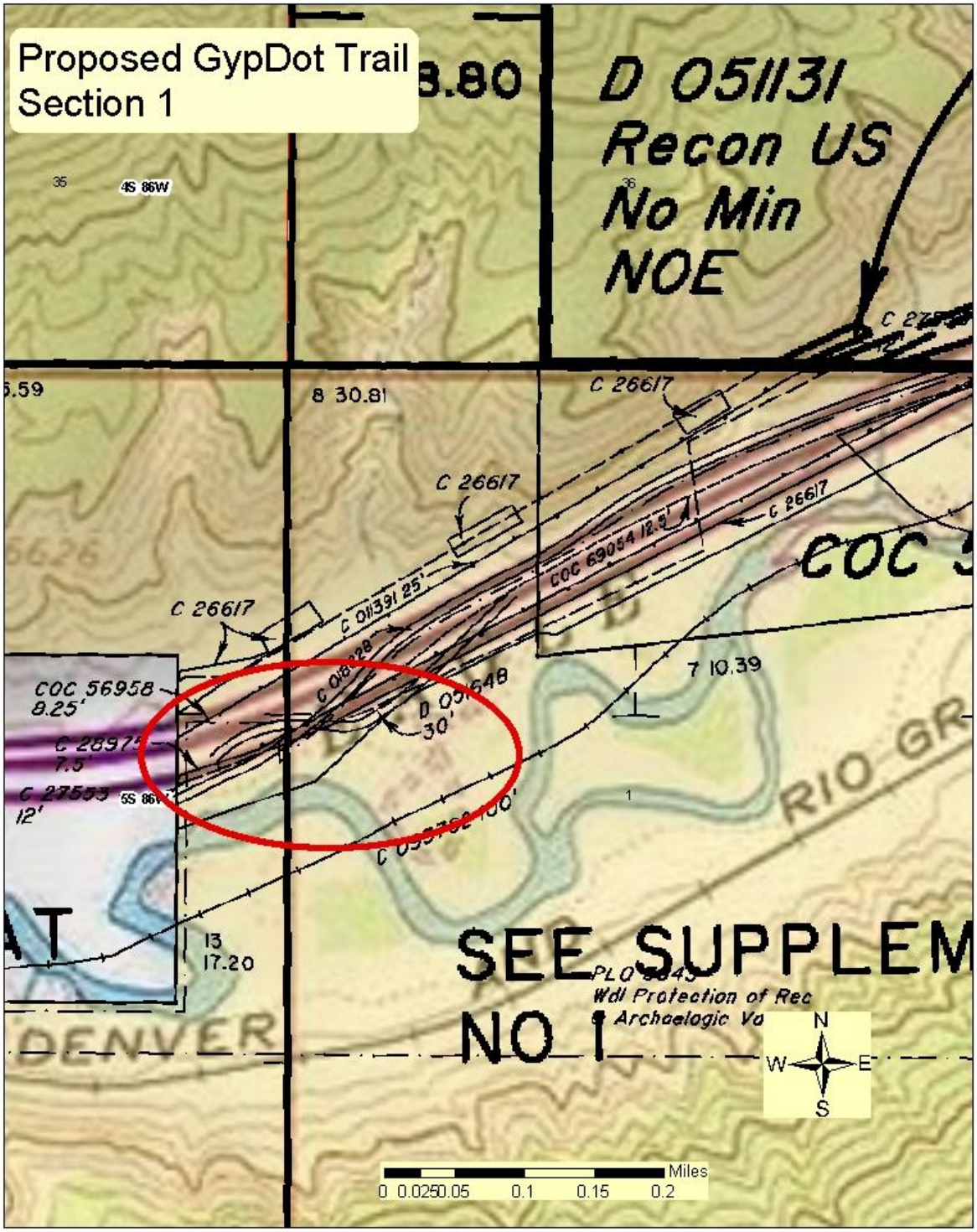
e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.

