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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: DOI- BLM- LLCON0200-2011-0007-EA

PROJECT NAME: County Road 12E Well

LEGAL DESCRIPTION: T. 9 N., R. 79 W., 6th P.M., Section 23

KREMMLING FIELD OFFICE, KREMMLING, COLORADO

APPLICANT: Keith Holsinger

PURPOSE AND NEED FOR THE ACTION: The purpose of the proposed action is to respond to a proposal from Keith Holsinger to drill a water well in allotment # 07080 (East Walden). Troughs, fence and a pipeline would also be installed. The need for the proposed action is to improve livestock distribution in the allotment.

Background/Introduction/Issues and Concerns: The East Walden Allotment (#07080), which is found just east of the town of Walden, has historically had cattle distribution problems due to the lack of water on the allotment. Several water improvements have been developed on this allotment since the 1990s, most of which are reservoirs, which can be inadequate in dry years. The reservoirs do not produce or maintain effective water sources for cattle in years with little snow or rainfall. A new well would produce consistent water for this pasture and contribute to better distribution of cattle within this allotment. It is expected that construction of the well and associated range improvements would improve land health conditions within the allotment.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action: Keith Holsinger, in cooperation with the BLM, the Owl Mountain Partnership (OMP), and the North Park Habitat Partnership Program (HPP), is proposing to have a well drilled within the East Walden Allotment (# 07080). An approved contractor would drill the new well, install the well casing, and complete all necessary documentation to be provided to the State of Colorado and the BLM. The OMP and the HPP have agreed to pay for drilling the well. The contractor would access the well site via an existing access road, with the exception of cross county travel over a short distance at the end of the two track access route. (see maps). No new permanent roads would be constructed within the 300 feet of cross country travel.

The drilling period to complete the well would be during the 2011 field season. The well would be drilled using a diesel rotary drill rig or cable tool during the summer months (May-September). A typical water well is drilled to a depth of 200 feet and requires 2-4 days of drilling time depending upon the geological formation of the area. If the well does not produce enough water for livestock, it would be plugged and abandoned, in conformance with Colorado State Laws.

If the well produces an adequate amount of water, it would be developed with a pump, solar panel, and a 15 to 20 foot buried pipeline from the well to 1-2 watering troughs adjacent to the well. The well area, which is estimated to be four by four feet, would be fenced with post and railed fencing to protect it from livestock and wildlife damage. Keith Hollinger, the current livestock grazing permittee using the allotment, would purchase and install the pump, solar panel, pipeline, and fencing around the well. A 24 by 24 foot pad may need to be leveled by a bulldozer in the area that the tanks would be placed to provide a stable platform for the tanks. The new tanks, installed by the BLM and Keith Holsinger, would include wildlife ramps to provide escape routes for small mammals and birds that may access the tanks for water, and a drainage system for winterization. The water troughs would be anchored and protected by a wood post and rail structure. It is estimated that the well would generally pump for 20 days, resulting in an annual depletion of 0.19 acre-feet of water. This assumption is based on the rate of 15 gallons/day/cow and that the well provides the only water source for the pasture. It is estimated that the well, if successful, would produce water for an estimated 20 days per grazing season.

