

**Environmental Assessment  
DOI-BLM-CO-S060-2011-0006-EA**

**Ohio Creek Allotment #06212 Grazing Permit Renewal**



**Ohio Creek Allotment #06212 - Western half of the South Pasture facing south from the middle of T51N R1W Sec. 29.**

**U.S. Department of the Interior  
Bureau of Land Management  
Gunnison Field Office  
DOI-BLM-CO-S060-2011-0006-EA**

## **ENVIRONMENTAL ASSESSMENT**

NUMBER: DOI-BLM-CO-S060-2011-0006-EA

PROJECT NAME: Ohio Creek Allotment Grazing Permit Renewal

PLANNING UNIT: Gunnison Field Office RMP Management Unit 16.

LEGAL DESCRIPTION: NMPM, T.51N., R.1W., Sec. 29 - Gunnison County

APPLICANT: Ohio Creek Allotment Livestock Grazing Permittee

### **I. INTRODUCTION**

#### **1.1. BACKGROUND/INTRODUCTION:**

The Ohio Creek Allotment #06212 is located approximately 7 miles northwest of Gunnison, Colorado in Gunnison County. This small category "M" allotment consists of approximately 440 acres of public land. Elevation on the allotment ranges from approximately 8,800 ft near the southeast boundary to the highest point (Antelope Peak) of 9,227 ft in the southeast portion of the allotment.

The allotment consists of two pastures (North & South). The North Pasture consists of approximately 80 acres of public land and approximately 240 acres of private land. Topography is largely a steep to moderately steep north facing slope with aspen/fir. The South Pasture consists of approximately 340 acres of public land. The northern quarter of the pasture is steep to moderately steep with sagebrush/grass and/or aspen/fir on the north and northeast facing slopes. In general, the eastern half of the pasture is flat along the top of Antelope Peak but sloping eastward (steep to moderately steep) with largely aspen/fir. The western half of the pasture (cover photo) is steep to moderately steep and slopes to the southwest. This area is almost exclusively sagebrush/grass.

The current permit is as follows:

Mandatory Terms and Conditions:

<b>Livestock</b>		<b>Pasture</b>	<b>Season of Use</b>	<b>% P.L.</b>	<b>AUMs</b>
<b>Number</b>	<b>Kind/Class</b>				
24	Cattle	South	7/1 – 8/25	100	44
5	Cattle	North	6/8 – 6/20	100	2
<b>Total:</b>					<b>46</b>

Other Terms and Conditions:

1. Grazing use on the Ohio Creek Allotment #06212 is authorized through a base property lease with Eagle Ridge Ranch Homeowners Association.
2. Private land makes up a large portion of the North Pasture. As such, the number of livestock and season of use are not limited on the North Pasture as long as use is not detrimental to the public lands.



**Facing north from the northern end of the South Pasture, vegetation goes from sagebrush/grass to aspen/fir on north facing slopes. The north pasture begins on the other side of the trees.**

The primary water source is Ohio Spring in the southwestern corner of the allotment. In May 2004, an enclosure was constructed around the spring source and related habitat to protect and enhance riparian and habitat values. A 1,400 gallon fiberglass trough was installed to provide offsite water for livestock and wildlife.



In 2004, the grazing permit on the Ohio Creek Allotment was issued by decision implementing Environmental Assessment (EA) #CO-160-04-029 for a period of 3 years (the term of the base property lease). In 2007, the permit was renewed for 3 more years. In 2008, the permit on the Ohio Creek Allotment was transferred to a new base lease holder. The current permit expires May 30, 2013. It was issued under the authority of Public Law 111-8 due to the need to incorporate new objectives for Gunnison Sage-grouse and Lynx habitat.

**1.2. PURPOSE AND NEED:** The purpose of the proposed action is to issue one permit that authorizes livestock grazing on the Ohio Creek Allotment #06212 such that livestock grazing 1) is in compliance with the Gunnison Resource Area Resource Management Plan (RMP) objectives, 2) achieves or makes significant progress towards achieving the Standards for Public Land Health in Colorado and complies with the Guidelines for Livestock Grazing Management in Colorado, in conformance with the Fundamentals of Rangeland Health (43 CFR 4180.1) and Standards and Guidelines (43 CFR 4180.2), 3) meets the habitat objectives of Canada lynx Conservation Assessment and Strategy, and 4) meets the habitat objectives of the Candidate Conservation Agreement for the Gunnison sage-grouse, *Centrocercus minimus*, Gunnison Basin Population (CCA). This action is needed now because livestock grazing on the Ohio Creek Allotment is currently being authorized under the authority of Public Law 111-8.

