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**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

ENVIRONMENTAL ASSESSMENT

NUMBER: CO-120-2008-15-EA

PROJECT NAME: Evans Fence

LEGAL DESCRIPTION: T.7N, R.79W 6th PM, Section 28 and 33

APPLICANT: BLM

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction/Issues and Concerns: Currently allotment #07150 (Soap Creek) has livestock distribution problems which have caused uneven utilization within the Soap Creek riparian area. The new fence would create two pastures allowing for better control of livestock when grazing this allotment.

Proposed Action: The Proposed Action is to build 1.5 miles of a 4 wire fence in grazing allotment #07150 (Soap Creek). The four wire fence would have barbed wire for the top wire, and smooth wire for the lower one to accommodate wildlife use. The bottom wire would be 16" above the ground, and the top wire would be a maximum of 38-40" above the ground (See Enclosed Map). The fence construction would be contracted. Site preparation of the fence line would be limited to brush-beating of sagebrush (where necessary) to no less than 4-8 inches above the ground. Permanent roads are not to be constructed on the west side of the fence. ATVs would be allowed for both fence construction and maintenance.

Periodic weed monitoring will be completed by BLM staff. Standard Cultural and Paleontological stipulations will be provided to the contractor.

This project is part of an overall improvement plan to improve the land health of this allotment. Projects already completed are the Soap Creek well and 150 acres of sage brush treatments.

Further planning for this allotment includes a coordinated resource management plan for private, BLM and the Arapaho National Wildlife Refuge lands. As part of the coordinated resource management plan a grazing system for this allotment will be implemented. The BLM is also evaluating a bank stabilization project along portions of Soap Creek.

No Action Alternative: The No Action Alternative would be to deny this proposal. No fence would be built. Livestock grazing along Soap Creek would continue to be a problem.

PURPOSE AND NEED FOR THE ACTION: The BLM and Evans Livestock would like to build a fence within allotment # 07150 (Soap Creek) to split the allotment and create 2 pastures. Once the fence is constructed, a grazing system will be implemented to shorten use in the Soap Creek drainage. Currently allotment #07150 (Soap Creek) has livestock distribution problems which have caused uneven utilization within the Soap Creek riparian area.

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: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Chapter II B, 4 (page 7)

Decision Language: Livestock Grazing, directs for “investing in cost effective range improvements...to implement grazing systems and meet specific objectives of Allotment Management Plans