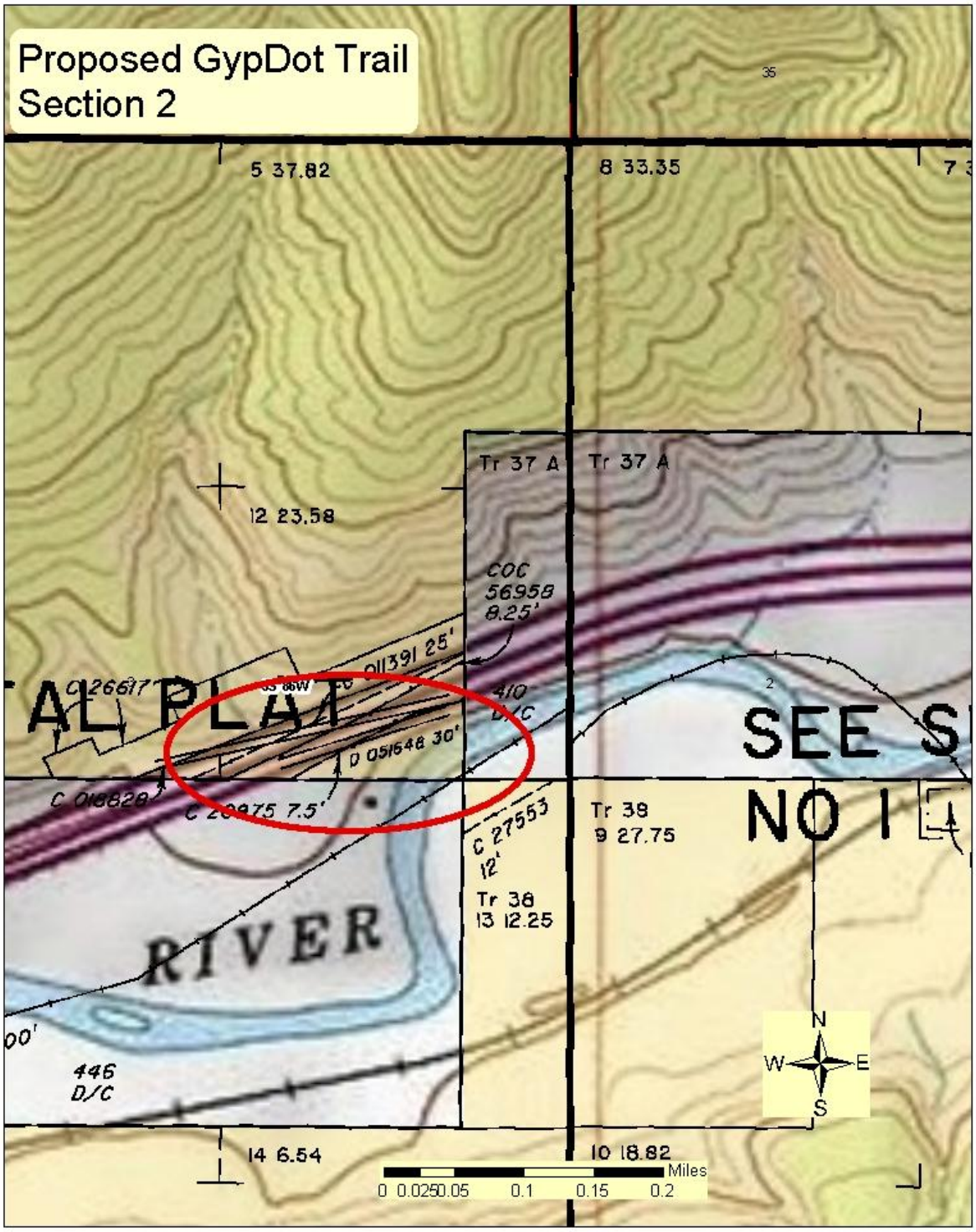
f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

Signature of Holder	Signature of Authorized Officer
_____	_____
Title _____	Associate Field Manager
_____	_____
(Date)	(Effective date of Grant)

EXHIBIT A


Proposed GypDot Trail
Section 1
D 051131
Recon US
No Min
NOE
C 26617
C 26617
C 26617
C 26617
COC 56958
8.25'
C 27553
12'
D 051648
30'
7 10.39
RIO GR
SEE SUPPLEM
NO 1
DENVER
N
W
E
S
Miles
0 0.025 0.05 0.1 0.15 0.2


Proposed GypDot Trail
Section 2
5 37.82
8 33.35
Tr 37 A
Tr 37 A
12 23.58
COC
56958
8.25'
410
D/C
AL PLAT
SEE S
NO I
Tr 38
9 27.75
C 27553
12'
Tr 38
13 12.25
RIVER
446
D/C
14 6.54
10 18.82
N
W
E
S
Miles
0 0.025 0.05 0.1 0.15 0.2