**1.3. DECISION TO BE MADE:** The BLM will decide if livestock grazing will continue to be authorized and if so, what specific livestock and vegetation management actions will be implemented to continue to authorize livestock grazing in compliance with the RMP and Standards for Public Land Health in Colorado.

**1.4. SCOPING AND PUBLIC INVOLVEMENT:** On August 28, 2003, the Gunnison Field Office plan for permit renewals and land health assessments was issued requesting public

comment on 11 permit renewals, including the permit for the Ohio Creek Allotment. Eighty-nine entities were contacted, including federal, state, regional, county, and local governments; senators and congressmen; newspapers and libraries; non-profit and for-profit organizations; and ranchers. In response, one organization expressed an interest in continuing to be involved in the permit renewal process for the Ohio Creek Allotment.

In 2007, Rocky Mountain Resource Management Services indicated that they wish to be considered an interested public in all grazing permit renewals in the Gunnison Basin.

In April of 2013, this Environmental Assessment was sent to five entities, including the two interested publics, for review and comment. No comments were received and no additional issues or information were identified.

### 1.5. ISSUES AND CONCERNS:

The following issues and concerns were identified through public scoping comments and interdisciplinary team review of the proposed action.

#### 1.5.1. Issues to be Analyzed

- a. Cultural Resources – What effect would the proposed action or alternatives have on cultural resources?
- b. Migratory Birds – What effect would the proposed action or alternatives have on migratory birds?
- c. Threatened, Endangered, and Sensitive Species – What effect would the proposed action or alternatives have on threatened, endangered, and sensitive species?
- d. Rangeland Management – What effect would the alternatives to the proposed action have on the livestock grazing system?

#### 1.5.2. Issues Not Analyzed

See Appendix A for a discussion of other resources that either were not present or that were not affected to a degree that warranted detailed analysis.

## 2. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

### 2.1. DESCRIPTION OF THE PROPOSED ACTION

The **Proposed Action** is to renew the existing grazing permit on the Ohio Creek Allotment #06212 for a period of ten years, as follows:

Mandatory Terms and Conditions:

Livestock		Pasture	Season of Use	% P.L.	AUMs
Number	Kind/Class				
24	Cattle	South	7/1 – 8/25	100	44
5	Cattle	North*	6/8 – 6/20	100	2
<b>Total:</b>					<b>46</b>

*\*The North Pasture consists primarily of private land and is managed as a custodial pasture.*

Other Terms and Conditions:

1. Livestock use rates will be as follows:
  - a. Uplands will not exceed a utilization level of 41-60% of the current year's growth for available key forage during the grazing period of use.
  - b. Total utilization of key herbaceous forage species within all riparian zones would be limited to 41-60% of the current year's growth.
  - c. Use limits for livestock within 4 miles of a lek in important sage grouse habitat will be as follows:
    - Between March 15 and September 28, the grass droop height in the upland areas of a pasture will be 4-6 inches or greater (current green growth).
    - Between June 15 and August 30, the stubble height of herbaceous vegetation in all riparian areas will be a minimum of 4 inches over 80% of each riparian area within a pasture.

Once these utilization rates have been reached within each of the pastures livestock will be moved to the next pasture. Once all of the pastures have been used, livestock will be removed to the permittees' private pasture. In situations where residual vegetation is not meeting the use objectives during/following livestock grazing, the potential of the area to achieve the resource and livestock use objectives will be determined prior to taking any permanent adverse actions against the livestock grazing permit.
2. Any objects or sites of cultural or paleontological value, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged or disturbed. If any such resources are encountered, the permittee shall notify BLM immediately.
3. Salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or temporary or permanent watering facility. Excess salt and/or mineral sources will be removed from the allotment following grazing use each year.
4. Temporary water hauling site locations shall be coordinated with the BLM. Troughs associated with these sites must have a wildlife escape ramp. To prevent wildlife deaths, these troughs must be removed or turned over each year when they are no longer needed for livestock grazing use.
5. The permittee shall provide the Bureau of Land Management with reasonable administrative access across private and leased lands for the orderly management and protection of the public lands.
6. When poisonous plants are identified as a threat to livestock, management actions to avoid grazing the area during the problem period would be developed.
7. Infestations of noxious weeds would be incorporated into the Field Office noxious weed control program as they are identified.