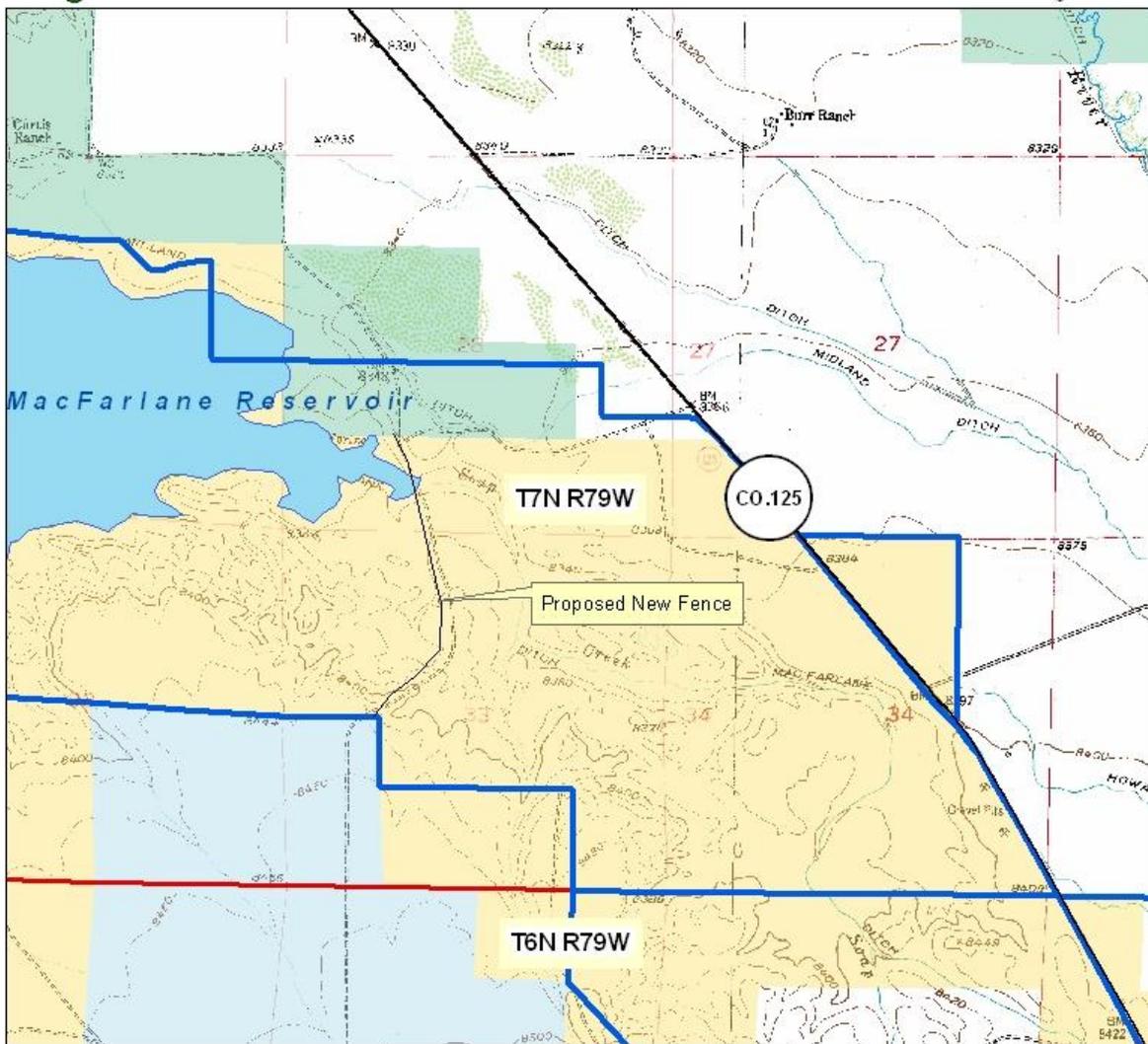
Standards for Public Land Health: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. The following are the approved standards:

Standard	Definition/Statement
#1 Upland Soils	Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.
#2 Riparian Systems	Riparian systems associated with both running and standing water, function properly and have the ability to recover from major surface disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment, and provides forage, habitat and bio-diversity. Water quality is improved or maintained. Stable soils store and release water slowly.
#3 Plant and Animal Communities	Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat’s potential. Plants and animals at both the community and population level are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations, and ecological processes.
#4 Threatened and Endangered Species	Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.
#5 Water Quality	The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirements set forth under State law as found in (5 CCR 1002-8), as required by Section 303(c) of the Clean Water Act.

Because a standard exists for these five categories, a finding must be made for each of them in the environmental analysis. These findings are located in specific elements below or in the Interdisciplinary Team Analysis Review Record and Checklist (IDT-RRC) (Appendix 1).



Evans Fence



Legend

County Roads	Land Status
Major Roads	Bureau of Land Mgt
Major Streams	Division of Wildlife
Reservoirs	National Park
	National Rec Area
	National Wildlife Refuge
	Private
	State
	State Forest
	US Forest Service
	allotment_np polygon



1:24,000

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Owl Ridge, MacFarlane BLM, Kremmling FO 10/2007

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

MIGRATORY BIRDS

Affected Environment: The proposed pasture fence would be constructed in habitat used by a variety of bird species. Among the more important species are burrowing owls, short-eared owls, golden eagles, Northern harriers, and prairie falcons. Other species including sage sparrows, sage thrashers, Brewer's sparrows and mountain bluebirds, are common in the Soap Creek allotment.