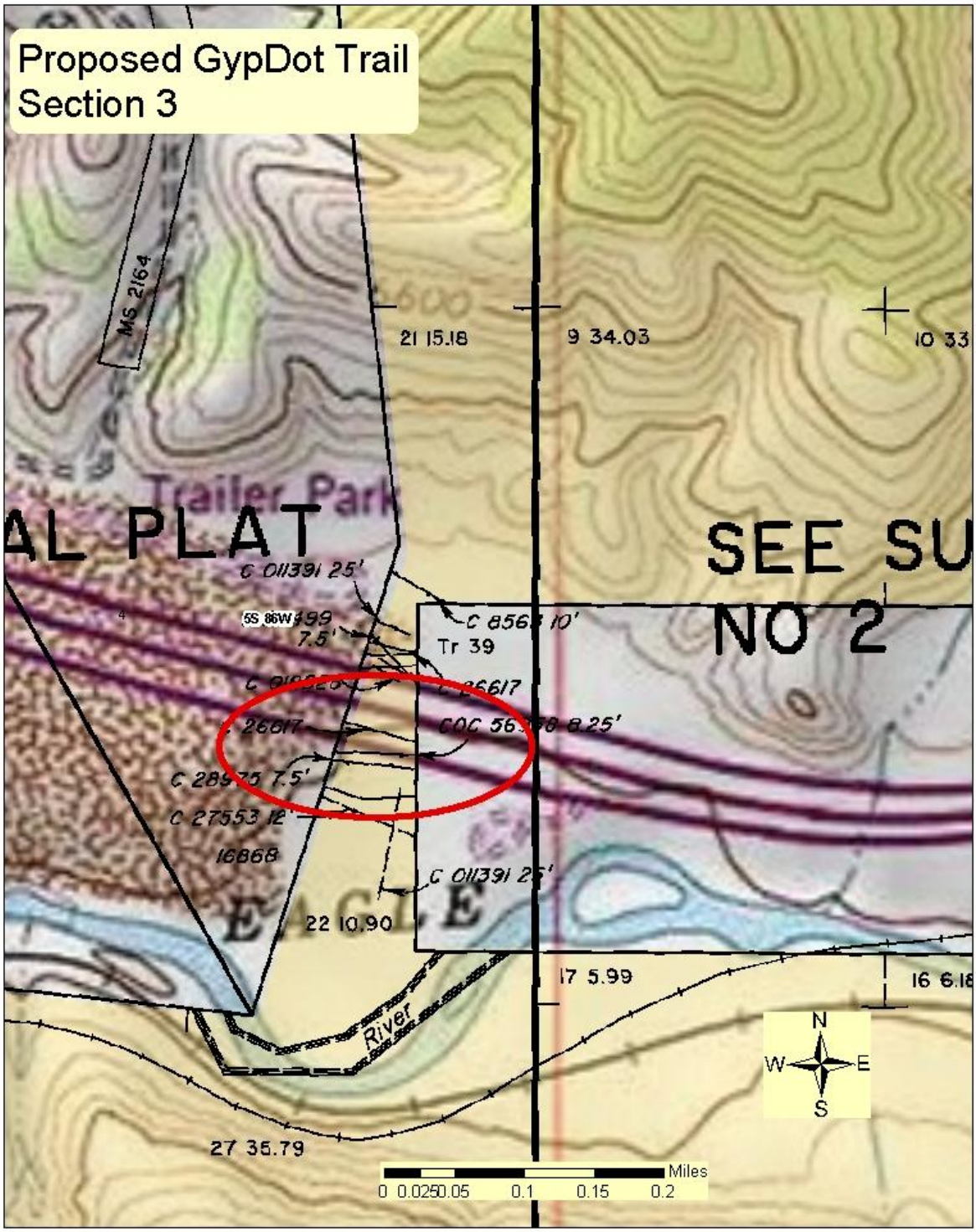

Proposed GypDot Trail
Section 3
MS 2164
21 15.18
9 34.03
10 33
Trailer Park
AL PLAT
SEE SU
NO 2
Tr 39
22 10.90
17 5.99
16 6.18
27 35.79
River
N
W
E
S
Miles
0 0.025 0.05 0.1 0.15 0.2

EXHIBIT B , SPECIAL STIPULATIONS, COC69054, Public Trail

1. The holder shall notify the Colorado River Valley Field Manager (Authorized Officer) at least three days prior to the start of construction or any surface disturbing activities. The authorized officer may require and schedule a preconstruction conference with the holder prior to the holder's commencing construction or surface disturbing activities.