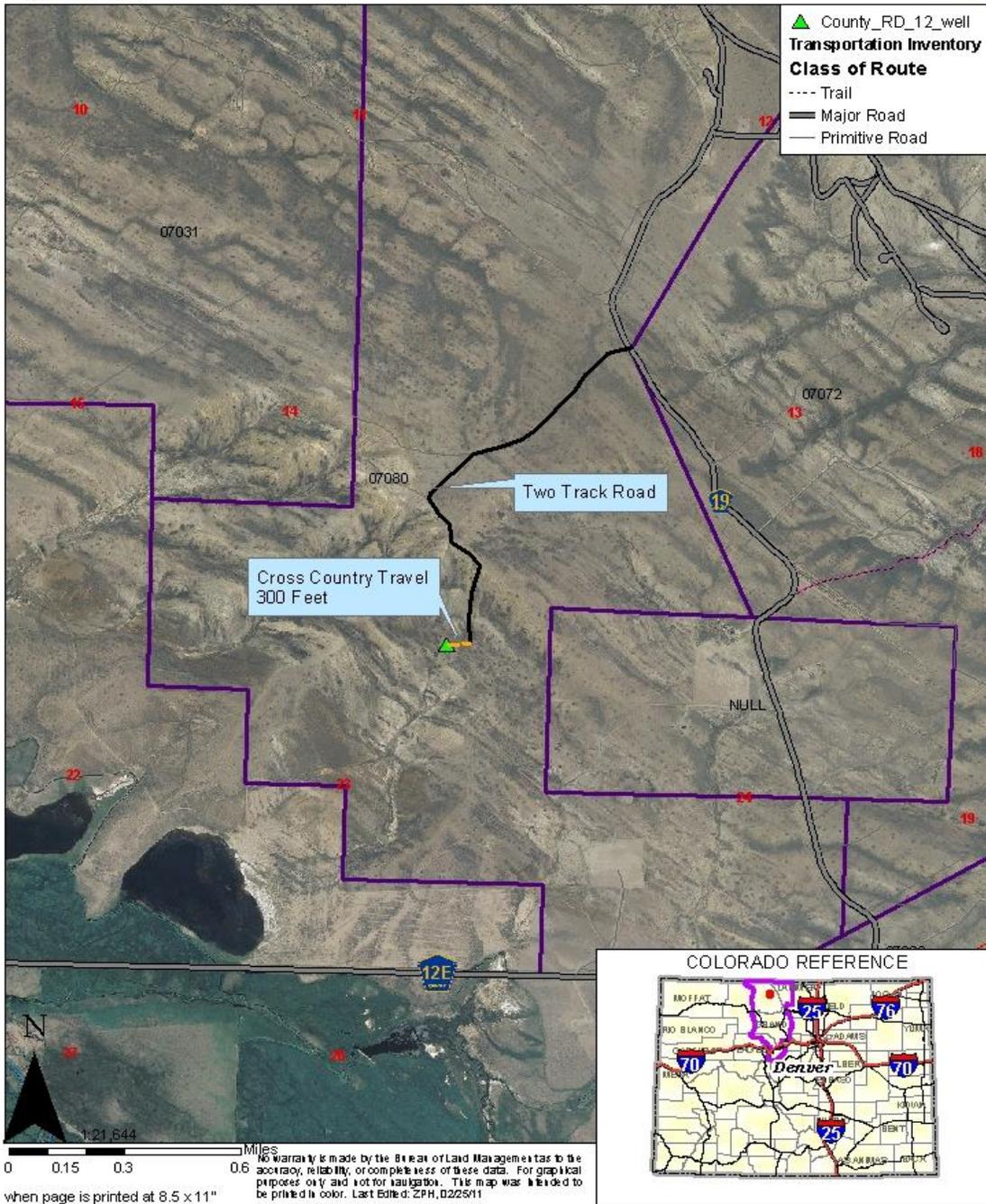
Design Features of the Proposed Action:

- The BLM would inspect disturbed areas for noxious weeds for two growing seasons after the project is completed. If noxious weeds are found, it would be the responsibility of the BLM to treat the weed infestations.
- If natural revegetation does not occur, a BLM-approved seed mix would be required for the reseeding.
- Construction would occur when clay soils are dry.
- Troughs would be located on sandy loam soils if possible.
- The topsoil would be separated from underlying soils for respreading after construction. This would include the area or pad that the troughs would be located.
- While in use, each internal combustion engine including tractors, trucks, or equivalents, welders, generators, stationary engines, or comparable powered equipment shall be provided with at least the following:
 - 1) One fire extinguisher, at least #ABC with an Underwriters Laboratory (UL) rating of 3A - 40BC, or greater. Extinguisher shall be mounted so as to be readily available for use (not locked in a tool box or chained to a seat, for example),
 - 2) One shovel
 - 3) One axe.

- The petrified tree stump which lies along the 2-track leading to the well would be flagged by the BLM to ensure avoidance during construction.
- BLM would provide the contractor standard cultural and paleontological discovery stipulations.



County Road 12E Access Map



No Action Alternative: The No Action alternative would be to deny this proposal. No water well would be drilled, and the livestock distribution problem within the pasture would remain due to continued lack of water in Allotment # 07080 (East Walden).

CONFORMANCE WITH LAND USE PLAN AND OTHER LAWS, REGULATIONS, AND POLICIES:

The Proposed Action is in conformance with the Record of Decision for the Kremmling Resource Management Plan approved in 1984, amended in 1991 and updated in 1999, and with the land use plan terms and conditions as required by 43 CFR 1610.5-3(a). The Kremmling RMP analyzed the impacts of range improvement projects.