Environmental Consequences: The proposed fence construction would provide tools to improve livestock grazing distribution and management in the Soap Creek allotment. Better livestock management would result in better habitat for the species listed above. More cover would be available for ground nesting birds since the improvements would result in more vigorous grass productivity in the allotment. More cover would increase nesting success for birds. The No Action alternative would result in less intensive livestock management. Grass productivity would remain as it currently exists and cover for ground nesting birds would not increase.

Mitigation: None Proposed

THREATENED, ENDANGERED, AND SENSITIVE SPECIES (includes a finding on Standard 4)

Affected Environment: A list of threatened, endangered, and candidate species which could inhabit the proposed project area was received from the U.S. Fish and Wildlife Service (USFWS) on March 31, 2008. Analysis of this list indicated that no listed species would be impacted by the proposed project.

Greater sage-grouse, a BLM designated Sensitive Species, are common in the proposed project area. Sage-grouse use the allotment and adjoining habitat during breeding season and then migrate north to Owl Ridge for winter. Three strutting grounds (leks) are located adjacent to the proposed project area and since research has determined that 80% of sage-grouse nest within four miles of the leks where they are bred, nesting is occurring on the allotment where the proposed projects would be constructed.

Environmental Consequences: Implementation of the Proposed Action would be more beneficial to sage-grouse since livestock grazing would be more intensively managed due to the proposed project. This action would allow grass and forb productivity to increase and thereby provide more ground cover for nesting sage-grouse. More cover would result in higher nesting success and more young grouse produced. The No Action Alternative would not improve nesting cover for sage-grouse. Nesting habitat conditions would remain as they are and no improved nesting success would be expected to result from no action.

Mitigation: None Proposed

Finding on the Public Land Health Standard for Threatened & Endangered species: The proposed project would improve sage-grouse habitat conditions and the project area would continue to meet the land health standard for threatened and endangered species.

WATER QUALITY, SURFACE AND GROUND (includes a finding on Standard 5)

Affected Environment: Soap Creek is fed by diverting water from the Illinois River. Once the diversions are shut off in early July, this upper channel dries up except for some areas of pooled water. The small drainage is actively eroding from the large input of diverted waters, with bank sloughing and headcuts apparent along the drainage. Upper Soap Creek is used to convey water to MacFarlane Reservoir, which is used for downstream irrigation and waterfowl ponds. Ultimately, water from Soap Creek is discharged to the Grizzly Creek drainage.

The project area of Soap Creek was acquired by the BLM in a land exchange. The BLM does not own or control the water in Soap Creek. The BLM has not sampled the water quality in the creek. The state of Colorado has not identified Soap Creek or Grizzly Creek as being water quality impaired. Colorado has included Grizzly Creek, however, on the 2008 Monitoring and Evaluation List. The list identifies water bodies where there is reason to suspect water quality problems, but there is also uncertainty regarding one or more factors, such as the representative nature of the data. Grizzly Creek is on the list for “aquatic life use” impairment. The BLM only samples Grizzly Creek on public lands, which are upstream of the irrigation return flows and has not identified water quality concerns in the upper segment. Ground water quality would not be affected by the proposed action.

Environmental Consequences: The proposed fence will provide grazing management options for improving watershed conditions. These improvements will help increase ground cover in the uplands adjacent to Soap Creek and the riparian zone. As vegetation improves, accelerated erosion adjacent to the creek will be reduced. By stabilizing the streambanks with vegetation, some sediment loading to MacFarlane Reservoir may be reduced. Improvement of Grizzly Creek’s water quality, however, is unlikely, as erosion from the Soap Creek area is trapped by the reservoir.

If the fence is not constructed, the range of grazing alternatives would be reduced and overall improvement objectives would be more difficult to achieve. Present conditions would be expected to continue.

