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BUREAU OF LAND MANAGEMENT  
Colorado River Valley Field Office  
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## ENVIRONMENTAL ASSESSMENT

### 1. Introduction

NUMBER: **DOI-BLM-CO-N040-2014-044 EA**

CASEFILE NUMBER: 0504952

PROJECT NAME: Issue grazing permit on the Canyon Creek allotment with change in livestock and period of use.

LOCATION: Garfield County, New, Castle, CO

LEGAL DESCRIPTIONS: Canyon Creek allotment #08207, T4S R90W Sec 1, 12, 13, & T5S R89.5W Sec 1,12 & T4S R89W Sec 5, 6, 7, 18. See Attached Map.

APPLICANT: Grazing Permittee

#### PURPOSE AND NEED FOR ACTION:

These permits/leases are subject to renewal or transfer at the discretion of the Secretary of the Interior for a period of up to ten years. The U.S. Bureau of Land Management has the authority to renew the livestock grazing permits/leases consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, Roan Plateau Resource Management Plan Amendment, and the Colorado Public Land Health Standards.

The mission of the BLM is “to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations”. Land Health Standards and Guidelines for Livestock Grazing Management were developed between the BLM and the Colorado Resource Advisory Council to ensure that the mission of the BLM will be achieved. A 2007 land health assessment on the Canyon Creek allotment determined that all standards were being achieved.

This action is needed to determine whether or not to issue a grazing permit on the Canyon Creek allotment as identified in the proposed action and if so under what terms and conditions to ensure that Public Land Health Standards and objectives for resource management are achieved.

**SCOPING AND PUBLIC INVOLVEMENT AND ISSUES:**

This action was scoped internally with the NEPA Interdisciplinary Team on March 5, 2014. Issues raised during the internal scoping are itemized in table 3-1 and analyzed in Section 3 Affected Environment and Environmental Consequences.

The Colorado River Valley Field Office Internet NEPA Register also lists grazing permit renewal NEPA documents that have been initiated. They are generally posted approximately one month prior to the estimated completion date. There were no responses for interested publics in the Canyon Creek allotment. This transfer action did not solicit further public interest.

**2. Proposed Action and Alternatives**

**PROPOSED ACTION**

The Proposed Action is to reissue a grazing permit with a change in livestock class and season of use due to a transfer application. The Proposed Action results in a 26% AUM reduction and AUMS previously available will be temporarily suspended due to change in livestock kind. The season of use under the proposed action has a turn-out date of May 15<sup>th</sup> instead of June 16<sup>th</sup> and an off date of October 1<sup>st</sup> instead of September 15<sup>th</sup>. Under the Proposed Action the season of use is extended by a month and a half and 38 AUMs would be placed in temporary suspended use. The Proposed Action is in accordance with 43 CFR 4130.2. Scheduled grazing use, grazing preference, and terms and conditions for the proposed grazing permit are summarized below.

**Table 2-1 Proposed Grazing Schedules:**

<b>Operator Name</b>	<b>Auth. No.</b>	<b>Allotment</b>	<b>Livestock Number</b>	<b>Livestock Kind</b>	<b>Begin Date</b>	<b>End Date</b>	<b>Public Land</b>	<b>AUMs</b>
Zane Farris	0504952	Canyon Creek #08207	60	Cattle	05/15	10/01	39	108

**Table 2-2 Grazing Preference AUMS:**

<b>Operator Name</b>	<b>Auth. No.</b>	<b>Allotment</b>	<b>Active</b>	<b>Suspended</b>	<b>Temporary Suspended</b>	<b>Total</b>
Zane Farris	0504952	Canyon Creek #08207	108	0	38	146

**Other Terms and Conditions:**

The permittee and all persons associated with grazing operations must be informed that any person who 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. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until further notified in writing to proceed by the authorized officer.

Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits. Maintenance shall be completed prior to turnout. Maintenance activities shall be restricted to the footprint (previously disturbed area) of the project as it existed when it was initially constructed. The Bureau of Land Management shall be given 48 hours advance notice of any maintenance work that will involve heavy equipment. Disturbed areas will be reseeded with a certified weed-free seed mixture of native species adapted to the site.

Average utilization levels by livestock should not exceed 50% by weight on key grass species, and 40% of the key browse species current year’s growth. Grazing in riparian areas should leave an average minimum 4-inch stubble height of herbaceous vegetation. If utilization is approaching allowable use levels, livestock should be moved to another portion of the allotment, or removed from the allotment entirely for the remainder of the growing season. Application of this term may be flexible to recognize livestock management that includes sufficient opportunity for regrowth, spring growth prior to grazing, or growing season deferment.

Adaptive management will be employed on this allotment. The BLM will allow up to 14 days of flexibility in the start and end dates on this permit depending on range readiness. The range will be considered ready when there is a minimum of 4 inches of new growth on grasses. AUMs may not exceed Active Preference. Use different than that shown above must be applied for in advance.

**NO ACTION ALTERNATIVE**

Under the No Action alternative the current grazing permit and all existing terms and conditions would continue to be in effect. The existing grazing permit authorizes the following use:

**Table 2-3 Existing Grazing Schedules:**

Operator Name	Auth. No.	Allotment	Livestock Number	Livestock Kind	Begin Date	End Date	Public Land	AUMs
Malcom Jolley	0507586	Canyon Creek #08207	1000	Sheep	06/16	07/10	39	16
			1000	Sheep	09/06	09/30	39	64
			20	Cattle	07/16	09/15	39	64

**Table 2-4 Existing Grazing Preference AUMs:**

Operator Name	Auth. No.	Allotment	Active	Suspended	Total
Malcom Jolley	0507586	Canyon Creek #08207	146	0	146

**Other Terms and Conditions of the existing grazing permit:**

The permittee and all persons associated with grazing operations must be informed that any person who 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. If in connection with allotment operations under this authorization any of the above resources are encountered,

the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until further notified in writing to proceed by the authorized officer.

Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits. Maintenance shall be completed prior to turnout. Maintenance activities shall be restricted to the footprint (previously disturbed area) of the project as it existed when it was initially constructed. The Bureau of Land Management shall be given 48 hours advance notice of any maintenance work that will involve heavy equipment. Disturbed areas will be reseeded with a certified weed-free seed mixture of native species adapted to the site. (See Map Appendix for Existing Range Improvements)

#### NO GRAZING ALTERNATIVE

Under this alternative the grazing permit described in the Proposed Action and No Action Alternative would be cancelled. As a result, no grazing would be authorized on the Canyon Creek allotment. This alternative would initiate the process in accordance with 43 CFR parts 4100 and 1600 to eliminate grazing on this allotment and would amend the resource management plan.

#### ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

No other alternatives were considered.

#### PLAN CONFORMANCE REVIEW

The proposed action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Glenwood Springs Resource Management Plan

Date Approved: Jan. 1984, revised 1988, amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 - Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance; amended in September 2009; and amended in October 2012 - Approved Resource Management Plan Amendments/ Record of Decision (ROD) for Solar Energy Development in Six Southwestern States.

- The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):
- The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

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

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

#### RELATIONSHIP TO STATUTES, REGULATIONS, OTHER PLANS

- Taylor Grazing Act of 1934 as amended;
- Federal Land Policy and Management Act of 1976;
- Public Rangelands Improvement Act of 1978;
- Title 43 of the Code of Federal Regulations Subpart 4100 – Grazing Administration;
- Noxious Weed Act of 1974;
- Endangered Species Act of 1973;
- National Environmental Policy Act of 1969;
- Migratory Bird Treaty Act of 1918;
- National Historic Preservation Act (16 USC 470f);
- Archeological Resources Protection Act;
- Native American Graves Protection and Repatriation Act;
- Indian Sacred Sites – EO 13007; and
- Consultation and Coordination with Indian Tribal Governments – EO 13175
- Colorado Public Health Standards and Livestock Grazing Management Guidelines - March 1997

#### 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.

A Formal Land Health Assessment was conducted in the Elk Creek Watershed in 2007 which included the Canyon Creek allotment. The allotment was considered to be meeting all the standards at the time of the assessment.

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. Fundamentals addressed include Upland Watershed Function, Riparian Watershed Function, Ecological Processes, Water Quality, and Habitat Quality for Threatened and Endangered and Special Status Species.

### 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

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

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

Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment (CRVFO#1014-19) was completed for the Canyon Creek allotment #08207 on March 25, 2014 by Erin Leifeld, Colorado River Valley Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are available at the Colorado River Valley Field Office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps filed at the Colorado River Valley Field Office as well as information from General Land Office (GLO) maps, BLM land patent records, and the State Historic Preservation Office (SHPO) site records, report records, and GIS data.

The table 3-2 is based on the allotment specific analysis for the allotment in this EA. The table shows known cultural resources, the potential of Historic Properties, and Management recommendations.

**Table 3-2. Cultural Resources Assessment Summary**

Allotment Name and Number	Land Status	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level	Percent Allotment Inventoried at a Class III Level (%)	Number of Cultural Resources known in Allotment	Potential of Historic Properties	Management Recommendations (Additional inventory required and historic properties to be visited)
Canyon Creek #08207	BLM	40.7	1359.1	2.9%	0	Low	No additional inventory recommended; No sites to monitor
	Private	0	1086.3	0%			

A total of two cultural resource inventories (CRVFO CRIR# 591 & 5496-5) have been previously conducted within the Canyon Creek Allotment #08207 resulting in the survey coverage of 40.7 acres at a Class III level. No cultural resources have been documented within the allotment. The allotment is comprised of mostly steep slopes with 63% of the allotment over

30% slopes and 76% of the BLM has slopes greater than 30%. Looking at the GLO records in T5S R90W from 1893 there is potential for a historic road and cabins but they area on private land. The records for T5S R89W from 1909 indicate a historic road and house but they are on private land and the map from 1930 shows no potential for historic sites in the allotment. Currently, the Canyon Creek allotment is split into two separate allotments. In the past, this allotment was analyzed with both parcels combined which resulted in a different analysis. During the previous analysis, no areas were identified for additional inventory and no sites were recommended to be monitored.

## **Environmental Consequences**

### ***Proposed Action Alternative***

The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, can include trampling, chiseling, artifact breakage, and churning of site soils, cultural features, and cultural artifacts. Impacts from livestock standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art can also have direct impacts to cultural resources. Indirect impacts include soil erosion and gullying, which can lead to increased ground visibility which has the potential to increase unlawful collection and vandalism. Continued livestock use in these concentration areas has the potential to cause substantial ground disturbance and in turn, irreversible adverse effects to historic properties.