This Environmental Analysis fulfills the 1969 National Environmental Policy Act (NEPA) requirement for site-specific analysis. The Proposed Action is in accordance with the following laws and/or regulations, other plans, and is consistent with Federal, State, and local laws, regulations:

- Taylor Grazing Act of June 30, 1934, as amended
- Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.)
- Public Rangelands Improvement Act of 1978
- Endangered Species Act of 1973 as amended
- Clean Water Act Section 303d
- Section 106 of the National Historic Preservation Act of 1966 as amended
- National Environmental Policy Act of 1969
- Sikes Act of 1969, as amended (Habitat Improvement on Public Land)
- Fish and Wildlife Improvement Act of 1978
- Executive Order 13186 – Responsibilities of Federal Agencies to Protect Migratory Birds
- Grazing Regulations as codified in 43 CFR § 4100 as amended in 2005
- DOI Secretarial Order No.3310—Protecting Wilderness Characteristics on Lands Managed by the BLM, Dec. 2010.

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

MIGRATORY BIRDS

Affected Environment: A variety of migratory bird species, primarily birds of prey and songbirds, use the allotment. Surveys conducted in 1994 by the Colorado Breeding Bird Atlas Partnership recorded many species in the area including Swainson's hawks, Red-tailed hawks, golden eagles, Green-tailed Towhees, Common Nighthawks, Mountain Bluebirds, Sage Thrashers, Spotted Towhees, and Rock Wrens in the sagebrush habitat common to the area. Data from the Colorado Division of Wildlife (CDOW) indicates that there is a golden eagle nest three miles to the east of the proposed project area. Last known observation of the nest was in 1997 and local CDOW have not been able to locate it in recent years. Field observation in March 2010 identified two adult golden eagles foraging approximately 2.5 miles from the project area.

Environmental Consequences, Proposed Action: The proposed well developments would improve livestock grazing distribution and management in allotment #07080. Improved livestock management would result in more suitable habitat for the species listed above. Grass and forb cover would increase thereby providing additional food, cover, and nest material for migratory birds. The proposed well development would also provide an additional water source for birds and their prey base.

If golden eagles are nesting in the area, suitable nesting habitat (cliffs and large diameter trees) is located at an adequate distance (2.0 miles) and there are topographic barriers to prevent disturbance. Birds attempting to migrate from other areas may avoid the project area or increased activity at the project site may displace birds away from the area. Activity that occurs during the peak nesting season (April 1st to July 15th) has more potential to displace migratory birds, disrupt or cause changes in behavior, and may cause nest abandonment. However, the project duration is short-term and no take of migratory species is expected to occur as a result of the Proposed Action. In addition, the Proposed Action is expected to have little to no direct impacts, and no indirect or cumulative impacts to migratory birds in the area.

Environmental Consequences, No Action Alternative: The No Action Alternative would not result in improved grazing distribution. Grass productivity would remain as it currently exists and cover for ground nesting birds would not increase. No additional water for migratory birds would be available in the pasture as a result of this alternative.

Mitigation Measures: None

THREATENED, ENDANGERED, AND SENSITIVE SPECIES

Affected Environment: No threatened or endangered species have been recorded in the project area.

The Proposed Action is located within the North Platte River basin, which is tributary to the Platte River System. The U.S. Fish and Wildlife Service (USFWS) has determined that any water depletion within the Platte River jeopardizes the continued existence of one or more federally-listed threatened or endangered species and adversely modifies or destroys designated and proposed critical habitat. Depletions may affect and are likely to adversely affect the whooping crane, the interior least tern, the piping plover, the western prairie fringed orchid, and the pallid sturgeon in the central and lower Platte River. The BLM is a participant in the Platte River Recovery Implementation Plan (PRRIP), and is proposing that the well's depletion be covered by the North Platte portion of the 'Colorado's Plan for Future Depletions' in the PRRIP.

Greater sage-grouse, a BLM-designated Sensitive Species and federal candidate for listing, inhabit the sagebrush within and adjacent to the proposed area. Four leks (breeding areas) are within four miles of the well site with the closest leks about 1.5 miles away. This area provides suitable nesting cover and brood-rearing habitat for sage-grouse. Since research has determined that 80% of sage-grouse hens nest within four miles of the leks where they are bred, nesting is likely occurring within or near the proposed project area. In addition, the area provides winter habitat for sage-grouse and is within sage-grouse core habitat.