8. Grazing use for the allotment would be in compliance with the Gunnison Resource Area RMP, which was amended to adopt the Colorado Standards for Public Land Health and Guidelines for Livestock in Colorado.

9. The exclosure around Ohio Creek Spring would be maintained to prevent livestock use on the riparian vegetation within the exclosure.

10. All range improvements for which the permittee has maintenance responsibility, including fences, troughs, and reservoirs, must be properly maintained prior to livestock turnout. The permittee must notify the BLM prior to beginning any maintenance activities that require the use of heavy equipment, such as tractors, backhoes, or graders. Allotment boundary fences for which the permittee has maintenance responsibility must be maintained every year, even if the pasture is being rested.

### Ohio Creek Allotment Range Improvements

Project		Location				Maintenance Responsibility
Name	Number	Township	Range	Section	Subdivision	
Ohio Creek Spring	238206	51 N	1 W	29	SESW	Permittee
Towner Fence	231241	51 N	1 W	32	NENW	Permittee
East of Kenny Moore Exclosure	001922	51 N	1 W	29	SESW	BLM

## 2.2. DESCRIPTION OF ALTERNATIVES ANALYZED IN DETAIL:

### 2.2.1. NO GRAZING

Under this alternative, no livestock grazing would be authorized on the Ohio Creek Allotment. Forage would be allocated to wildlife habitat and recreational uses.

## 2.3. DESCRIPTION OF ALTERNATIVES NOT ANALYZED IN DETAIL:

### 2.3.1. NO ACTION ALTERNATIVE (Continue Current Permit)

Under this alternative, the grazing permit on the Ohio Creek Allotment would be issued for a period of 10 years. The permit would be issued with the same livestock numbers, seasons of use, and terms and conditions that are currently permitted.

This alternative is not carried forward for detailed analysis because it would not conform to the Approved Gunnison Resource Area Resource Management Plan/Record of Decision (RMP/ROD). It does not include terms and conditions consistent with the RMP, including Land Health Standards and Guidelines.

**2.4. 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:** Gunnison Resource Area Resource Management Plan (including Adoption of Standards for Public Land Health and Guidelines for Livestock Grazing Management in Colorado)

**Date Approved:** February 1993 (amended February 1997, August 2000, December 2008, January 2009, August 2011)

**Management Unit:** 16 (general resource lands)

**Decision Number/Page:**

Standard Management Direction, pg. 2-1 to 2-12 and 3-1 to 3-15;

“Grazing permits specifying the season of use, number, and kind of livestock will be issued to each operator for each allotment. Operators will have to obtain BLM approval before changing the grazing specifications outlined in their permits.”

“Monitoring data collected will include interdisciplinary coordination.”

“Livestock operators will be required to file actual-use reports showing how many and how long livestock grazed in each allotment and/or pasture.”

“Activity plans will incorporate allotment specific objectives for maintaining or improving livestock forage, wildlife and fish habitat, and riparian areas. Activity plans will also prescribe appropriate management actions such as grazing practices, range improvements, or changes in season of use, to achieve allotment specific objectives.”

Management Unit 16 Direction, pgs. 2-38 to 2-39; 3-15 to 3-16  
Same as standard management direction.

### **3. AFFECTED ENVIRONMENT / ENVIRONMENTAL EFFECTS**

**3.1. Cultural Resources** – What effect would the proposed action or alternatives have on cultural resources?

#### **Affected Environment**

Range permit renewals are federal undertakings (as defined in 36 CFR 800.16(y)) that fall under Section 106 of the National Historic Preservation Act. Range improvements associated with the allotment (e.g., fences, spring improvements, construction of permanent water structures, etc.) are subject to compliance requirements under Section 106 and will undergo standard cultural resource inventory and evaluation procedures. During Section 106 review, a cultural resource assessment was completed for the allotment following the procedures and guidance outlined in

the following: The 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, Instructional Memorandum (IM)-WO-99-039, IM-CO-99-007, IM-CO-99-019 and IM-CO-2001-026. BLM Manuals and Colorado Protocol between the BLM and State Historic Preservation Office (SHPO 1998) provide guidance in meeting BLM's responsibilities under the National Historic Preservation Act. The results of these assessments are summarized below. Cultural resources are fragile, non-renewable and significant sites and are protected by law, and various regulations.