Change in livestock kind proposed in this alternative will not change ground disturbing impacts to cultural resources because the total AUMs is being adjusted for the change in livestock. Changes in timing to add an additional month-and-a-half to the grazing schedule, however, has the potential to contribute to ground disturbance from livestock by increasing the length of time livestock are on the allotment. Assuring that utilization does not exceed minimum stubble height or average pasture utilization may be beneficial to lessen ground disturbance and therefore livestock will not be grazed to the point where soils are more exposed or more susceptible to erosion. No additional acres are recommended to be inventoried within the allotment and no sites need to be monitored.

### ***No Action Alternative***

Under this alternative, no new changes would be proposed to livestock kind, season of use, or duration of use within the three allotments. Likely no new disturbances to cultural resources will occur from this continued use.

No additional acres are recommended to be inventoried within the allotment and no sites need to be monitored.

### ***No Grazing Alternative***

Under this alternative, direct and indirect impacts to cultural resources from grazing would be reduced based on the absence of livestock and no related surface disturbing activities.

### ***Mitigation***

New range improvements, maintenance of existing range improvements, or additional feeding areas may require cultural resource inventories, monitoring, and/or data recovery.

This allotment may contain undiscovered historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native

American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. If the BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO. The BLM may also require modification to development proposals to protect such properties, or disapprove any activity that is likely to result in damage to historic properties or areas of Native American concern.

## **Native American Religious Concerns**

### **Affected Environment**

American Indian religious concerns are legislatively considered under 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). These require, in concert with other provisions such as those found in the NHPA and Archaeological Resources Protection Act (ARPA), that the federal government carefully and proactively take into consideration traditional and religious Native American culture and life. This ensures, 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 other 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. The BLM recognizes that the Ute have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. The cultural resource evaluation of these allotments describing known cultural resources and their condition was sent to the Southern Ute Indian Tribe, Ute Mountain Ute Tribe, and the Uinta and Ouray Agency Ute Indian Tribe. The Native American consultation with the Southern Ute Indian Tribe, Ute Mountain Ute Tribe, and the Uinta and Ouray Agency Ute Indian Tribe was conducted in on November 15, 2007 with the previous assessment; no issues were identified at that time. This consultation is valid through the remaining term of this permit.

### **Environmental Consequences**

#### ***Proposed Action Alternative***

No traditional cultural properties, unique natural resources, or properties of a type previously identified as being of interest to local tribes, were identified during the overview of the cultural resources inventory of the project area. Therefore, areas of concern to Native American tribes will not be affected.

#### ***No Action Alternative***

No traditional cultural properties, unique natural resources, or properties of a type previously identified as being of interest to local tribes, were identified during the overview of the cultural resources inventory of the project area. Therefore, areas of concern to Native American tribes will not be affected.

### ***No Grazing Alternative***

Under this alternative, direct and indirect impacts to cultural resources from grazing would be reduced based on the absence of livestock and no related surface disturbing activities. Therefore, areas of concern to Native American tribes would not be affected.

### ***Mitigation***

Following the *Mitigation* in the Cultural Resources section will help to ensure direct and indirect impacts are not occurring in areas where concern is unknown.

## **Livestock Grazing Management**

### **Affected Environment**

The Canyon Creek allotment #08207 currently consists of 1,395 public land acres which is mixed with an additional 1,090 acres of private land. There are three BLM parcels; the western parcel is 1049 acres, a middle parcel of 39 acres, and an eastern parcel of 307 acres. The allotment ranges in elevation from approximately 6,500 to 9,000 feet. Canyon Creek allotment is located in Garfield County 10 miles west of Glenwood Springs, CO. The allotment receives an average of 16 inches of precipitation annually (HPRCC). The 39% public portions of the allotment are steep with benches and open parks. Vegetation on the BLM lands consists mostly of dense spruce-fir and Douglas-fir forests with some aspen woodlands, pinyon-juniper, and patches of Gambel oak and sagebrush. The majority of the forage is found on the private land part of the allotment.

### **Environmental Effects**

#### ***Proposed Action***

The Proposed action would change the livestock class, season of use, and result in 26% AUM reduction. Canyon Creek would be permitted at a stocking rate of 13 acres/AUM. The Proposed Action changes the livestock class from a sheep and cattle to strictly cattle. Bighorn sheep are frequent occupants of the area of the Proposed Action. Changing the permit from sheep and cattle to strictly cattle eliminates interactions between domestic and wild sheep. The season of use in the proposed action results in a longer grazing season but utilization is expected to be mitigated by the 26% reduction in AUMs. Changing livestock and extending the season of use enables more flexibility for the permittee to utilize the allotment. Existing conditions are expected to be maintained at proposed stocking levels and season of use. Utilization patterns may be different due differences in grazing habits between sheep and cattle; however, these effects would be within BLM utilization guidelines. Average utilization levels by livestock should not exceed 50% by weight on key grass species, and 40% of the key browse species current year's growth. Grazing in riparian areas should leave an average minimum 4-inch stubble height of herbaceous vegetation.

#### ***No Action Alternative***

Under this alternative grazing use would be authorized under the existing schedules. The permit would most likely continue to be in a non-use status due to livestock class and season of use of the permit. Under this alternative, interactions between domestic sheep and wild sheep would be likely to occur.

### ***No Grazing Alternative***

Under this alternative a grazing permit would not be reissued. As a result, no grazing would be authorized on the Canyon Creek allotment. This alternative would initiate the process in accordance with 43 CFR parts 4100 and 1600 to eliminate grazing on this allotment and would amend the resource management plan.

### **Plants: Invasive Non-Native Species (Noxious Weeds)**

#### **Affected Environment**

A landscape-wide weed inventory has not been completed on Canyon Creek allotment. Through monitoring and compliance inspections infestations known to occur are reflected in Table 3-3. Given the widespread nature of noxious weed infestations, it is assumed that these and other noxious weeds may be found in areas throughout allotments.

**Table 3-3. Noxious weeds infestations occurring on the Canyon Creek allotment**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Statewide List Type</b>
<i>Cirsium arvense</i>	Canada thistle	B List
<i>Cynoglossum officinale L.</i>	Houndstongue	B List
<i>Carduus nutans</i>	Musk thistle	B List
<i>Verbascum Thapsus L.</i>	Common mullein	C List

#### **Environmental Effects**

##### ***Proposed Action***

Weeds generally germinate and become established in areas of surface disturbing activities. Livestock grazing can contribute to the establishment and expansion of noxious weeds through various mechanisms. Improperly managed grazing can cause a decline in desirable native plant species and ground cover which provides a niche for noxious weed invasion. In addition, noxious weed seed can be transported and introduced to new areas by fecal deposition or by seed that clings to the animal's coat. However, this effect is minimal as compared to other weed seed dispersal vectors such as vehicle routes and ground disturbing activities. Properly managed livestock grazing does not create areas of bare ground and maintains the vigor and health of native plant species, particularly herbaceous species, and the proposed action is not expected to cause a substantial increase in noxious weeds. Since the proposed action was designed to sustain and/or improve land health, no significant impacts to non-native, invasive species are expected. Noxious and invasive plant species are not expected to radically increase as a result of the continuation of livestock grazing practices and most infestations will be isolated to watering facilities, salting areas, or other areas where livestock high concentrations are high.

##### ***No Action Alternative***

Under this alternative, changes to livestock kind, season of use, or duration would occur within the three BLM parcels of the Canyon Creek allotment. This alternative would have the similar effects as the Proposed Action alternative.

##### ***No Grazing Alternative***

Under this alternative, no livestock grazing would occur on the allotment and there would be no direct or indirect impacts to weeds from livestock use. Grazing by wildlife may continue to create localized disturbances that would enable weed expansion. Wildlife and vehicles would continue to be vectors for the transportation of noxious weeds.

**Plants: Sensitive, Threatened and Endangered**

**Affected Environment**

The Proposed Action would occur in Garfield County, Colorado. According to the USFWS, four Federally listed plant species may occur within or be impacted by actions occurring in Garfield County. In addition, there are six BLM sensitive plant species with occupied or potential habitat in Garfield County (BLM 2009). Table 3-4 lists these species and summarizes information on their habitat descriptions and potential for occurrence in the proposed action area based on known geographic range and habitats present.

<b>Table 3-4. Federally Listed, Proposed or Candidate Plant Species</b>		
<i>Species and Status</i>	<i>Habitat Description</i>	<i>Potential For Occurrence</i>
Colorado hookless cactus ( <i>Sclerocactus glaucus</i> ) – Threatened	Rocky hills, mesa slopes, and alluvial benches in salt desert shrub communities; often with well-formed microbiotic crusts; can occur in dense cheatgrass . 4,500 to 6,600 feet	<b>No:</b> The proposed action area is outside of elevation range for the species. No potential habitat is present.
DeBeque phacelia ( <i>Phacelia submutica</i> ) – Threatened	Sparsely vegetated, expansive clay soils derived from the Atwell Gulch and Shire Members of the Wasatch Formation; 4,700 to 6,200 feet. In salt desert shrubland or scattered juniper woodland.	<b>No:</b> Proposed action is above the elevational range of the species and no exposures of the Wasatch Formation are present.
Parachute penstemon ( <i>Penstemon debilis</i> ) -- Threatened	Steep, sparsely vegetated, white shale talus of the Parachute Creek Member of the Green River Formation; 8,000 to 9,200 feet. Often associated with Roan Cliffs blazing-star, dragon milkvetch, or oil shale fescue.	<b>No:</b> No talus slopes of the Green River Formation are present in the Canyon Creek allotment.
Ute ladies’-tresses orchid ( <i>Spiranthes diluvialis</i> ) – Threatened	Seasonally flooded or subirrigated alluvial soils along streams, lakes or wetland areas; 4,500 to 7,000 feet	<b>Very Low:</b> Less than 0.25 miles of riparian habitat present on BLM land along Canyon Creek. Banks comprised of large boulders or dense shrubs. No suitable habitat present
<b>BLM Sensitive Plant Species</b>		
Cathedral Bluffs meadowrue ( <i>Thalictrum heliophilum</i> )	Endemic on sparsely vegetated, dry shale slopes of the Green River Formation between 6,200 and 8,800 feet in elevation.	<b>No:</b> No talus slopes of the Green River Formation are present in the Canyon Creek allotment.
DeBeque milkvetch ( <i>Astragalus debequaeus</i> )	Found on varicolored, fine-textured soils of the Wasatch Formation in the vicinity of DeBeque and Rulison, Colorado. Elevations of known populations are between 5,100 and 6,400 feet.	<b>No:</b> No exposures of the Wasatch Formation are present
Harrington’s penstemon ( <i>Penstemon harringtonii</i> )	Wyoming or mountain sagebrush or mixed mountain shrub communities on rocky loam or rocky clay loam soils of basaltic origin between 6,200 to 10,000 feet.	<b>No:</b> No known occurrences or suitable habitat are present within the Canyon Creek allotment.
Naturita milkvetch ( <i>Astragalus naturitensis</i> )	Sandstone mesas, ledges, crevices, and slopes in pinyon-juniper woodlands between 5,000 and 7,000 feet. In shallow soils over exposed bedrock.	<b>No:</b> No sandstone rimrock or ledges present in proposed action area
Piceance bladderpod ( <i>Lesquerella parviflora</i> )	A western Colorado endemic on shale outcrops of the Green River Formation, on ledges and slopes	<b>No:</b> No talus slopes of the Green River Formation are

	of canyons in open areas; 6,200 to 8,600 feet.	present in the allotment.
Roan Cliffs blazing star ( <i>Mentzelia rhizomata</i> )	On steep talus slopes of the Green River Formation from 5,800 to 9,000 feet.	<b>No:</b> No exposures of the Green River Formation present

**Environmental Effects**

***Proposed Action***

Due to the absence of suitable habitat for federally listed or BLM sensitive plant species within the proposed action area, the Proposed Action Alternative would have “**No Effect**” on listed plant species and no impact on BLM sensitive plants.