Environmental Consequences, Proposed Action: For the proposed action, it is estimated that the well would generally pump for 20 days, resulting in an annual depletion of 0.19 acre-feet of water. This assumption is based on the rate of 15 gallons/day/cow and that the well provides the only water source for the pasture. The BLM has requested a formal consultation from the USFWS for a final biological opinion regarding the potential effects of the well on federally listed species and designated critical habitat associated with the Platte River in Nebraska. Once the formal consultation with the USFWS is completed, the BLM would decide whether the proposed action could be implemented. If the BLM intends to increase the yearly depletion above and beyond the depletion that was included in the initial consultation, a new consultation must be completed with the USFWS.

Implementation of the Proposed Action would be beneficial for sage-grouse since the additional water source would improve livestock distribution in the allotment. This action would allow grass and forb productivity to increase and thereby provide better ground cover for sage-grouse. The proposed well development would also provide an additional water source for birds and their prey base.

Environmental Consequences, No Action Alternative: The No Action Alternative would not improve habitat for sage-grouse and current conditions would remain. No water depletions would occur from the Platte River.

Mitigation Measures: None

SOILS (includes a finding on Standard 1)

Affected Environment: Soil information is from the Jackson County Soil Survey (NRCS). The survey is not intended for site specific use, but can give general soil conditions and limitations that may be found in the general project area. The access route and proposed well location is within an area that is on the southwesterly flank of a small hill. The exposed layered geologic bedding creates a “striped” or “banded” pattern of soils, and results in alternating strips of denser/sparser vegetation patterns. The sparser vegetated areas tend to have Coalmont loam soils that formed in the shale layers of the Coalmont formation. Shale is generally within two feet from the surface, and except for a shallow loam surface layer, the soil profile is made up of clays. Alkalinity increases with depth, and the soil has a low permeability, and low plant available moisture. The more vegetated soils are Fluetsch sandy loams, which formed from sandstone and sandy shale layers of the Coalmont formation. Permeability is moderate and available plant moisture is high.

Environmental Consequences, Proposed Action: The clay soil components tend to have higher soil moisture levels than coarser textured soils that drain faster. By accessing and constructing the well when the clay soils are dry, there would be less potential for soil rutting and compaction. When soils are compacted, the soil’s pore space to store water for plant uptake is reduced and water “runs off” the soil. Soil ruts create small troughs or depressions that channelize runoff, thereby increasing the runoff’s erosive energy and reducing the amount of precipitation that infiltrates the soil. These clay soils have a much smaller tolerance for erosion before their overall productivity is impacted and can be difficult to re-vegetate. By retaining the vegetation/topsoil layers, surface disturbances have a better chance of being re-vegetated.

Although the surface layer may be shallow, it is much better topsoil than the underlying alkaline clays. Alkaline soils can have salt concentrations that restrict plant growth, as plants cannot uptake available moisture due to the salt amounts. Re-spreading the original topsoil would increase the potential re-vegetation success and the mixed in vegetation and litter will help stabilize the soil by trapping additional moisture, reducing wind erosion, and slowing runoff until reseeding is successful. Placing the troughs on the sandy loam soils would help reduce soil compaction and salt accumulation at the troughs from livestock concentrating around the troughs.

The addition of upland water sources on an allotment are considered a best management practice to increase livestock distribution on an allotment and to allow for pasture creation and the implementation of grazing systems. The proposed action would increase management options to manage for long-term soil health.

Environmental Consequences, No Action Alternative: Under the No Action Alternative, this option would not be pursued, and additional actions would need to be proposed to help improve the overall condition of the allotment.

Mitigation Measures: None

Finding on the Public Land Health Standard for upland soils: The proposed action would allow additional management options to protect or improve the long-term soil health in the allotment. Under the No Action Alternative, this tool of developing an upland water source would be foregone. Existing conditions would be expected to continue, and could even decline during periods of drought.

VEGETATION

Affected Environment: The proposed project is located within a mixture of sagebrush with an understory of grasses and forbs. Prominent grasses include bluebunch wheatgrass (*Pseudoroegneria spicata*), western wheatgrass (*Pascopyrum smithii*), bluegrasses (*Poa* spp), fescues (*Festuca* spp), pine needlegrass (*Achnatherum pinetorum*), Indian ricegrass (*Achnatherum hymenoides*), and bottlebrush squirreltail (*Elymus elymoides*). Forbs include wild buckwheat (*Eriogonim* spp), daisies (*Erigeron* spp), phlox (*Phlox* spp), pussytoes (*Antennaria* spp), and beard tongues (*Penstemon* spp). The project would result in approximately one acre of soil and vegetation disturbance.