The cultural resources in the Gunnison Field Office span approximately 12,000 years and are represented by Paleo-Indian, Archaic, Formative, Ute and Euro-American cultures. Sites include lithic scatters, quarries, temporary camps, extended camps, village, rock shelters, rock art, wickiups, culturally scarred trees, hunting sites, kill/butchering sites, processing areas, tree platforms, eagle traps, trails, roads, water resource sites, homesteads, ranches, cabins, mills, railroads, transmission lines, mines, trash dumps, aspen art, isolated artifacts, graves, etc. Many of these sites have the potential to be directly affected and impacted by livestock grazing. Continued grazing may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to significant cultural properties.

The affected environment within the Ohio Creek Allotment consists of a low density of cultural materials and sites. Previous inventory of the area of potential affect identified one significant site and an isolated find. Livestock do not concentrate in any specific area of the allotment since there are three ditches and forage spread throughout the sloping terrain.

#### Native American Religious Concerns

The following tribes were notified of the Ohio Creek Range Permit Renewal via certified letter in February of 2010: the Ute Indian Tribe, the Southern Ute Indian Tribe, and the Ute Mountain Ute Indian Tribe. They were asked to identify traditional cultural places or any other areas of traditional cultural importance that need to be considered within the area of potential effect. The BLM-GUFO did not receive any comments or concerns from the three tribes. As a result, there are currently no known areas of Native American Religious Concern located within this allotment.

#### Environmental Consequences and Mitigation:

Many cultural resources have the potential to be directly affected and impacted by livestock grazing and related activities, such as pipeline construction, water trough placement and location of salt/mineral blocks. Grazing has the potential to cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to significant cultural properties. Most commonly, grazing impacts to cultural resources result in accelerated erosion, which causes deflation of buried features and artifacts; displacement of artifacts is also common in areas of cattle concentration. Cattle also may adversely affect rock art and standing structures through rubbing and trampling.

Any newly discovered and known cultural resources that are located where livestock concentrate will be assessed and monitored for livestock grazing impacts. If adverse effects are found, mitigation measures will need to be implemented. These can include, but are not exclusively limited to, a decrease in the AUMs, construction of fenced exclosures around the sites,

excavation of the sites and/or installation of erosion control devices. If future cultural resource inventories identify significant sites, the sites will need to be monitored to determine if adverse effects are occurring to the sites. The livestock impacts will be assessed within the ten year period of the permit.

#### Proposed Action

The proposed action will have no effect on the cultural resources that are located in the allotment since there is minimal disturbance from grazing activities. There are no concentration areas within the allotment and no additional archeological inventory is necessary for the renewal of the grazing permit.

#### No Grazing Alternative:

This alternative would assure that all cultural sites regardless of eligibility would not be directly or indirectly affected by livestock grazing. Currently, no known significant sites have been discovered in this allotment, however future inventories may discover significant sites and under this alternative, impacts from livestock grazing would be absent.

### 3.2. Migratory Birds – What effect would the proposed action or alternatives have on migratory birds?

#### Affected Environment

The Migratory Bird Treaty Act (MBTA) of 1918 was passed to regulate the taking of native birds. In 2001, President Clinton signed Executive Order 13186 (66 FR 3853), which directs federal agencies to further implement the MBTA by considering the effects of projects and actions on migratory birds. Pursuant to this Executive Order, the US Fish and Wildlife Service, BLM and Forest Service are currently working on a Memorandum of Understanding. This memorandum requires agencies to review the US Fish and Wildlife Service *Birds of Conservation Concern* for species that may inhabit a project area. Bird species on the list for the Southern Rockies/Colorado Plateau region which could breed within this proposed project area include the Gunnison sage grouse within the sagebrush community and the Williamson's sapsucker within the Doug fir/aspen forest.

#### Environmental Consequences/Mitigation:

##### Proposed Action:

Livestock grazing between April 15 and July 1 could disturb sage grouse during the nesting/early brood rearing period (Connelly et al. 2000; Gunnison Basin Gunnison Sage Grouse Resource Conservation Plan 2005). Because grazing will not begin until July 1 in the South pasture, disturbance or destruction of sage grouse nests is not expected to occur. If sage grouse are using the aspen under story for brood-rearing habitat, their period of use would overlap with the grazing period in the South pasture. In the North pasture, where grazing would begin on June 8, there is potential to disturb nesting sage grouse. Williamson's sapsuckers nesting in the Douglas fir/aspen forest would not have their nests disturbed and no take would occur.