Mitigation: None Proposed

Finding on the Public Land Health Standard for water quality: Although the BLM lands upstream of MacFarlane Reservoir would not appear to contribute to Grizzly Creek’s water quality, grazing along the Soap Creek streambanks is hindering recovery from irrigation practices and is likely contributing sediment to MacFarlane Reservoir. The Proposed Action would help move the area towards meeting the Standard. Grazing management options are reduced without the fence’s construction and present conditions would be expected to continue.

WETLANDS & RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: Portions of the Soap Creek channel have been used as a water conveyance ditch since the late 1920s to fill MacFarlane Reservoir. The creek does not appear to have a base flow and much of the riparian vegetation is supported by the diverted water. Since acquiring the land and doing a field assessment in 1998, the BLM has noted some improvement in streambank vegetation with reduced livestock utilization. Some of the channel bars and

streambanks have riparian vegetation establishing, but overall use levels hinder the area's recovery. Upland pasture improvements that include a well and brush treatments are helping reduce livestock grazing pressure on Soap Creek. A temporary electric fence in roughly the same location as the proposed permanent fence has been used to "test" the project's effectiveness.

Environmental Consequences: Although the poor stream condition is the result of irrigation practices, riparian vegetation is definitely impacted by livestock grazing. Since acquiring the land, grazing management is improving the vegetation, increasing the frequency of wetland species and overall plant health. The proposed project will aid in providing additional livestock management, reducing the utilization levels in the riparian zones. As the channel strives to create a new floodplain, this riparian vegetation is essential to stabilizing the stream.

Mitigation: None Proposed

Finding on the Public Land Health Standard for riparian systems: Most of upper Soap Creek (above MacFarlane Reservoir) is rated as being in "functioning at risk" or "non-functioning" condition. The proposed action will help riparian vegetation recover and move the area towards being in "proper functioning condition" and meeting the Standard. Under the No Action Alternative, additional riparian improvements will be difficult to achieve and it is expected that the present condition would continue.

VEGETATION (includes a finding on Standard 3)

Affected Environment: The proposed action is located in allotment # 07150 (Soap Creek). The vegetation within the allotment is a mixture of sagebrush with an understory of grasses and forbs. Also found in the allotment is a prominent riparian drainage in which Soap Creek flows. These riparian areas have received high utilization from livestock. A temporary electric fence in roughly the same location as the proposed permanent fence has been used to determine the project's effectiveness. It has been noted that the fence has helped reduce livestock impacts along Soap Creek.

Environmental Consequences: Under the proposed action a new fence would be built to split the allotment into 2 pastures. The new fence would split the Soap Creek drainage from the rest of the allotment creating a riparian pasture. The new riparian pasture would limit the amount of time livestock would be allowed to graze along Soap Creek. Under the no action the fence would not be built causing further livestock distribution problems within the allotment.

Mitigation: None Proposed

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): Allotment # 07150 (Soap Creek) was assessed for standards in 1998 and in 2006. In 1998, the Soap Creek drainage was determined to be functioning at risk while the rest of the allotment was meeting the standard. In 2006, the whole allotment was meeting the Standards for Public Land Health in Colorado.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment: The proposed project area provides habitat for a variety of species including mule deer, Rocky Mountain elk, pronghorn, and a variety of small mammals. Deer and elk use the area during winter while pronghorn use the area all seasons; except winter when they migrate to lower elevations along the Illinois River. Coyotes, badgers, and several species of rodents are yearlong residents of the proposed project area.

Environmental Consequences: The proposed fence would allow the allotment to be divided so a rotation grazing system could be implemented. The change in livestock distribution and the rest-rotation grazing system would improve forage conditions on the allotment. The improved forage production would provide additional food and cover vegetation for wildlife using the allotment. The No Action Alternative would not improve livestock grazing distribution and additional forage for wildlife would not become available in Allotment # 07150.

Mitigation: None Proposed

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): Allotment # 07150 would continue to meet this standard with implementation of either the Proposed Action or the No Action alternative. However, implementation of the Proposed Action would improve the allotment for wildlife while the No Action Alternative would not provide additional forage and cover vegetation since season long grazing and poor livestock distribution would continue.