Environmental Consequences, Proposed Action: The proposed action would cause vegetation disturbance during the actual drilling process. The disturbance would be limited to access routes, the actual proposed drilling site, and the tank area. The disturbance around the pad, if needed, would be greatest, with some loss of vegetation. Other areas including the cross-country travel route would be minimal. As part of the proposed action, seeding would occur in the areas where vegetation is disturbed and no revegetation occurs. The new water source would improve the vegetation in the allotment by improving livestock distribution. Better livestock distribution would prevent livestock from congregating around the existing livestock watering areas and overgrazing other areas within the allotment. Overgrazing compromises plants growth and

vigor; in which plants are not able to grow back to adequate growth rate which reduces overall the sustainability of the rangeland plant community.

Environmental Consequences, No Action Alternative: Under the no action alternative current vegetative conditions throughout the allotment would remain the same but livestock distribution would not be dispersed and overgrazing of certain areas would occur.

Mitigation Measures: None

WILDLIFE, TERRESTRIAL

Affected Environment: The proposed area provides habitat for a variety of upland wildlife species. Pronghorn, elk, mule deer, coyotes, badgers, and a variety of small rodents inhabit the area at least part of the year. Pronghorn and elk utilize the area primarily during winter; however some use can occur by these species during the summer months.

Environmental Consequences, Proposed Action: The proposed well development would provide an additional water source for big game and small mammals during the summer season as well as improve livestock distribution during the grazing season. The change in livestock distribution would improve forage conditions and provide additional food and cover vegetation for wildlife using the allotment. The proposed project would not conflict with terrestrial wildlife since habitat disturbance would be minimal due to reclamation after the project. Disturbance of wildlife would also be minimal since drilling activities would be short term, in an isolated area, and not likely to occur during periods of animal concentration.

Environmental Consequences, No Action Alternative: The No Action Alternative would not improve livestock grazing distribution and would not provide an additional water source or forage for wildlife.

Mitigation Measures: None

CUMULATIVE IMPACTS SUMMARY:

The Council on Environmental Quality (CEQ) regulations that implement NEPA define a cumulative impact as: “The impact on the environment which results from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions.” Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).

The geographic scope for the cumulative impact analysis is the East Walden Allotment (#07080) which is grazed by Keith Holsinger. This allotment is found just east of the town of Walden in North Park, Colorado.

The timeframe for the cumulative impact analysis is three years for short-term effects and fifteen years for long-term effects. These timeframes are based on short term impacts to vegetation and soil resources and long term benefits to wildlife with the expected longevity of an operational well.

Past Actions:

The allotment has historically had cattle distribution problems, mostly due to a lack of water within the allotment. Several reservoirs were built throughout the allotment to try to improve distribution and had some success. Overall the vegetation and soil quality within the allotment was relatively poor and some concern of meeting rangeland health standards was expressed in the past. Since reservoirs, depending on the year, amount of precipitation, and run off, can be inconsistent, the need for a well was proposed to provide additional water on the allotment. The EA's impact assessments conclude that no significant impacts would result from the proposed action or no action alternatives on air quality, cultural resources, Native American Indian concerns, water quality (surface or ground), access transportation, geology and minerals, paleontology, noise, recreation, lands and realty authorizations, hydrology and water rights, socio-economics, and visual resources. Therefore no further discussion of these resources is required.

Cumulative impacts related to the proposed action include impacts to migratory birds, threatened and endangered species, soils, vegetation, terrestrial wildlife.

Present Actions:

There is a need to continue to find water on BLM-administered lands to help improve the rangelands due to the shortage of water on the allotment. This improvement would, in the long term, provide subsequent water for migratory birds and terrestrial wildlife. The vegetation would improve with better distribution of the livestock in the allotment, and leave better vegetative cover for sage grouse. The short term impacts may decrease vegetation loss, cause soil disturbance, and disperse terrestrial wildlife. These effects are only expected to occur during the actual drilling and construction activities.

Reasonably Foreseeable Future Actions: The area is expected to continue to be used for livestock grazing. Future projects may include an extension pipeline off the proposed project, and maintenance on existing water source projects. No more wells are proposed for the future, but possible vegetation treatments such as brush beatings or dixie harrow may be proposed to increase vegetation productivity. All future projects would continue to benefit grazing distribution and therefore benefit the soils, vegetation and wildlife of the area.

If the No Action Alternative was chosen, vegetation and soils may deteriorate. This alternative would reduce the ability to improve the overall land health within the allotment due to poor livestock distribution and other options may be needed for the allotment for land health. An additional water source for wildlife and cattle would not be created. Sage grouse cover would diminish.