2. The plans, maps, and designs set forth in the application are incorporated into and made a part of this Grant instrument as fully and effectively as if they were set forth herein in their entirety.

3. The holder shall promptly remove and dispose in an authorized sanitary landfill, all waste generated by its activities. Waste includes, but is not limited to, human waste, trash, garbage, petroleum products, ashes and equipment. No burning of trash, brush, or any other material shall be allowed.

4. It is the holders responsibility to coordinate with all other rights-of-way holders and adjacent landowners to make sure any conflicts are resolved both with road improvement and future maintenance.

5. The Colorado River Valley Field Office Field Manager will be notified at least 30 days prior to relinquishment or expiration of the ROW grant. The holder shall contact the authorized officer to arrange a joint inspection of the ROW. This inspection shall be held to determine if the ROW is in acceptable condition. If it is not, then the holder shall be responsible for returning the ROW to a condition acceptable to the authorized officer. This must be accomplished before relinquishment or expiration of the ROW.

6. The trail width shall be maintained at approximately eight to twelve feet within an up to 20' disturbed area. The trail surface may be graveled or surfaced (paved) as necessary to maintain adequate surface stability. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

7. This grant shall not be assignable without written permission of the authorized officer. This Grant may be renewed. If renewed, the Grant shall be subject to the regulation existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

8. Cultural Resources: Education/Discovery Stipulation

Cultural Resources
If subsurface cultural values are uncovered during operations, all work in the vicinity of the resource will cease and the authorized officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the State Historic Preservation Officer (SHPO) and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected from further disturbance until

mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.

Native American human remains
Pursuant to 43 CFR 10.4(g), the holder must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first.

9. The holder shall insure that all construction and maintenance equipment is washed prior to use to insure removal of weed seeds and their potential transfer to the ROW area. The holder shall monitor the ROW for the presence of Eagle County or State-listed noxious weeds annually during the growing season. After consulting with the authorized officer, the holder shall control weed infestations which have resulted from the holder's construction, operation, maintenance or use of the ROW. If chemical control is necessary, use of pesticides shall comply with the applicable Federal and State laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. A Pesticide Use Proposal must be approved by BLM prior to the use of herbicides.

10. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601 et seq.) with regard to any toxic substances that are used, generated by or stored on the ROW or on facilities authorized under this ROW grant (see 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government. The holder shall comply with applicable State standards for public health and safety, environmental protection and siting, construction, operation and maintenance, if these State standards are more stringent than Federal standards for similar projects. Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release of spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

11. All areas of surface disturbance off the trail surface shall be recontoured to blend with the adjacent natural terrain and shall be hydroseeded with the following seed mixture and application rate. There shall be no primary or secondary noxious weed seed in the seed mixture. Application rates are for pure, live seed (PLS). Seed shall be tested and the viability testing of seed shall be done in accordance with State law(s) and within nine month prior to purchase. Commercial seed

shall be either certified or registered seed. The seed mixture containers shall be tagged in accordance with State law(s) and available for inspection by the authorized officer. Seed mix and application rate are:

Species of Seed	Variety	Application Rate (PLS lbs/acre)
Western wheatgrass	**Arriba**	**8.0**
Sandberg bluegrass		**2.0**
Bluebunch wheatgrass	**P7**	**6.0**
Total		**16.0 lbs PLS/acre**

The disturbed area will be considered satisfactorily reclaimed when:

A. Soil erosion resulting from the operation has been stabilized.

B. Vegetative canopy cover equal to or greater than that present prior to disturbance is established, and all species in the seed mix are present in more than trace amounts.

C. No noxious weeds occupy the disturbed areas.

12. Signs, boulders or other vehicle barriers shall be placed as needed to deter motor vehicle use on or along the trail route.

13. The project proponent would assume responsibility for monitoring the ROW for proper installation and maintenance of erosion control BMP's.