***No Action Alternative***

The No Action alternative would have the same effects as the Proposed Action alternative.

***No Grazing Alternative***

The No Grazing Alternative would have the same effects as the Proposed Action alternative.

**Land Health Standards**

Given that no occupied or suitable habitat for special status plants has been identified within the Canyon Creek allotment, Standard 4 for special status plant species does not apply.

**Plants: Vegetation**

**Affected Environment**

The Canyon Creek allotment straddles a ridge between Canyon Creek and East Canyon Creek and consists of a mixture of BLM and private lands. The private lands occupy the valley bottom along East Canyon Creek and most of the flatter terrain on the ridge top, with BLM lands generally forming the steep side slopes and a portion of the flatter ridge top.

Vegetation on the BLM lands consists mostly of dense spruce-fir and Douglas-fir forests with some aspen woodlands, pinyon-juniper, and small patches of Gambel oak and sagebrush. The majority of the forage is found on the private land part of the allotment.

**Environmental Effects**

Livestock grazing results in the direct removal of vegetation, both green shoots from the current year and old, dried growth from the previous year. Properly managed livestock grazing can improve plant vigor by removing dried stems and seed heads thereby improving photosynthetic activity of live plant material. If the timing or intensity of grazing does not allow adequate recovery and regrowth periods between grazing events, grazing may: reduce plant vigor or cause plant mortality by depleting root reserves, change the species’ composition in favor of less palatable plant species, and create surface disturbance and bare ground that serves as a niche for the invasion of noxious weeds.

***Proposed Action***

The proposed grazing schedule would allow for cattle grazing from 5/15 to 10/1 which encompasses the entire growing season. If cattle are allowed to linger too long in any portion of the allotment there may be inadequate rest and recovery time for vegetation and little opportunity for seed dissemination and seedling growth, resulting in damage to vegetation health. This may cause a decline in the more palatable herbaceous plant species and a shift in species composition

in favor of shrubs and unpalatable plants. However, cattle are less inclined to use steep slopes than sheep and since the majority of the flatter terrain is on private lands, most of the grazing is expected to occur there.

In addition, the 26% reduction in AUMs under the proposed action would likely result in less grazing intensity overall and adhering to the terms and conditions of the permit which limit utilization levels would help ensure maintenance of plant health.

***No Action Alternative***

The Canyon Creek allotment has been grazed by sheep in the early and late summer and by cattle during the middle of the summer. The combined cattle and sheep grazing results in a 3.5 month period of grazing use during the growing season which may offer little rest and recovery time for vegetation. If livestock are allowed to linger in their preferred habitats, an extended grazing season may result in repeated defoliations of the same palatable plants throughout the growing season which is particularly detrimental to plant health. However, sheep are frequently herded to new grazing areas and tend to utilize steeper slopes than cattle, so this grazing system should provide good grazing distribution throughout the allotment and minimize repeated defoliations. The current grazing practices appear to be maintaining good upland plant health. Thus, it is anticipated that the no action alternative would maintain existing vegetation conditions.

***No Grazing Alternative***

Under this alternative, no livestock grazing would occur on the allotment and there would be no direct or indirect impacts to vegetation from livestock use. There would be an increase in vegetative biomass (plant height and production) without the presence of livestock to remove vegetative material. Dead and dried stems and seed stalks may build up over time, particularly on the more mesic and more productive sites, reducing photosynthetic activity and potentially resulting in less vegetative vigor and biomass in the long-term. There would also be less surface disturbance due to trampling and removal of vegetation and therefore, less risk of noxious weed invasion.

**Land Health Standards**

The Elk Creek Land Health Assessment (2006) determined that upland vegetation was meeting Standard 3 (BLM 2008). Given that the majority of the public lands within the allotment are steeper than 50% slope and that the private lands consist of flatter terrain and produce more forage, cattle are expected to spend most of their time on private lands within the allotment. In addition, with a 26% reduction in AUMs and implementation of the terms and conditions of the grazing permit pertaining to utilization limits, the Proposed Action is not anticipated to degrade upland plant health from current conditions.

**Socio-Economics**

**Affected Environment**

The majority of CRVFO grazing permits are issued to individuals and businesses within the following counties of Colorado. The median household income within those counties is identified in the following table.

**Table 3-5**

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

Local communities throughout rural areas in the western United States are often integrally tied to ranching and agriculture. Livestock grazing has been a significant part of the Colorado River valley and surrounding area for more than 100 years. Cattle companies began moving into western Colorado in the early 1870s, using the open range as winter feeding grounds for their herds (Church et al, 2007). By the late 1880s, a more sedentary life of livestock raising became prevalent as ranchers established access to leased lands and irrigated pastures and were able to establish more permanent ranches (Church et al, 2007). Many of these ranches, cattle companies, and homesteading families retain their long-standing social and economic ties to the area.

Benefits that local ranches and livestock companies bring to the surrounding communities include jobs, local business revenue, and locally produced meat (Huntsinger & Hopkinson, 1996). Additionally, reserving tracts of land for livestock grazing can preserve large expanses of contiguous property which are not open to development and segmentation. In combination, these large tracts of ranch land and public land can be beneficial to wildlife, recreation, watersheds, and aesthetics (Huntsinger & Hopkinson, 1996). In the West, “49.6% of all public land ranchers” are greatly dependent on ranching as a primary source of their income (Gentner & Tanak, 2002). Maintaining historic ties to the land through livestock grazing also preserves traditional family and community land uses. Studies show that ranchers are not only in the livestock business to make a profit, but place great value in the quality of life that comes with the ranching lifestyle (Rowe, Bartlett & Swanson, 2001).

Challenges to livestock grazing can include financial hardship, over-utilization, and limitations from land development, and conflicts with other land users. Encroachment by land developers can raise property taxes and values which can create economic incentive for ranchers to fragment or sell off their lands (Huntsinger & Hopkinson, 1996). Livestock price fluctuations can increase the challenge for ranchers to maintain a profit (Smith & Martin, 1972). Livestock owners who use public lands feel pressures from other land users, such as recreationists or oil and gas development, for access and use of land. However, the multiple use mission of the Bureau of Land Management requires that the traditional land uses, such as grazing, are managed in a way that accommodates other public land users.

Social and economic impacts of ranching and agriculture can bring both benefits and challenges to the local community. Sustainably managed grazing supports a way of life that has been established since the early twentieth century and can be an opportunity to preserve community tradition, identity, and land use patterns while accommodating other land uses and environmental protections.

**Environmental Effects**  
***Proposed Action***

The environmental effects of this action would be the same or similar to the No Action alternative. Livestock grazing would continue to be authorized but at a slightly reduced level due to livestock utilization patterns.

### ***No Action Alternative***

The No Action alternative would involve re-issuing the existing permit for cattle and sheep use. The ranching livelihood, local economic benefit, and cultural settings of the area would continue to be supported and no net increase or loss to the permittee or county would be expected.

### ***No Grazing Alternative***

The No Grazing alternative disproportionately impacts ranches with greater forage needs, higher public forage dependency, and no cost effective forage substitutes. Public forage losses could be replaced with other private leases or hay. Leasing private land can be the least-cost alternative but in many areas is unrealistic due to lack of available agricultural land to lease. Buying hay to compensate for lost forage is a far more expensive option than reducing livestock numbers. (Rowe, 2001) These additional costs may result in the conversion of traditional agricultural property to some other use.

The desired social outcomes of the Community Assessment Report identified the importance of rural or western lifestyles and livelihoods in this area. This alternative would hinder the ability of local ranches to maintain economies, but even more importantly, to maintain the rural/western character integral to the larger community identity (BLM, 2007).

## **Soils**

### **Affected Environment**

A review of the soil survey by the NRCS for the *Rifle Area, Colorado, Parts of Garfield and Mesa Counties* indicate 11 soil map units occur within the proposed allotment (NRCS, 1985). The NRCS soil map unit descriptions are provided below for the three dominant soils types (NRCS, 2014):

Dateman gravelly loam (22) – This moderately deep, well-drained soil is found on mountainsides at elevations ranging from 7,000 to 9,500 feet and on slopes of 30 to 50 percent. This soil is derived primarily from sandstone and limestone rocks. Surface runoff for this soil is medium and the erosion hazard is classified as moderate. Primary uses for this soil include wildlife habitat and grazing.

Farlow-Rock outcrop association (26) – This soil map unit is found on mountainsides at elevations ranging from 8,000 to 10,500 feet and on steep slopes. Approximately 65 percent of the unit is Farlow soil and 25 percent Rock outcrop. The remainder of the map unit consists of Dateman soils. The Farlow soil is deep, well drained and has rapid surface runoff with moderate erosion hazard. The Rock outcrop portion of this unit is limestone. Primary uses for this soil map unit include limited grazing and wildlife habitat.

Lamphier loam (42) – This deep, well-drained soil is found on fans and mountainsides at elevations ranging from 7,500 to 10,000 feet and on slopes of 15 to 50 percent. This soil is derived from sandstone and shale rocks. Surface runoff for this soil is slow and the erosion hazard is classified as slight. Primary uses for this soil include grazing, wildlife habitat, and recreation.

The 2007 Land Health assessment found that all 10 soil and site stability indicators evaluated received departure from expected ratings of ‘none to slight’ (BLM, 2008). Thus, upland soils are considered to be meeting land health standards.