##### No Grazing Alternative:

There would be no disturbance to migratory birds under this alternative.

### 3.3. Threatened, Endangered, and Sensitive Species – What effect would the proposed action or alternatives have on threatened, endangered, and sensitive species?

#### Affected Environment

The grazing allotment is within the occupied range of the Gunnison Sage-grouse, a Candidate species for listing under the Federal Endangered Species Act. Four leks occur within two miles of the grazing allotment. Therefore, the upland sagebrush community within this allotment could be important nesting/early brood-rearing habitat for sage grouse. The primary water source in this allotment is a spring in the southwestern corner. During the 2004 field season a riparian enclosure was constructed around this spring and associated habitat. This enclosure will protect and enhance riparian and habitat values important to sage grouse and other wildlife species in the area. No other special status species are known to occur on this allotment.

#### Environmental Consequences/Mitigation:

##### Proposed Action:

Grazing under the proposed permit renewal is in compliance with the Gunnison Resource Area RMP, which was amended in the late 1990's to adopt the Colorado Standards for Public Land Health and Guidelines for Livestock Management, and the Gunnison Basin's Gunnison Sage Grouse Resource Conservation Plan. Land health assessments conducted in this allotment in 2003 indicated that within the sagebrush community, standards for threatened and endangered species, including sage grouse, were met. The proposed grazing regime, which delays the initiation of grazing until July 1 on the South Pasture, is expected to maintain or improve the current health of sage grouse habitat.

##### Finding on the Public Land Health Standard for Threatened & Endangered species:

Data collected on this allotment in 2003 show that standards were achieved for threatened and endangered species.

##### No Grazing Alternative:

Under this alternative, there will be no effects to threatened, endangered, or sensitive species.

### 3.4 Rangeland Management – What effect would the alternatives to the proposed action have on the livestock grazing system?

#### Affected Environment

The Ohio Creek Allotment provides a relatively small amount of livestock forage (46 AUMs of the 34,500 AUMs authorized on public lands by the Gunnison Field Office). Due to the unpredictable nature of Ohio Creek Spring, this forage is frequently unavailable for livestock use on dry years. The permit on this allotment is currently a part of a much larger public and private land livestock grazing system. The primary value of the allotment to the current permittee is derived from the flexibility the allotment provides to allow rest, deferment, and seasonal variation to other public and private land areas, mainly on wetter years when water is available at Ohio Creek Spring. In the previous 29 years, the allotment has been used 25 times with an average of 35 AUMs harvested during these years.

Environmental Consequences/Mitigation:

## Proposed Action:

Under the Proposed Action, the grazing system and AUMs available for livestock use would not change. The permit would continue to allow the operator flexibility to maintain good management of adjacent public permits and private land pastures.

## No Grazing Alternative:

The No Grazing Alternative would result in a minor reduction of livestock forage and of the flexibility of the livestock operation.

3.5. CUMULATIVE IMPACTS SUMMARY:

Rangelands within the Ohio Creek Allotment are achieving or making significant progress toward achieving the Standards for Public Land Health in Colorado. The authorization grazing schedule described in the Proposed Action combined with the riparian area enclosure at Ohio Spring would ensure that the standards would be achieved or that progress toward achieving the standards would continue.

**4. TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED:**

On August 28, 2003, the Gunnison Field Office plan for permit renewals and land health assessments was issued requesting public comment on 11 permit renewals, including the permit for the Ohio Creek Allotment. Eighty-nine entities were contacted, including federal, state, regional, county, and local governments; senators and congressmen; newspapers and libraries; non-profit and for-profit organizations; and ranchers. In response, one organization expressed an interest in continuing to be involved in the permit renewal process for the Ohio Creek Allotment.

In April of 2013, this Environmental Assessment was sent to five entities for review and comment. No comments were received and no additional issues or information were identified.