CUMULATIVE IMPACTS SUMMARY: All resource values have been evaluated for cumulative impacts. It has been determined that there would be no cumulative impacts for the no action or proposed action.

This project is part of an overall improvement plan to improve the land health of this allotment. Projects already completed are the Soap Creek well and 150 acres of sage brush treatments.

Further planning for area includes a coordinated resource management plan for private, BLM, the Arapaho National Wildlife Refuge lands and a bank stabilization projects along portions of Soap Creek.

Under the no action alternative the fence would not be built which would hinder the ability to implement the coordinated resource management plan.

PERSONS / AGENCIES CONSULTED: BLM, Arapaho National Wildlife Refuge, Blain Evans, Owl Mountain Partnership. All people consulted were in favor of the fence.

INTERDISCIPLINARY REVIEW: See IDT-RRC in Appendix 1.

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Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

DECISION RECORD

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

RATIONALE: Currently allotment #07150 (Soap Creek) has livestock distribution problems which have caused uneven utilization within the Soap Creek riparian area. Once the fence is constructed, a grazing system will be implemented to shorten use in the Soap Creek drainage. This will help reduce the amount of time livestock have to graze along Soap Creek so native vegetation can reestablish. This will help reduce soil loss when irrigation water is being moved through Soap Creek.

MITIGATION MEASURES:

None required

COMPLIANCE/MONITORING:

None required

NAME OF PREPARER: Pete Torma

NAME OF ENVIRONMENTAL COORDINATOR:

DATE:

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

ATTACHMENTS:

APPENDICES:

Appendix 1 – Interdisciplinary Team Analysis Review Record and Checklist

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: Evans Fence
Project Leader: Pete Torma
Date Proposal Received: (Only for external proposals)
Date Submitted for Comment: 6/1/08
Due Date for Comments: 10/1/08

Need for a field Exam: (If so, schedule a date/time)

Scoping Needs/Interested or Affected Publics: (Identify public scoping needs)

Consultation/Permit Requirements:

Consultation		Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO		7-23-07	B.Wyatt	
Native American	3-12-2008	7-16-2008	B. Wyatt	To date no Native American tribe has identified any traditional areas of concern.
T&E Species/FWS	N/A	N/A	M. McGuire	
Permits Needed (i.e. Air or Water)	N/A	N/A	P. Belcher	

(NP) = Not Present
 (NI) = Resource/Use Present but Not Impacted
 (PI) = Potentially Impacted and Brought Forward for Analysis.

NP NI PI	Discipline/Name		Date Review Comp.	Initials	Review Comments (required for Critical Element NIs, and for elements that require a finding but are not carried forward for analysis.)
CRITICAL ELEMENTS					
NI	Air Quality	Belcher	5/14/08	PB	Air Quality in the area would not be impacted by the Proposed Action.
NP	Areas of Critical Environmental Concern	Stout Torma	11/25/08	PT	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
NI	Cultural Resources	Wyatt	11/25/08	BBW	See analysis. Site 5JA599 lies within the project area, but, is not significant. The project is a no effect, there are no historic properties that would be affected.
NP	Environmental Justice	Stout Torma	11/25/08	PT	According to the most recent Census Bureau statistics (2000), there are no minority or low income communities within the Kremmling Planning Area.
NP	Farmlands, Prime and Unique	Belcher	5/14/08	PB	There are no farmlands, prime or unique, in the proximity of the proposed project area.
NP	Floodplains	Belcher	5/14/08	PB	The action is not located within a floodplain.