### **Environmental Effects**

#### ***Proposed Action***

Grazing activities could result in direct 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. Indirect impacts include soil erosion and gullyng. Based on existing soil conditions and generally good vegetative cover; the likelihood of livestock grazing contributing to excessive soil degradation and transport to nearby drainages is not expected. The reduced stocking rate is anticipated to offset some of the impacts of changing from sheep and cattle to cattle only, since cattle tend to utilize riparian areas and water sources more readily. The season long grazing period is not expected to create long term effects that would compromise soil stability on a large scale if the average utilization levels by livestock do not exceed 50% by weight on key grass species, and 40% of the key browse species current year’s growth. Small-scale and localized disturbances would likely be limited to trailing and watering areas.

#### ***No Action Alternative***

Direct and indirect impacts of livestock grazing are similar to the proposed action, though sheep tend to have better distribution across the landscape and not congregate at water sources. The current grazing practices appear to be maintaining good upland soils and riparian vegetation. Thus, it is anticipated that the no action alternative would maintain existing soil conditions.

#### ***No Grazing Alternative***

Under this alternative, no livestock grazing would occur and there would be no direct or indirect impacts to soils from livestock use. Trampling or removal of plant material may still occur from wildlife grazing. In addition, soil disturbance and erosion may persist due to other surface disturbing activities, such as roads and trails, although there are few that exist in the allotment.

### **Land Health Standards**

Based on the Elk Creek Land Health Assessment, BLM staff concluded that soils are meeting Standard 1 (BLM, 2008). Implementation of the proposed action is not anticipated to degrade soil health from current conditions.

## **Water Quality, Surface and Ground**

### **Affected Environment**

The Canyon Creek Allotment is located west of the City of Glenwood Springs and north of the Colorado River within the 10,432 acre East Canyon Creek and the 15,303 acre Canyon Creek 6<sup>th</sup> field watersheds. Drainages within the allotment include several tributaries to the perennial East Canyon Creek and the perennial Canyon Creek. Canyon Creek is tributary to the Colorado River to the south. Approximately 1.5 miles of Canyon Creek flows through the allotment. Canyon Creek is a high gradient stream, confined in its upper reaches, while in its lower reaches the gradient lessens and floodplain and terrace features can be observed along with a healthy

riparian community. USGS operated a gaging station on Canyon Creek from 1954 -1960. Those data showed the highest flow, generally exceeding 500 cfs, occurred in May and June, while low flow occurred in August and September presumably from irrigation withdrawal.

According to the *Stream Classifications and Water Quality Standards* (CDPHE, 2013), Canyon Creek is within the Lower Colorado River Basin segment 7 that includes the mainstem of Canyon Creek from the White River forest boundary to the confluence with the Colorado River. This segment has been classified aquatic life cold 1, recreation 1a, water supply, and agriculture. Aquatic life cold 1 indicates that this water course is capable of sustaining a wide variety of cold water biota. Recreation class 1a refers to waters in which primary contact recreation is presumed to be present. In addition, this segment is suitable or intended to become suitable for potable water supplies and agricultural purposes that include irrigation and livestock use. During the

Stream Name	Date (mm/dd/yr)	Discharge (cfs)	Temp. (C)	pH	Cond. (µS/cm)	Hardness (mg/L)	Phenol Alkalinity (mg/L)	Total Alkalinity (mg/L)
Canyon Creek (below diversion)	05/30/2007	-	4.1	8.1	218	140	0	160

2007 Elk Creek Land Health assessment, limited water quality data was collected for Canyon Creek but data indicate overall good water quality conditions:

**Table 3-6. Canyon Creek water quality data**

Two springs with BLM held water rights exist in the western portion of the allotment. East Canyon Springs No.1 and 2 were both decreed for 0.004 cfs absolute for livestock and wildlife uses. Water quality samples from 1983 indicate very good conditions with each spring producing approximately 15 gallons per minute. East Canyon Spring No.1 had a water temperature of 46°F, conductivity of 55µmhos/cm and pH of 7.6. East Canyon Spring No.2 had a water temperature of 46°F, conductivity of 193µmhos/cm, and pH of 7.45.

The State of Colorado has developed a *303(d) List of Water Quality Limited Segments Requiring TMDLS and Monitoring and Evaluation List* (CDPHE, 2012) that identifies stream segments that are not currently meeting water quality standards with technology based controls alone. No streams in the Canyon Creek allotment are on these lists, suggesting water quality standards are currently being met.

**Environmental Effects**

***Proposed Action***

Direct impacts to water quality resulting from grazing could be elevated nutrient levels (i.e. fecal coliform) and increased turbidity, if cattle begin to congregate near water sources for extended periods of time. Hoof action can cause surface compaction, stream bank shearing, elevated erosion rates and subsequent deterioration of water quality. Indirect impacts may result from excessive utilization in upland watershed areas reducing effective vegetative cover, elevating erosion potential and increasing sediment delivery to streams, which could negatively impact water quality. Since cattle have a tendency to concentrate their foraging use in or near water or riparian areas there is a slight chance that the change from sheep to cattle could have slight changes in water quality. However, the reduced stocking rate and duration are not expected to have a substantial effect on water quality, if best management practices are implemented. Any

sediment that is produced in areas where livestock may congregate would likely be captured by the existing vegetative ground cover and riparian zones.

### ***No Action Alternative***

Direct and indirect impacts of livestock grazing are similar to the proposed action, though sheep tend to have better distribution across the landscape and not congregate at water sources. The current grazing practices appear to be maintaining good water quality and riparian vegetation. Thus, it is anticipated that the no action alternative would result maintenance of existing water quality conditions.

### ***No Grazing Alternative***

Under this alternative, no livestock grazing would occur and there would be no direct or indirect impacts to water quality from livestock use. Trampling or removal of plant material may still occur from wildlife grazing, and soil disturbance and erosion may persist due to other surface disturbing activities, such as roads and trails that exists throughout the allotment, which could potentially affect water quality.

### **Land Health Standards**

Based on the Elk Creek Land Health Assessment, BLM staff concluded that water quality is meeting Standard 5 (BLM, 2008). Implementation of the proposed action is not anticipated to degrade water quality from current conditions.

## **Wetlands and Riparian Zones**

### **Affected Environment:**

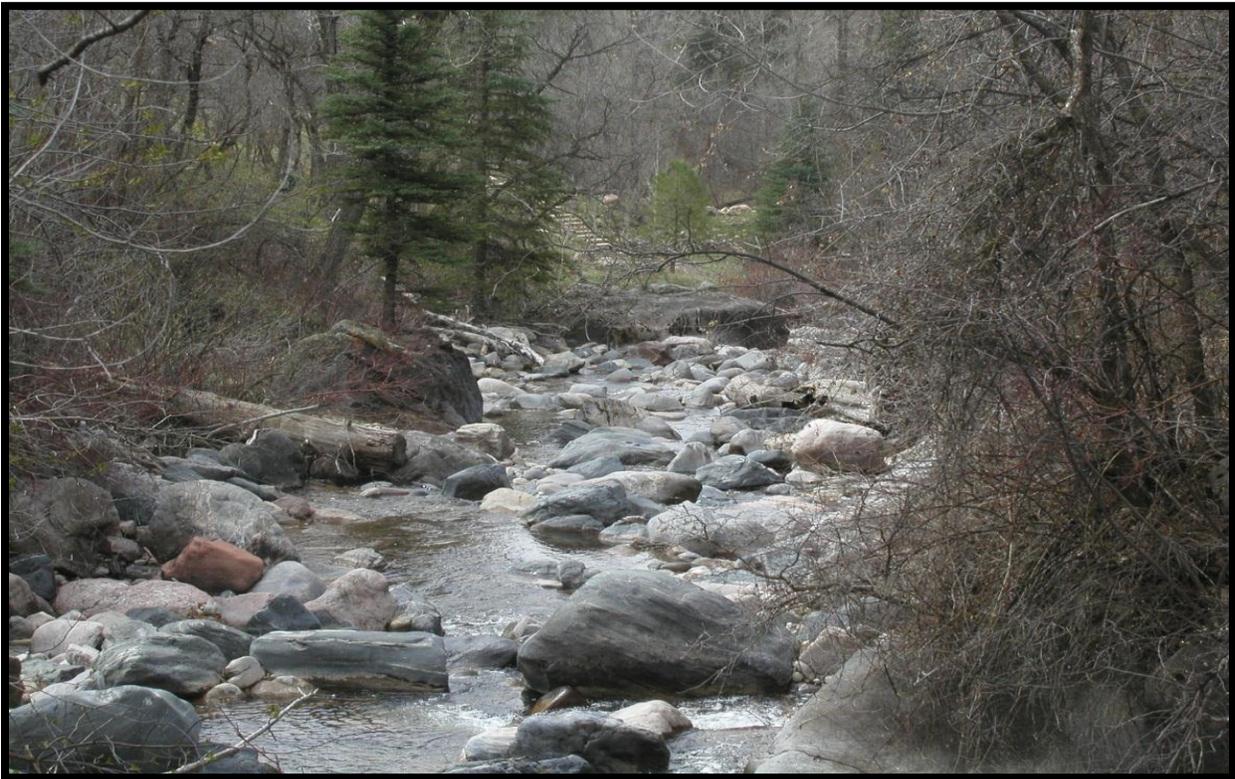
***Background.*** Riparian areas make up a relatively small, but productive and resilient portion of the landscape. Riparian zones occur along streams, rivers, seeps, springs and other water features where the vegetation or physical attributes of the area are reflective of the influence of water. The term “riparian” is defined as vegetation, habitats, or ecosystems that are associated with bodies of water (streams or lakes) or are dependent on the existence of perennial, intermittent, or ephemeral surface or subsurface water drainage (Pratt 2012).

***General Description of Riparian/Wetland Systems.*** Short sections (less than 1/4 mile each) of Canyon and East Canyon Creek cross BLM lands within the Canyon Creek allotment. Riparian resources are predominantly found along these two perennial streams. These stream segments are dominated by narrowleaf cottonwood, spruce, alder, Rocky Mountain maple and red-osier dogwood. The Canyon Creek allotment is only 39% BLM land. The BLM land portion of this allotment encompasses alot of steep rugged terrain. Topography and dense woody vegetation limits physical access to the portions of Canyon and East Canyon Creeks that cross BLM lands. The steep stream gradient, topography, and rocky stream substrate supports a narrow, riparian zone dominated by woody vegetation on BLM lands as reflected in photograph 1 & 2.