**5. LIST OF PREPARERS:**

Name	Title	Area of Responsibility
Gay Austin	Natural Resource Specialist	Wetlands and Riparian Areas Aquatic Wildlife
Andrew Breibart	Hydrologist	Floodplains Water Quality Hydrology and Water Rights Soils Air Quality
Brian Brown	Forester	Forest Vegetation/Management
Rebecca Bruno	Surveyor	Cadastral Surveys
Elizabeth Francisco	Archaeologist	Cultural Resources Native American Religious Concerns Paleontology
David Lazorchak	Geologist	Geology and Minerals

Russell Japuntich	Wildlife Biologist	Hazardous Materials Migratory Birds Threatened, Endangered and Sensitive Species
Jim Lovelace	Recreation Planner	Terrestrial Wildlife Wild and Scenic Rivers Wilderness Access and Transportation Recreation Visual Resources
Marnie Medina	Realty Specialist/NEPA Coordinator	Lands Authorizations NEPA Environmental Justice Prime and Unique Farmlands
Kristi Murphy	Recreation Planner	Wild and Scenic Rivers Wilderness Access and Transportation Recreation Visual Resources
Tara de Valois	Rangeland Management Specialist	Invasive, Non-Native Species Upland Vegetation Rangeland Management
Brian Stevens	Prescribed Fire Specialist	Fire and Fuels Management

## 6. REFERENCES CITED:

Gunnison Sage Grouse Working Group. 1997. Gunnison Sage Grouse Conservation Plan, Gunnison Basin, Colorado. 108 p.

**APPENDIX A  
INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST**

**NUMBER:** DOI-BLM-CO-S060-2011-0006-EA

**PROJECT NAME:** Ohio Creek Allotment #06212 Grazing Permit Issuance

**DETERMINATION OF STAFF:** (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NA = present, but not affected to a degree that detailed analysis is required

PA = present and requires further analysis because 1) analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) analysis of the issue is necessary to determine the significance of impacts.

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section C of the DNA form.

<b>PHYSICAL RESOURCES</b>			
<b>Air Quality</b> (Clean Air Act)	Determination	Signature:	Date:
	NA	<i>Andrew Breibart</i>	1/22/13
	Rationale for Determination: Livestock grazing has a negligible effect on air quality in the project area.		
<b>Geology/Minerals</b>	<b>Determination</b>	<b>Signature</b>	<b>Date</b>
	NA	<b>David Lazorchak</b>	<b>01/28/2013</b>
	Rationale for Determination: Although minerals are present grazing activities will not impact them.		
<b>Paleontology</b>	Determination	Signature	Date
	NP	<i>Elizabeth Francisco</i>	1/16/2013
	Rationale for Determination:		
<b>Soils</b> (includes Public Land Health Standard 1)	Determination	Signature	Date
	NA	<i>Andrew Breibart</i>	1/22/13
	Rationale for Determination: The proposed action will maintain the current conditions to meet this standard.		
<b>Floodplains</b> (EO11988)	Determination	Signature	Date
	NP	<i>Andrew Breibart</i>	1/22/13
<b>Water Quality (drinking/ground)</b> (Clean Water Act and others) (includes Public Land Health Standard 5)	Determination	Signature	Date
	NA	<i>Andrew Breibart</i>	1/22/13
	Rationale for Determination: This standard is being met in the allotment. One spring occurs on public land. The spring source and part of the associated riparian area was fenced from grazing in 2004. There is no known impairment to water quality on this allotment.		