NP	Invasive, Non-native Species	Scott	6/30/08	MS	There are no known invasive, non-native species found within the project area and the proposed action does not propose the risk of introducing or spreading these species.
PI	Migratory Birds	McGuire	7/14/08	MM	See analysis.
	Native American Religious Concerns	Wyatt	7/16/2008	BBW	To date no Native American tribe has identified any traditional areas of concern.
PI	T/E, and Sensitive Species (Finding on Standard 4)	McGuire	7/14/08	MM	See analysis.
NP	Wastes, Hazardous and Solid	Hodgson	2/8/08	KH	There are no quantities of wastes, hazardous or solid, located on BLM-administered lands in the proposed project area, and there would be no wastes generated as a result of the Proposed Action or No Action alternative.
PI	Water Quality, Surface and Ground (Finding on Standard 5)	Belcher	6/24/08	PB	See Water Quality Section.
PI	Wetlands & Riparian Zones (Finding on Standard 2)	Belcher	6/24/08	PB	See Wetlands & Riparian Zones Section.
NP	Wild and Scenic Rivers	Windsor	9/12/08	AW	There are no eligible Wild and Scenic River segments in the proposed project area.
NP	Wilderness	Windsor	9/12/08	AW	There is no designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.
NON-CRITICAL ELEMENTS (A finding must be made for these elements)					
NI	Soils (Finding on Standard 1)	Belcher	6/24/08	PB	Finding: The proposed action would disturb a very small amount of soil during construction, especially since ATVs will be used. On a landscape scale, there are no impacts to soil health. Indirectly, the project will improve soil conditions as vegetation cover and vigor increases due to better livestock management.
PI	Vegetation (Finding on Standard 3)	Johnson Torma Jack	6/20/08	PT	Finding: See Vegetation section
NI	Wildlife, Aquatic (Finding on Standard 3)	McGuire	7/14/08	MM	No impact to aquatic wildlife. Finding: N/A
PI	Wildlife, Terrestrial (Finding on Standard 3)	McGuire	7/14/08	MM	See analysis.
OTHER NON-CRITICAL ELEMENTS					
PI	Access/Transportation	Monkouski	7/2/08	JJM	Fence construction and future maintenance should be done from the east side of the proposed fence adjacent to the existing primitive road. Having no visible tracks on the west side of the fence will assist in reducing new routes being created.
NI	Fire	Wyatt	7/16/2008	BBW	If there is brush beating along the fence line it will reduce the sagebrush fuels to more lighter flashier fuels for the short run.
NP	Forest Management	Belcher	5/19/08	KB	No forest resources present.
NI	Geology and Minerals	Hodgson	2/8/08	KH	No impacts.
NI	Hydrology/Water Rights	Belcher	5/14/08	PB	The fenceline will not affect the drainage system or water rights.
PI	Paleontology	Rupp	2/20/2008	FGR	A preliminary paleontological inventory was completed by the staff archaeologist on June 10, 2008. No fossils or fossil bearing geologic strata were discovered. No further

				paleontological work is recommended for this project. F. Rupp; June 11, 2008.	
NI	Noise	Monkouski	7/2/08	JJM	No impacts.
NI	Range Management	Johnson Torma Jack	6/20/08	PT	Livestock AUMs will not be effected by this new fence because the season of use and AUMs allocated to this allotment will not change
NI	Lands/ Realty Authorizations	Cassel	1/16/2008	SC	There are no leases or permits in the location of the proposed action. There is a ROW for a reservoir in Sections 29 & 33. There should be no impact to this ROW from the proposed action or the no action alternative.
NI	Recreation	Monkouski Sterin Windsor	7/2/08	JJM	Camping, hunting, wildlife viewing, OHV use and driving for pleasure recreation opportunities exist, but will not be impacted.
NI	Socio-Economics	Stout			
NI	Visual Resources	Hodgson	4/14/08	KH	Fence would be constructed in an area classified as Class III VRM, under which activities may attract attention, but would not dominate the view of the casual observer. VRM would not be affected by the Proposed Action or No Action Alternative.
	Cumulative Impact Summary	Torma	1/5/09	PT	
FINAL REVIEW					
	P&E Coordinator	Torma	11/27/08	PT	
	Field Manager	Dave Stout			