**Photograph 1: Canyon Creek**



**Photograph 2: East Canyon Creek**



Proper Functioning Condition (PFC). PFC is a qualitative method for assessing the condition of riparian wetland areas. The term PFC is used to describe both the assessment process and a defined, on-the-ground condition of a riparian-wetland area. The PFC assessment refers to a consistent approach for considering hydrology, vegetation, and erosion/deposition (soils) attributes and processes to assess the condition of riparian wetland areas (BLM 2003). A riparian PFC assessment was performed in 2007 on Canyon Creek as part of a watershed land health assessment. The assessment indicated that the riparian area was in properly functioning condition and livestock grazing was not a factor limiting riparian/wetland function. Table 3-7 lists the known riparian areas and the PFC assessment condition ratings on the allotment.

**Table 3-7.**

Allotment	Riparian Area Name	Miles <sup>1</sup>	Year Assessed	Condition Rating
Canyon Creek	Canyon Creek	0.2	2007	Proper Functioning Condition
	East Canyon Creek	< 0.10	--	Not assessed <sup>2</sup>
Notes: 1. On BLM land. Within the allotment there are almost two miles of stream channel. 2. This reach was not assessed due to topography making access difficult.				

### **Environmental Effects**

General. Livestock can indirectly and directly affect stream condition through soil compaction, bank shearing, or severing of roots of riparian vegetation, which are needed for plant survival and bank stability (Behnke & Raleigh, 1978). Vegetation attributes that can change in response to a grazing include:

- Plant community composition, distribution, and production,
- Plant species diversity,
- Rooting characteristics (deep-rooted or shallow-rooted),
- Vegetation contribution to soil organic matter,
- Amount of bare ground vs. vegetated ground cover, and
- Plant community structure including woody plant size, diverse age classes, location, and abundance.

When livestock over-utilize existing mature woody plants and remove early successional stages, the results are less diverse and often less productive riparian systems (Elmore & Kauffman, 1994).

Cattle verses Sheep Grazing. Herded sheep offer several options for achieving proper management in certain riparian areas. Sheep use may be more desirable than cattle use in some areas due to the herder's control over location, timing, degree, duration, and frequency of use. Sheep prefer hillsides to the confining nature of riparian bottoms. The herder can easily move sheep to upland or ridgetop areas rather than bedding them in a riparian area meadow. Generally, herders want to keep flocks or bands moving to facilitate forage selectivity. When properly herded, sheep cause less trampling damage than cattle (Stoddart et al., 1975).

Sheep may also do less physical damage to herbaceous plants due to their nibbling characteristics, whereas cattle and horses can dislodge plants from the soil because they graze

with a pulling motion. Because different animal species have different plant preferences, the integration of multiple grazing species may improve plant species composition (BLM, 2006).

### ***Proposed Action***

The Proposed Action is to reissue a grazing permit with a change in livestock class to cattle only and change in season of use due to a transfer application. The season of use under the proposed action has a turn-out date of 05/15 instead of 06/16 and an off date of 10/01 instead of 09/15. Under the proposed action the season of use is extended 1.5 months. The proposed action results in 108 AUMs (a 26% AUM reduction) and AUMs previously available will be temporarily suspended due to change in livestock kind.

Since cattle have a tendency to concentrate their foraging use in or near water or riparian areas there is a slight chance that the riparian vegetation could have increases in utilization under the Proposed Action. Utilization by livestock is expected to be higher on private land due to flatter terrain, additional water sources, available forage and low percent of BLM land in the allotment. These factors are expected to hold cattle on the private lands and reduce grazing pressure on the BLM land portion of the allotment.

On BLM lands, the 26% reduction in AUMs is anticipated to offset some of the potentially negative impacts from the change in kind of livestock and longer season of use. Most importantly, adhering to the proposed terms and conditions specifying utilization standards, riparian vegetation attributes on BLM lands would be maintained over the term of the grazing permit.

### ***No Action Alternative***

The Canyon Creek allotment is grazed by sheep from 06/16 to 07/10 and then again 09/06 to 09/30. It is also grazed by cattle from 07/16 to 9/15. The existing grazing preference is 146 AUMs.

The combined cattle and sheep grazing results in a 3.5 month period of grazing use during the growing season which may offer little rest and recovery time for vegetation. Because sheep and cattle have different plant preferences, the integration of multiple grazing species can help maintain riparian plant species composition. In addition, sheep are frequently herded to new grazing areas and tend to utilize steeper slopes than cattle, so this grazing system may maintain plant health by providing good grazing distribution throughout the growing season.

Due in part to the kind of livestock, topography, physical access to riparian areas on BLM lands and the percent of BLM lands within the allotment; the existing grazing schedule seems to be maintaining riparian vegetation attributes even with season-long grazing. It is expected that the No Action Alternative would likely maintain riparian vegetation attributes over the duration of the 10-year permit.

### ***No Grazing Alternative***

Under this alternative, no livestock grazing would occur on the allotment and there would be no direct or indirect impacts to riparian vegetation from livestock use. There would be an increase in riparian vegetation biomass (plant height and production) without the presence of livestock to remove plant material. At the locations where water sources and riparian vegetation are

accessible to livestock, there would be minimal trampling of stream banks and sufficient ground cover would be maintained.

#### Analysis on the Public Land Health Standard 2 for Riparian Systems:

The 2008 Elk Creek Land Health Assessment determined that both stream segments were in properly functioning condition and meeting Public Land Health Standard 2 for Riparian Systems. Based on: 1) the current riparian habitat condition within the allotment, 2) the steep terrain and rocky stream banks that restrict livestock access, 3) information from the 2008 Elk Creek Land Health Assessment that rated the streams at PFC, 4) the percent of BLM lands within the allotment and 5) the terms and conditions attached to the permit; the Proposed Action is anticipated to continue to support achievement of Public Land Health Standard 2 for riparian systems on BLM lands. Riparian systems associated with the stream segments on BLM lands should continue to function properly based on the streams' potential, position in the landscape and parent materials.

### **Wildlife: Aquatic / Fisheries Including Special Status Species**

#### **Affected Environment**

##### **Aquatic Wildlife**

Two fish-bearing streams occur on these allotments. Short sections (less than 1 mile each) of Canyon and East Canyon Creek cross the Canyon Creek allotment. Both streams contain a variety of non-native trout. It is estimated both streams as well as other aquatic habitats (e.g. ponds) contain commonly occurring amphibians (e.g., Western Chorus Frog [*Pseudacris triseriata*]) and aquatic invertebrates including large stoneflies, mayflies, midges, and midge larvae.

##### **Special Status Aquatic Wildlife Species**

Colorado River Cutthroat Trout. East Canyon Creek contains some native Colorado River cutthroat trout, a BLM sensitive species. Colorado River cutthroat trout are one of three recognized subspecies of native trout found in Colorado. They historically occupied portions of the Colorado River drainage in Wyoming, Colorado and Utah. Widespread introductions of non-native salmonids over the last century have served to limit current distributions primarily to isolated headwater streams and lakes. As such, the Colorado River cutthroat trout is designated as a species of special concern in Colorado, and significant resources have been dedicated to conservation of the subspecies (CPW, 2014). The regional population status of the native Colorado River cutthroat trout is stable to increasing because of the recent interest in reversing the downward trend of the species in Colorado.

#### **Environmental Effects**

##### ***Proposed Action***

All Aquatic Species. Livestock grazing can have direct negative impacts on streams containing sediment-intolerant aquatic species. There are four general components of an aquatic system that can be affected by livestock grazing: streamside vegetation, stream channel morphology, shape and quality of the water column and the structure of the soil portion of the streambank (Behnke & Raleigh, 1979). The potential impacts on aquatic species and their habitats are: habitat alteration, increased water temperatures, reduced macro-invertebrate productivity and increased sedimentation and turbidity.

Livestock, especially cattle, have a tendency to concentrate their foraging use in or near riparian areas so actions that protect or reduce impacts on riparian areas benefit aquatic wildlife and macro-invertebrates. Well vegetated streambanks provide both thermal and hiding cover for fish as well a source of nutrients and food for all forms of aquatic life. Healthy riparian corridors dissipate flood energies and filter sediments, resulting in reduced sediment loads and better spawning substrates. Riparian communities also provide diverse ponding structures creating pool habitat for fish and other aquatic wildlife.

Field observations indicate that the components of aquatic systems are currently in good condition on the Canyon Creek allotment given the potential of the streams, known constraints, and stream and riparian habitat condition. Since cattle have a tendency to concentrate their foraging use in or near water or riparian areas there is a slight chance that the aquatic systems, which mostly are on private lands, could have increases in use. There is also the potential for negative impacts on upland, riparian and aquatic habitats during those years with nominal plant growth (e.g. drought). However, the 26% reduction in AUMs are anticipated to offset some of this impact and afford sufficient riparian vegetation cover to minimize erosion of sediments into adjacent waters on BLM lands. Most importantly, adhering to the terms and conditions specifying an average utilization level by livestock to not exceed 50% by weight on key grass species, and 40% of the key browse species current year's growth would maintain vertical and horizontal vegetative structure, biomass and complexity where it presently exists on BLM lands over the long-term.

#### ***No Action Alternative***

**All Aquatic Species.** Based on available monitoring/assessment data, analysis in other sections of this EA, the low percent of BLM land within the allotment, as well as the rugged nature of BLM land; the current grazing schedule seems to be affording good aquatic and riparian habitat conditions. It is anticipated that continuation of current management would likely result in continuing to maintain good aquatic conditions so that aquatic animals are spatially distributed across the landscape with a density, composition, and frequency of species suitable to ensure reproductive capability and sustainability. There is the potential for negative impacts on upland, riparian and aquatic habitats during those years with nominal plant growth (e.g. drought). However, the terms and conditions specifying an average utilization level by livestock to not exceed 50% by weight on key grass species, and 40% of the key browse species current year's growth would maintain vertical and horizontal vegetative structure, biomass and complexity where it presently exists on BLM lands over the long term.

#### ***No Grazing Alternative***

**All Aquatic Species.** Under this alternative, no livestock grazing would occur and there would be no direct or indirect impacts to aquatic wildlife or their habitat from livestock use. Riparian vegetation biomass would likely increase without the presence of livestock. The diversity and density of aquatic animal species would be in balanced with other land uses and habitat/landscape potential.

#### **Land Health Standards**

Given the potential of the perennial streams assessed, known constraints, and stream and riparian habitat condition, the 2007 Elk Creek Land Health Assessment determined that land health standards 3 and 4 were being met for aquatic wildlife on the allotment with the current grazing schedule. Overall, ecological processes are presently functioning within a normal range of variability. Aquatic habitat condition is generally good. Both the current and the proposed grazing schedules would likely continue to meet the needs of aquatic wildlife species. Based on: 1) the current water and riparian habitat condition within the allotment, 2) information from the 2007 Elk Creek Land Health Assessment, 3) information presented in other sections of this environmental assessment, 4) the percent of BLM lands within the allotment and 5) the terms and conditions attached to the permit; the proposed action will continue to support achievement of land health standards 3 and 4 for aquatic wildlife on BLM lands. Adequate habitat conditions will be available to ensure that aquatic wildlife are maintained at viable population levels commensurate with the species and habitat's potential. Under the no grazing alternative, livestock grazing would be removed as a potential causal factor in the failure to achieve land health standards in the future.