<b>BIOLOGICAL RESOURCES</b>			
<b>Fire and Fuels Management</b>	Determination	Signature	Date
	NA	<i>Brian Stevens</i>	<b>02/01/2013</b>
	Rationale for Determination: Fuel loading may be reduced in grasses and forbs with livestock grazing however this is not a significant issue.		
<b>Invasive, Non-native Species</b> (Federal Noxious Weed Act and EO 13112)	Determination	Signature	Date
	NA	<i>Tara de Valois</i>	<b>10/26/12</b>
	Rationale for Determination: Grazing use as prescribed in the Proposed Action along with the riparian enclosure in the southwestern corner of the allotment would benefit the health of the native plant community. A healthy native plant community provides competition against the establishment and spread of noxious weeds. This combined with ongoing weed control activities would mean that the renewal of the Ohio Creek Allotment grazing permit would not result in any additional impacts in relation to the spread of noxious weeds. Independent of the Proposed Action, weed control activity within the general area, particularly Wiley Lane, would continue as part of the Gunnison County Noxious Weed Control Program.		
<b>Forest Vegetation</b> (includes Public Land Health Standard 3)	Determination	Signature	Date
	NA	<i>Brian Brown</i>	<b>2/1/2013</b>
	Rationale for Determination: The proposed action will have no effect on forest vegetation.		
<b>Upland Vegetation</b> (includes Public Land Health Standard 3)	<b>Determination</b>	Signature	Date
	NA	<i>Tara M. de Valois</i>	<b>10/26/2012</b>
	Rationale for Determination: The proposed action would maintain the current status of plant communities that are achieving or moving toward achieving this Land Health Standard. With the successful implementation of this action, areas currently not meeting this standard would improve.		
<b>Riparian Zones and Wetlands</b> (EO 11990) (includes Public Land Health Standard 2)	Determination	Signature:	Date
	NA	<i>Gay Austin</i>	<b>1/22/2013</b>
	The small areas of riparian vegetation in this allotment are associated with intermittent drainages and one spring. The vegetation is willow-grass-sedge. The spring fed riparian is not currently meeting this standard but has been fenced to exclude livestock. The other riparian areas in the allotment are in functional at risk condition from historic and recent livestock grazing. The proposed action would likely result in the riparian areas moving toward meeting of this standard.		
<b>Wildlife</b> (includes Public Land Health Standard 3)	Determination	Signature	Date
	NA	<i>Russell Japuntich</i>	<b>1/21/13</b>
	Rationale for Determination: Land health assessments conducted in this allotment in 2003 indicated that standards for terrestrial wildlife are moving towards achieving the Land Health Standards. The proposed action should facilitate achieving these Standards.		

<b>Migratory Birds</b> (EO 13186 and Migratory Bird Treaty Act)	Determination	Signature	Date
	<b>PA</b>	<i>Russell Japuntich</i>	<b>1/21/13</b>
	Rationale for Determination: This standard is being met in the allotment, but the issue will be carried forward for analysis to demonstrate compliance with the Migratory Bird Treaty Act.		
<b>Threatened, Endangered, Candidate (ESA), and/or Sensitive Animal Species</b> (includes Public Land Health Standard 4)	Determination	Signature	Date
	<b>PA</b>	<i>Russell Japuntich</i>	<b>1/21/13</b>
	Rationale for Determination: This standard is being met in the allotment, but the issue will be carried forward for analysis to demonstrate compliance with ESA and Sec. 107 consultation.		

<b>HERITAGE RESOURCES and HUMAN ENVIRONMENT</b>			
<b>Cultural Resources</b> (National Historic Preservation Act)	Determination	Signature	Date
	<b>PA</b>	<i>Elizabeth Francisco</i>	<b>1/16/2013</b>
	Rationale for Determination: This issue will be carried forward for analysis to demonstrate compliance with NHPA and Sec. 106 consultation.		
<b>Environmental Justice</b> (EO 12898)	Determination	Signature	Date
	<b>NA</b>	<i>Tara de Valois</i>	<b>10/26/12</b>
	Rationale for Determination: The proposed action has no disproportionate impact on any racial, ethnic, or socioeconomic group.		
<b>Native American Religious Concerns</b> (American Indian Religious Freedom Act)	Determination	Signature	Date
	<b>NP</b>	<i>Elizabeth Francisco</i>	<b>1/16/2013</b>
	Rationale for Determination: No Native American religious concerns have been identified in the project area.		
<b>Socio-economics</b>	Determination	Signature	Date
	<b>NA</b>	<i>Tara de Valois</i>	<b>10/26/12</b>
	Rationale for Determination: The proposed action has no effect on socioeconomics in the project area, including on the individual permittee		
<b>Visual Resources</b>	Determination	Signature	Date
	<b>NA</b>	<i>Jim Lovelace</i>	<b>1/28/13</b>
	Rationale for Determination: Due to the low to moderate impact of cattle grazing to visual resources, the proposed action has no affect to VRM Class II.		
<b>Wastes (hazardous or solid)</b> (RCRA and CERCLA)	Determination	Signature	Date
	<b>NP</b>	<b>David Lazorchak</b>	<b>01/28/2013</b>
	Rationale for Determination: There were no hazardous or solid wastes identified on public land in the project area.		

<b>LAND USES and SPECIAL DESIGNATIONS</b>			
<b>Areas of Critical Environmental Concern</b> (FLPMA)	Determination	Signature	Date
	NP	<i>Jim Lovelace</i>	<b>1/28/13</b>
	Rationale for Determination: There are no Areas of Critical Environmental concern in the project area.		
<b>Farmlands (Prime or Unique)</b> (SMCRA and Farmland Protection Policy Act)	Determination	Signature	Date
	NP	<i>Marnie Medina</i>	<b>1/31/13</b>
	Rationale for Determination: There are no prime or unique farmlands in the analysis area. The NRCS has determined that in Gunnison County there are only "Farmlands of Statewide Importance", and only lands that are under irrigation fall into that category within the Important Farmland Inventory for the State of Colorado. There are no irrigated lands on public land in the analysis area.		
<b>Lands/Realty Authorizations</b>	Determination	Signature	Date
	NP	<i>Marnie Medina</i>	<b>1/31/13</b>
	Rationale for Determination: There are no lands authorizations in the project area.		
<b>Rangeland Management</b>	Determination	Signature	Date
	NA	<i>Tara M. de Valois</i>	<b>10/26/2012</b>
	Rationale for Determination: Since 2004, the primary spring in the allotment (Ohio Spring) has been somewhat undependable. Between 2004 and 2007, the permittee relied heavily on adjacent private lands to provide water for livestock. The trough was replaced in 2010 because it had gone dry and was damaged by animals (livestock and/or big game) entering the trough looking for water. However, the new trough is still not holding sufficient water for livestock on the allotment. The current permit holder does not have ready access to adjacent private land water. As a result of the lack of dependable water, the livestock operation rested the allotment in 2010 and significantly shortened their season of use in 2009. The proposed action continues current management and so has no effect on rangeland management. Until the issues with water supply on the allotment are resolved, the grazing operation will likely use this allotment only on unusually wet years or for short periods of time/ with small numbers of cattle.		
<b>Recreation</b>	Determination	Signature	Date
	NA	<i>Jim Lovelace</i>	<b>1/28/13</b>
	Rationale for Determination: The proposed action would have no effect on recreation in the project area.		
<b>Access and Transportation</b>	Determination	Signature	Date
	NA	<i>Jim Lovelace</i>	<b>1/28/13</b>
	Rationale for Determination: The proposed action has no effect on access in the project area.		
<b>Wild and Scenic Rivers</b> (Wild and Scenic Rivers Act)	Determination	Signature	Date
	NP	<i>Jim Lovelace</i>	<b>1/28/13</b>
	Rationale for Determination: There are no designated wild or scenic rivers in the project area.		

<b>Wilderness</b> (FLPMA and Wilderness Act)	Determination	Signature	Date
	<b>NP</b>	<i>Jim Lovelace</i>	<b>1/28/13</b>
	Rationale for Determination: There is no designated Wilderness or Wilderness Study Area (WSA) in the project area. Therefore, there is no effect on Wilderness.		

**FINAL REVIEW:**

<b>Reviewer Title</b>	<b>Signature</b>	<b>Date</b>	<b>Comments</b>
NEPA Coordinator	<i>Marnie Medina</i>	<b>1/31/13</b>	
Field Manager			

**U.S. Department of the Interior  
Bureau of Land Management  
Gunnison Field Office  
DOI-BLM-CO-S060-2011-0006-EA**

**FONSI  
FINDING OF NO SIGNIFICANT IMPACT**

Based on the analysis of potential environmental impacts contained in the referenced environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the proposed action will not have a significant effect on the human environment. Therefore, preparation of an environmental impact statement is not necessary.

RATIONALE

The Bureau of Land Management (BLM), Gunnison Field Office (GFO) prepared an Environmental Assessment (EA) DOI-BLM-CO-S060-2011-0006-EA to analyze the effects of issuing a 10-year permit for livestock grazing in the Ohio Creek Allotment #06212.

The EA analyzed potential site-specific impacts on resources that would result from implementing the proposed action or alternatives. The analysis addressed whether or not the proposed action and alternatives would be: 1) in compliance with the Gunnison Resource Area Resource Management Plan (RMP) objectives, 2) achieve or make significant progress towards achieving the Standards for Public Land Health in Colorado, 3) meet the habitat objectives of the Canada lynx Conservation Assessment and Strategy, and 4) meet the habitat objectives of the Candidate Conservation Agreement for the Gunnison sage-grouse, *Centrocercus minimus*, Gunnison Basin Population (CCA).

SIGNATURE OF AUTHORIZED OFFICIAL: \_\_\_\_\_

Brian St. George, Gunnison Field Manager

DATE SIGNED: \_\_\_\_\_