## **Wildlife: Terrestrial Including Special Status Species and Migratory Birds**

### **Affected Environment**

#### **Terrestrial Wildlife**

Mule Deer and Elk. Mule deer (*Odocoileus hemionus*) are 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 on the allotment. 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.

The allotment overlaps with Colorado Parks and Wildlife (CPW) mapped mule deer and elk summer ranges. The southern portion of the allotment overlaps with CPW mapped elk severe winter range. The southern and southwestern portion of the allotment overlaps with CPW mapped elk concentration areas.

Big game populations are managed by CPW to achieve population and sex ratio objectives established for data analysis units (DAU). A DAU is the geographic area that represents the year-around range of a big game herd and includes all of the seasonal ranges of a specific herd. Each DAU usually is composed of several Game Management Units (GMUs), but in some cases only one GMU makes up a DAU. The purpose of a DAU plan is to integrate the plans and intentions of CPW with the concerns and ideas of land management agencies and interested publics to determine how a big game herd in a DAU should be managed. The White River Elk Herd E-6 Data Analysis Unit (DAU) Plan for GMUs 11, 211, 12, 13, 131, 231, 23, 24, 25, 26, 33, and 34 states that elk numbers have been slightly above population objective ranges. The D-43 Sweetwater Creek Deer Herd DAU Plan for GMUs 25, 26, and 34 states that mule deer numbers have been slightly below population objective ranges. Three significant issues were noted in the DAU Plan including: unfavorable winter range conditions, competition with elk and land development in winter range (CPW, 2014).

Bighorn Sheep. Bighorn sheep (*Ovis canadensis*) typically occur in steep, high mountain terrain. They prefer habitat dominated by grass, low shrubs, rock cover, and areas near open escape.

Throughout the west, free-ranging bighorn populations have struggled with disease outbreaks. The most common cause of these diseases is bronchopneumonia, which is usually associated with bacteria *Mycoplasma ovipneumonia*, *Pasteurella multocida*, *Mannheimia haemolytica* (formerly in the genera *Pasteurella*) and *Bibersteinia trehalosi* (*Pasteurella* genera). Pneumonia caused by these bacteria is attributed to die-offs that can kill some, many, or all adult bighorn sheep in a herd. Outbreaks of pneumonia are often followed by subsequent years or decades of sporadic cases of pneumonia in adult sheep and annual epizootics of pneumonia in lambs (Besser, et al., 2012).

The prevailing theory for the susceptibility of bighorn sheep to the above pathogens is attributed to the concept that bighorns did not co-evolve with these pathogens and have not developed an effective immunity against the bacteria. Domestic sheep through centuries of husbandry and natural selection have developed a resistance against the bacteria but carry them within their blood. Both species are gregarious by nature and have a natural attraction for each other. Subsequently, when the two species come into contact and the pathogens are transmitted, the bighorns have little defense (BLM, 2013).

The transmission of disease from domestic sheep to bighorn sheep is a complex and controversial issue (BLM, 2013). However, a majority of the current research findings strongly suggest that the co-mingling and contact of domestic sheep and bighorn sheep is largely acknowledged to be the causal factor for the transmission of these bacteria and that separation of the two species is the only effective tool to prevent disease transmission (Western Association of Fish and Wildlife Agencies, 2012).

BLM is currently working with CPW, the USFS, sheep grazing permittees and other parties to limit the risk of bighorn sheep-domestic sheep interactions in this area. BLM is party to a Memorandum of Understanding (BLM-MOU-CO-482) that includes the Rocky Mountain Region of the USFS, Colorado Department of Agriculture, Colorado Woolgrowers Association and CPW. The MOU provides general guidance for cooperation in reducing contact between domestic and bighorn sheep in order to minimize potential interspecies disease transmission and to ensure healthy bighorn sheep populations while sustaining an economically viable domestic sheep industry.

This allotment overlaps with the CPW mapped overall range for the Glenwood Canyon bighorn sheep herd. The Glenwood Canyon herd randomly or seasonally could be found in this area. There is opportunity for these wild sheep to come in contact with the existing domestic sheep grazing on the allotment. Barriers of terrain, vegetation, and topography, as well as season of use differences, help to minimize the likelihood of physical contact between wild sheep and domestic sheep on BLM lands.

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*). Mountain lions (*Felis concolor*) are likely to occur during seasons when mule deer are present. Black bears (*Ursus americanus*) make use of oaks and the associated chokecherries and serviceberries for cover and food.

Passerine Birds. Passerine (perching) birds are commonly found in the area include: the American robin (*Turdus migratorius*), Western Scrub-jay (*Aphelocoma californica*), Black-capped Chickadee and Mountain Chickadee (*Poecile atricapilla* and *Poecile gambeli*), Cedar Waxwing (*Bombycilla cedrorum*), Crow (*Corvus brachyrhynchos*), Common Raven (*Corvus corax*), Sparrow spp., Humming birds (*Selasphorus platycercus* and *Archilochus alexandri*), and black billed magpie (*Pica pica*).

Gallinaceous Birds. Gallinaceous (game birds) are commonly found in the area and include: Ring-necked Pheasant (*Phasianus colchicus*), Dusky Grouse (*Dendragapus obscurus*), and Wild Turkey (*Meleagris gallopavo*). All allotments overlap with CPW mapped wild turkey overall range. Dry Hollow and Shideler overlap with turkey production as well as winter ranges. Dry Hollow also overlaps with a wild turkey winter concentration area.

Waterfowl. The Colorado River, numerous streams, 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.

Reptiles. Reptile species most likely to occur in the landscape 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 Divide Creek landscape, are the milk snake (*Lampropeltis triangulum*) and smooth green snake (*Opheodrys vernalis*).

#### Special Status Terrestrial Wildlife Species

General. Little is known about the actual use of the allotments by special status terrestrial wildlife species. Because these animals are uncommon or occur in scattered populations, population assessment of these species is difficult. In addition, the special status species that potentially could occur in these allotments are part of populations that occupy much larger ranges.

Fringed Myotis and Townsend's Big-eared Bats. 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. Special status bats may occur within the allotments, but likely only occasional migrating individuals or animals foraging or passing through from adjacent habitats. Habitat associations are not well defined. Both bats will forage over water and along the edge of vegetation for aerial insects. 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 & Keinath, 2006).

These species 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. There are known caves and rock outcroppings in Canyon Creek capable of providing roosting sites and possibly hibernacula for bats.

Northern Goshawk. The Northern Goshawk (*Accipiter gentilis*) is an uncommon, seasonal resident of foothills and mountains and occasionally present during migration or winter at lower elevations. Goshawks predominantly use mature stands of aspen, and pines (ponderosa and lodgepole).

### Migratory Birds

The Migratory Bird Treaty Act (MBTA) provides protections to native birds, with the exception of certain upland fowl managed by state wildlife agencies for hunting. Within the context of the MBTA, “migratory” birds include non-migratory “resident” species as well as true migrants. For most migrant and resident species, breeding habitat is of special importance because it is critical for supporting reproduction in terms of both nest sites and food.

The landscape provides both foraging and nesting habitat for a variety of migratory birds that summer, winter, or migrate through the area. 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 2008 list of Birds of Conservation Concern for the Southern Rockies/Colorado Plateau Bird Conservation Region that might be present in the landscape include the following: Ferruginous Hawk (*Buteo regalis*), Golden Eagle (*Aquila chrysaetos*), Peregrine Falcon (*Falco peregrines*), Prairie Falcon (*Falco mexicanus*), 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*).

Bald Eagle. Bald eagles (*Haliaeetus leucocephalus*) 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. The very southern portion of the allotment overlaps with mapped CPW bald eagle winter range. Bald eagles are known to winter along the Colorado River to the south but due to the terrain are likely infrequent visitors to the allotment.

### Environmental Effects

The 2007 land health determination noted: 1) much of the allotment is steep; 2) although the grazing season is nearly season-long, the allotment is only 39% public land and the BLM lands seem to receive only light grazing use; 3) habitat in this allotment is in good condition and

provides suitable habitat for a variety of wildlife species; 4) aspen stands provide nesting sites for cavity nesting migratory birds; 5) ground cover is comprised of healthy and vigorous forbs and grasses.

### ***Proposed Action***

All Terrestrial Wildlife Species. Livestock grazing can alter vegetation structure, composition, and function. On the other hand, livestock grazing can have a beneficial effect on forage quality by removing the rough or dried seedheads and stems, while leaving or creating the more palatable leaves for species like mule deer or elk to graze later in the season. Effects on terrestrial wildlife are dependent on the species of interest and may be adverse or beneficial depending on AUMs, timing, frequency, and intensity.

Based on available assessment data, the low percent of BLM land within the allotment, the proposed reduction in AUMs, as well as the rugged nature of BLM land; it is not expected that any measurable long-term adverse effects on terrestrial wildlife populations would occur from the Proposed Action. There is the potential for negative impacts on both upland and riparian habitats due to the season-long grazing schedule during those years with nominal plant growth (e.g. drought). However, the 26% reduction in AUMs are anticipated to offset some of the impact and afford sufficient riparian vegetation cover to minimize erosion of sediments into adjacent waters on BLM lands. Most importantly, adhering to the terms and conditions specifying an average utilization level by livestock not to exceed 50% by weight on key grass species, and 40% of the key browse species current year's growth would maintain vertical and horizontal vegetative structure, biomass and complexity where it presently exists on BLM lands over the long term.

Mule Deer and Elk. Domestic livestock can compete with mule deer and elk for herbaceous forage, although moderate levels of grazing can also help promote shrub growth by limiting grasses. On the other hand, livestock grazing can have a beneficial effect on forage quality by removing the rough or dried seedheads and stems, while leaving or creating the more palatable leaves for deer or elk to graze later in the season. Forage competition is anticipated to be slightly less under the Proposed Action due to the 26% reduction in AUMs which would help ensure forage availability in areas shared by cattle and mule deer and elk on summer ranges and on elk winter concentration areas.

Bighorn Sheep. The potential risk of respiratory disease transmission, especially those pathogens that transmit pneumonia from domestic sheep or goats to wild sheep, is widely recognized by wildlife and land management agencies. Effective separation, defined as spatial and/or temporal separation between bighorn sheep, domestic sheep and goats, is currently the only known effective tool to minimize risk of disease transmission between the species (BLM, 2010). The Proposed Action would change the class of livestock to cattle only thus eliminating the risk of disease transmission between the species on the allotment.

Forage competition is anticipated to be minimal because of the difference in habitat preference which spatially separates the cattle and bighorn sheep. However, forage overlap can occur in areas shared by both species. The reduced AUMs would help ensure forage availability in areas shared by both species.

Special Status Terrestrial Wildlife Species. Healthy functioning riparian ecosystems and uplands provide habitat for a diverse and abundant plant community and in turn insect and rodent populations that attract numerous foraging bat and bird species. Properly managed livestock grazing (i.e. meeting land health standards) is generally compatible with all terrestrial wildlife species. The development and maintenance of water sources for livestock may unintentionally provide beneficial effects to foraging bat and bird species. As long as acceptable utilization levels are maintained and land health standards are achieved there would be no anticipated direct or indirect impact of grazing on special status bat or bird species.

Migratory Birds. Livestock grazing can alter vegetation structure, composition, and function. Effects on migratory birds are dependent on the species of interest and may be adverse or beneficial depending on grazing timing, frequency, and intensity. Aerial, bark and canopy insectivores may be less influenced by grazing than species feeding on nectar, insects, or seeds in the understory or on the ground. Birds may be displaced as a result of fence and pond construction/maintenance and/or grazing. Trampling of nests, eggs, or young could occur. Losses or decreases in vegetation from overgrazing can decrease rodent prey species and affect local populations of raptors. Areas lacking vegetative structure and complexity would be expected to be lacking bird species richness. This is especially important in riparian areas since riparian areas are essential habitat for bird species of the arid and semiarid west, including upland birds, waders, shorebirds, raptors, neotropical migratory birds and passerines.

Based on available monitoring/assessment data, analysis in other sections of this EA, the low percent of BLM land within the allotment, the proposed reduction in AUMs, as well as the rugged nature of BLM land; it is not expected that any measurable long-term adverse effects on migratory bird populations would occur on BLM lands from the Proposed Action (or the No Action Alternative). The change in livestock to cattle may tend to impact bird species that are more closely associated with plants preferred by cattle (e.g., grasses). Again, this would be somewhat offset by the 26% reduction in AUMs and adherence to the terms and conditions.

### ***No Action Alternative***

All Terrestrial Wildlife Species. Based on available monitoring/assessment data, analysis in other sections of this EA, the low percent (39%) of BLM land within the allotment, as well as the rugged nature of BLM land; it is not expected that any long-term adverse effects on terrestrial wildlife would occur from continuing the current livestock grazing schedule and kind of livestock. There is the potential for negative impacts on both upland and riparian habitats during those years with nominal growth (e.g. drought). However, the terms and conditions specifying an average utilization level by livestock to not exceed 50% by weight on key grass species, and 40% of the key browse species current year's growth would maintain vertical and horizontal vegetative structure, biomass and complexity where it presently exists on BLM lands over the long term.

Bighorn Sheep. The potential risk of respiratory disease transmission, especially those pathogens that transmit pneumonia from domestic sheep or goats to wild sheep, is widely recognized by wildlife and land management agencies. Effective separation, defined as spatial and/or temporal separation between bighorn sheep, domestic sheep and goats, is currently the only known effective tool to minimize risk of disease transmission between the species (BLM, 2010). The

No Action Alternative would maintain this allotment as a predominantly sheep allotment thus maintaining the risk of disease transmission between the species.

### ***No Grazing Alternative***

**Bighorn Sheep.** The risk of bighorn sheep-domestic sheep interactions in this area would be eliminated on BLM lands if no grazing was permitted on BLM lands. However domestic sheep could still be grazed on adjacent private lands, so the risk of disease transmission between domestic and bighorn sheep could still occur.

**All Other Terrestrial Wildlife Species.** Ending livestock grazing would benefit all terrestrial wildlife by eliminating all direct and indirect competition with livestock for forage, cover and space thus making a greater availability to wild fauna. There would also be no disturbance to wildlife from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock. The diversity and density of terrestrial animal species would be in balanced with other land uses and habitat/landscape potential.

### **Land Health Standards**

The 2007 Elk Creek Land Health Assessment determined that land health standards 3 and 4 were being met for terrestrial wildlife on the allotment with the current grazing schedule. Both the current and the proposed grazing schedules would likely continue to meet the needs of terrestrial wildlife species. Overall, habitat condition is generally good and functioning within a normal range of variability. Based on: 1) the current upland and riparian habitat condition within the allotment, 2) information from the 2007 Elk Creek Land Health Assessment, 3) information presented in other sections of this environmental assessment, 4) the percent of BLM lands within the allotment and 5) the terms and conditions attached to the permit; the proposed action would continue to support achievement of land health standards 3 and 4 for terrestrial wildlife on BLM lands. Adequate habitat conditions (suitability and connectivity) would be available to ensure that terrestrial wildlife are maintained at viable population levels commensurate with the species and habitat's potential. Under the no grazing alternative, livestock grazing would be removed as a potential causal factor in the failure to achieve land health standards in the future.

### **CUMULATIVE EFFECTS**

**Soil and Water.** Cumulative impacts to soil and water resources can occur from existing roads, trails, and water developments throughout the allotment. Roads and trails can contribute to increased surface runoff and accelerated erosion, especially where proper drainage is lacking. Water diversions and ditch systems exist in the Canyon Creek allotment, and may contribute to reduced capacity of the streams to flush sediment or other contaminants. 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 the relatively limited land management activities occurring across the allotment, it is assumed that cumulative effects to soil and water are minor if proper best management practices are implemented.

**Wildlife** (including Special Status Species). The area covered by the proposed action only comprises a small portion of the watershed. Other land use activities occur within the allotment boundaries and the watershed. These activities may have altered the amount of suitable and potentially suitable habitats for terrestrial wildlife species. Cumulatively, many of the future actions planned on private and other lands may have some undetermined effect on wildlife

including special status species habitat. The proposed action would create negligible landscape-level cumulative impacts to wildlife when viewed in comparison with those activities currently occurring and reasonably certain to occur on adjacent private/other lands.

**RESIDUAL EFFECTS**

None identified

**5. Tribes, Individuals, Organizations, or Agencies Consulted**

Consultation was conducted in 2007 with the three Ute tribes; the Ute Indian Tribe – Uintah and Ouray Reservation, the Southern Ute Tribe, and the Ute Mountain Ute tribe.

Grazing permittees

**6. 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
Kristy Wallner	Rangeland Management Specialist	NEPA lead, livestock grazing, Invasive, Non-native species (Noxious weeds)
Brian Hopkins	Planning and Environmental Coordinator	Terrestrial and Aquatic Wildlife
Kimberly Miller	Outdoor Recreation Planner	Recreation, Wilderness, Wild and Scenic Rivers
Pauline Adams	Hydrologist	Soil, Water, Air, Geology, Paleo, Hazmat
Erin Leifeld	Archaeologist	Cultural Resources and Native American Religious Concerns
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern, Special Status Plants, Vegetation
Everett Bartz	Rangeland Management Specialist	Wetlands & Riparian Zones

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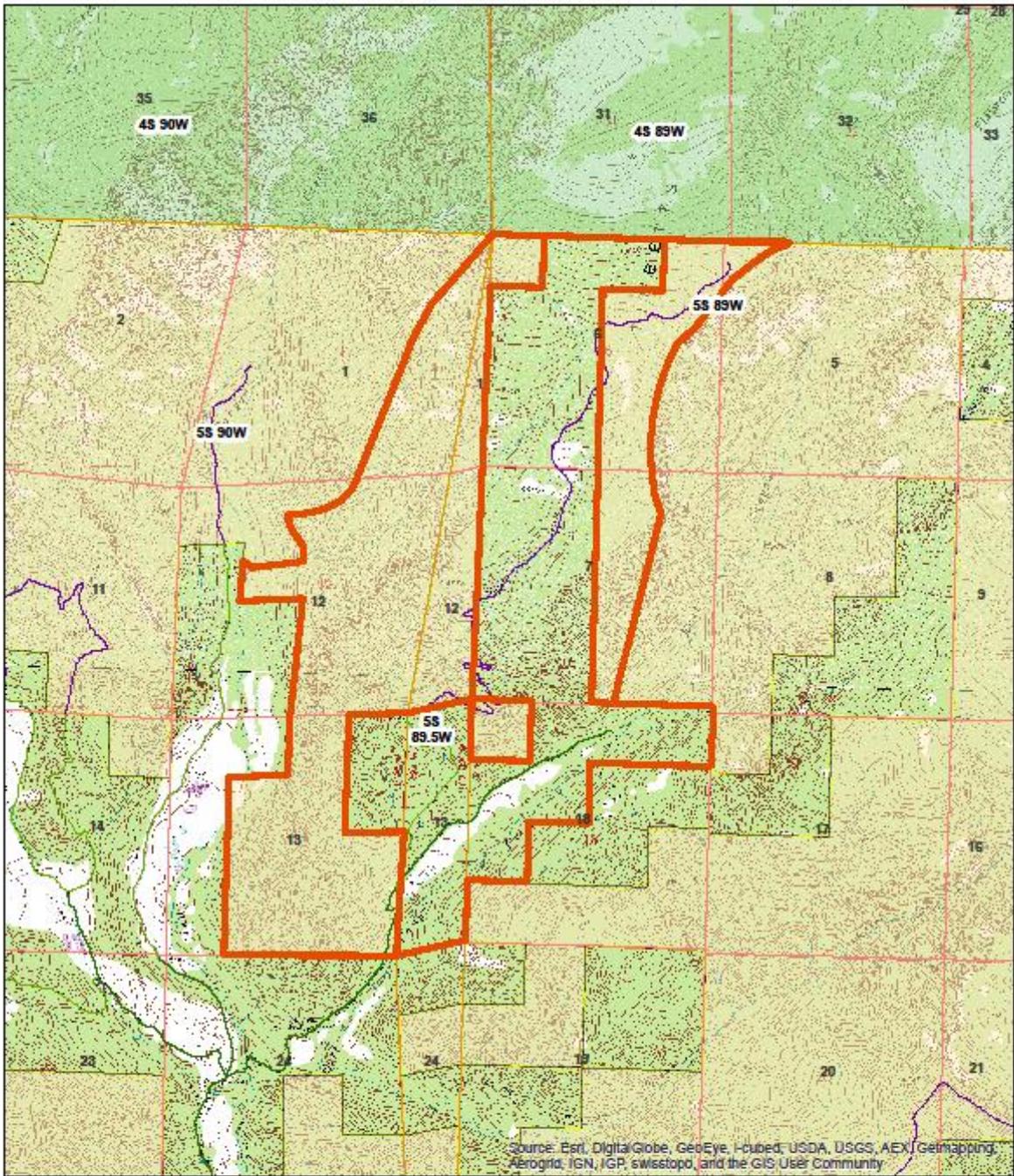
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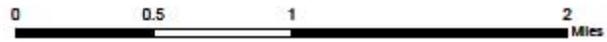
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**Appendix 1. Canyon Creek Allotment (8207)**



NO WARRANTY IS MADE BY THE BUREAU OF LAND MANAGEMENT AS TO THE ACCURACY, RELIABILITY, OR COMPLETENESS OF THESE DATA FOR INDIVIDUAL USE OR AGGREGATION USE WITH OTHER DATA.



Map created by BLM 3/18/2014

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

## FINDING OF NO SIGNIFICANT IMPACT

### DOI-BLM-N040-2014-0044-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. Significant, as used in NEPA, requires consideration of both *context* and *intensity* as follows:

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

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

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

Impacts associated with issuing these modified livestock grazing permits are identified and discussed in the Affected Environment and Environmental Effects sections of the EA. The proposed action will not have any significant beneficial or adverse impacts on the resources identified and described in the EA.

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

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

*3. Unique characteristics of the geographic area such as prime and unique farmlands, caves, wild and scenic rivers, wilderness study areas, or ACECs.*

There are no unique characteristics of the area.

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

The possible effects of continued livestock grazing are not likely to be highly controversial.

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

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

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

This EA is specific to the Canyon Creek allotment. It is not expected to set precedent for future actions with significant effects or represent a decision in principle about a future management consideration in or outside of these allotments.

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

The area covered by the proposed action only comprises a small portion of the watershed. Cumulatively, many of the future actions planned on private and other lands may have some undetermined effect on wildlife including special status species habitat. The proposed action would create negligible landscape-level cumulative impacts to wildlife when viewed in conjunction with those activities currently occurring and reasonably certain to occur on adjacent private/other lands.

*8. The degree to which the action may adversely affect scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places.*

No cultural resources have been identified within the allotment. There is potential for additional cultural resources to be documented within the allotment, specifically in areas with known historic activities or areas near water or other resources. Subsequent site field visits, inventory, and periodic monitoring may have to be done to identify if other historic properties are present as well as determine if there are impacts to these properties within the term of the permit and as funds are made available. If the BLM determines that grazing activities adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO. The EA discloses the adverse impacts that could occur to cultural resources from livestock grazing.

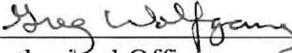
9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

Properly managed livestock grazing (i.e. meeting land health standards) is generally compatible with all terrestrial wildlife species. The development and maintenance of water sources for livestock may unintentionally provide beneficial effects to foraging bat and bird species. As long as acceptable utilization levels are maintained and land health standards are achieved there would be no anticipated direct or indirect impact of grazing on special status bat or bird species.

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

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

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

  
\_\_\_\_\_  
Authorized Officer  
Colorado River Valley Field Office

  
\_\_\_\_\_  
Date



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
Colorado River Valley Field Office  
2300 River Frontage Road  
Silt, CO 81652



IN REPLY REFER TO:  
ON 0504952 (CON040)

**CERTIFIED MAIL 70**  
**RETURN RECEIPT REQUESTED**

Farris, Zane  
1877 County Road 137  
Glenwood Springs, Colorado 81601

**NOTICE OF PROPOSED DECISION**

Dear Mr. Farris:

**Introduction & Background:**

On August 13, 2013 you applied to transfer grazing preference from Malcolm Jolley to yourself as a result of Malcolm Jolley leasing his base property to you. The application submitted resulted in a change to livestock class and season of use. The transfer and permit have undergone review for conformance with the land use plan and compliance with the National Environmental Policy Act (NEPA). The review and NEPA compliance has been completed as documented in the Environmental Assessment (EA) No. DOI-BLM-CO-N040-2014-044. A copy of the EA is enclosed. Renewal of the permit has also been reviewed for compliance with 43 Code of Federal Regulations (CFR) 4110.1(b)(1) which requires a satisfactory record of performance prior to renewal.

**Finding Of No Significant Impact (FONSI):**

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.

Rationale: The analysis of the proposed action with mitigation measures did not identify any impacts that would be significant in nature either in context or intensity. The grazing authorization proposed allows for adequate plant growth recovery and promotes healthy rangelands as it relates to rangeland standards. In addition, there is nothing to indicate the action is highly controversial or that it is related to other actions with individually insignificant but cumulatively significant actions.

**Proposed Decision:**

As a result of this process, it is my proposed decision to approve the grazing preference transfer and issue grazing permit No. 0504952 for a period of four years (May 15, 2014 – May 24, 2018). My Proposed Decision results in the following authorized use and terms and conditions:

### Mandatory Terms and Conditions (Scheduled Grazing Use):

Operator Name	Auth. No.	Allotment	Livestock Number	Livestock Kind	Begin Date	End Date	Public Land	AUMs
Zane Farris	0504952	Canyon Creek #08207	60	Cattle	05/15	10/01	39	108

### Grazing Preference (AUMS)

Operator Name	Auth. No.	Allotment	Active	Suspended	Temporary Suspended	Total
Zane Farris	0504952	Canyon Creek #08207	108	0	38	146

The following terms and conditions will be included on the permits:

Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits. Maintenance shall be completed prior to turnout. Maintenance activities shall be restricted to the footprint (previously disturbed area) of the project as it existed when it was initially constructed. The Bureau of Land Management shall be given 48 hours advance notice of any maintenance work that will involve heavy equipment. Disturbed areas will be reseeded with a certified weed-free seed mixture of native species adapted to the site.

The permittee and all persons associated with grazing operations must be informed that any person who 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. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until further notified in writing to proceed by the authorized officer.

Average utilization levels by livestock should not exceed 50% by weight on key grass species, and 40% of the key browse species current year's growth. Grazing in riparian areas should leave an average minimum 4-inch stubble height of herbaceous vegetation. If utilization is approaching allowable use levels, livestock should be moved to another portion of the allotment, or removed from the allotment entirely for the remainder of the growing season. Application of this term may be flexible to recognize livestock management that includes sufficient opportunity for regrowth, spring growth prior to grazing, or growing season deferment.

Adaptive management will be employed on this allotment. The BLM will allow up to 14 days of flexibility in the start and end dates on this permit depending on range readiness. The range will be considered ready when there is a minimum of 4 inches of new growth on grasses. AUMs may not exceed Active Preference. Use different than that shown above must be applied for in advance.

### Rationale for the Proposed Decision

Renewal of the grazing permit is in conformance with the Glenwood Springs Resource Management Plan (RMP), approved January, 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 October 2012 - Record of Decision for Solar Energy Development in Six Southwestern States.

The proposed action is in conformance with Administrative Actions (pg. 5) and Livestock Grazing Management (pg. 20) of the Glenwood Springs RMP. Administrative actions states, “Various types of actions will require special attention beyond the scope of this plan. Administrative actions are the day-to-day transactions required to serve the public and to provide optimal use of the resources. These actions are in conformance with the plan”. The livestock grazing management objective as amended states, “To provide 56,885 animal unit months of livestock forage commensurate with meeting public land health standards.”

An interdisciplinary team prepared an EA (No. DOI-BLM-CO-N040-2014-0044) for the proposed permit renewal. My proposed decision is based on the findings of the analyses contained in the EA. The analysis of the proposed action indicated that the current conditions and land health standards in the allotment are expected to be maintained or improved. The grazing use proposed allows for adequate plant growth recovery and promotes healthy rangelands as it relates to rangeland standards.

### **Authority**

43 CFR 4100.0-8 states: “The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use, and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR 1601.0- 5(b).”

43 CFR 4110.2-2(a) states: “Permitted use is granted to holders of grazing preference and shall be specified in all grazing permits or leases. Permitted use shall encompass all authorized use including livestock use, any suspended use, and conservation use, except for permits and leases for designated ephemeral rangelands where livestock use is authorized based upon forage availability, or designated annual rangelands. Permitted livestock use shall be based upon the amount of forage available for livestock grazing as established in the land use plan, activity plan or decision of the authorized officer under § 4110.3-3, except, in the case of designated ephemeral or annual rangelands, a land use plan or activity plan may alternatively prescribe vegetation standards to be met in the use of such rangelands.”

43 CFR 4130.2(a) states: “Grazing permits or leases authorize use on the public lands and other BLM-administered lands that are designated in land use plans as available for livestock grazing. Permits and leases will specify the grazing preference, including active and suspended use. These grazing permits and leases will also specify terms and conditions pursuant to §§4130.3, 4130.3-1, and 4130.3-2.”

43 CFR 4130.2(d) states: “The term of the grazing permits or leases authorizing livestock on the public lands and other lands under the administration of the Bureau of Land Management shall be 10 years unless -- (1) The land is being considered for disposal; (2) The land will be devoted to a public purpose which precludes grazing prior to the end of 10 years; (3) The term of the base property lease is less than 10 years, in which case the term of the Federal permit or lease shall coincide with the term of the base

property lease; or (4) the authorized officer determines that a permit or lease for less than 10 years is the best interest of sound land management.”

43 CFR 4130.3 states: “Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve the management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.”

43 CFR 4130.3-1(a) states: “The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity of the allotment.”

43 CFR 4130.3-2 states: “The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands.”

43 CFR 4160.1(a) states: “Proposed decisions shall be served on any affected applicant, permittee or lessee and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of the proposed decisions shall also be sent to the interested public”.

### **Protest and/or Appeal**

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Greg Wolfgang, Acting Supervisory Natural Resources Specialist, Bureau of Land Management, 2300 River Frontage Road, Silt, Colorado 81652 within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

In accordance with 43 CFR 4160.3 (b) upon a timely filing of a protest, after a review of protests received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160 .4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. The person/party must also serve a copy of the appeal on any person named [43 CFR 4.421(h)] in the decision and the Office of the Solicitor, United States Department of Interior, 755 Parfet Street, Suite 151, Lakewood, Colorado 80215. The BLM does not accept appeals by facsimile or email.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and serviced in accordance with 43 CFR 4.473. Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

Please take a moment to review your enclosed grazing permit. **If you do not have any concerns with the permit as offered, please sign, date, and return both copies to our office.** If you have any questions, contact Kristy Wallner, Rangeland Management Specialist, at (970) 876-9023.

Sincerely,

  
\_\_\_\_\_  
Greg Wolfgang  
Acting Supervisory Natural Resources Specialist

4/30/2014  
Date

Enclosure(s):  
BLM Form 4130-2a (Grazing Permit)  
Environmental Assessment No. DOI-BLM-CO-040-2014-044