PERSONS / AGENCIES CONSULTED: Keith Holsinger(Permittee), the North Park Habitat Partnership Program committee members, the Owl Mountain Partnership, and the Colorado Division of Wildlife were consulted and exhibited support for the proposed project. See Appendix 2 for the Native American Consultation List.

INTERDISCIPLINARY REVIEW: See IDT-RRC in Appendix 1.

APPENDICES:

Appendix 1 – Interdisciplinary Team Analysis Review Record and Checklist

Appendix 2 – Native American Tribal Consultation List

ATTACHMENTS: Seed Mix

Terms and Conditions of the Project

**Finding of No Significant Impact and Decision Record
Bureau of Land Management
Kremmling Field Office**

EA Number: DOI-BLM-LLCON02000-2011-0010-EA

Case File No.

Proposed Action Title/Type: County Road 12E Well

Applicant/Proponent: Keith Holsinger

Location of Proposed Action: T. 9 N., R. 79 W., 6th P.M., Section 23

Conformance with Applicable Land Use Plan:

This plan has been reviewed to determine if the proposed action conforms to the land use plan terms and conditions as required by 43 CFR 1610.5. This proposed action is in conformance with the following land use plan:

Name of Plan: Kremmling Resource Management Plan

Date Approved: December 1984; Amended November 1991; Updated February 1999.

BACKGROUND

The East Walden Allotment (#07080), which is found just east of the town of Walden, has historically had cattle distribution problems due to the lack of water on the allotment. Several water improvements have been developed on this allotment since the 1990s, most of which are reservoirs, which can be inadequate in dry years. The reservoirs do not produce or maintain effective water sources for cattle in years with little snow or rainfall. A new well would produce consistent water for this pasture and contribute to better distribution of cattle within this allotment. It is expected that construction of the well and associated range improvements would improve land health conditions within the allotment.

Finding of No Significant Impact

The Kremmling Field Office interdisciplinary review and analysis determined that the proposed action would not trigger significant impacts on the environment based on criteria established by regulations, policy and analysis.

I have reviewed the above mentioned NEPA compliance document (EA). I have determined that the proposed action is in conformance with the Kremmling Resource Management Plan.

I have determined, based on the analysis in DOI-BLM-LLCON02000-2011-0007-EA, that this is not an action that would significantly affect the quality of the human environment and, therefore, an Environmental Impact Statement is not required. This determination is based on the rationale

that the significance criteria, as defined by the Council on Environmental Quality (CEQ) (40 CFR 1508.27) have not been met.

The following rationale was used to determine that significant impacts were not present for each criteria mentioned in Title 40 CFR 1508.27:

1. *Beneficial and adverse impacts.*

The proposed action has beneficial impacts to vegetation, wildlife, including Greater sage grouse which is listed as a sensitive species, and migratory birds. There will be some limited temporary soil and vegetation disturbance when the actual drilling and construction occurs.

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

No adverse affects to public health and safety are anticipated to result from implementation of the proposed action.

3. *Unique characteristics of the geographic area.*

Other than the petrified tree stump which lies along the 2-track leading to the well location there are no unique characteristics in the geographic area. This tree stump would be flagged by the BLM for avoidance during construction.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The effects of the proposed action on the quality of the human environment are not considered highly controversial.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique of unknown risks.*

The installation of water wells for watering livestock and wildlife has been previously implemented in many locations on public lands. The effects on the human environment from the proposed action are known and do not involve unique or unknown risks.

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

The proposed action will not establish a precedent for the future nor does it represent a decision in principle about a future consideration.

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

The proposed action is not related to other past, present or reasonable foreseeable actions likely to result in any significant impacts. The cumulative impacts of reasonably

foreseeable activities in the same area, including water wells, are not likely to result in cumulatively significant impacts.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The ground disturbing activities associated with the proposed action will not adversely affect any sites eligible for the National Register of Historic Places.

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.*

The project is not expected to adversely affect any sensitive, threatened, endangered or proposed for listing species. The proposed water well is expected to distribute cattle in the allotment, allowing the vegetation to increase and provide increased cover for sage grouse.

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 Federal, State, and local laws or requirements for the protection of the environment.

Decision: It is my decision to authorize the Proposed Action as described in the attached EA and authorize the drilling of the water well and installation of the fence, troughs and pipeline on Allotment #7080 (East Walden). This decision is contingent on meeting all monitoring requirements listed below and terms and conditions of the project (see Attachment 2).

COMPLIANCE/MONITORING:

- The BLM will monitor the project area for the establishment or spread of invasive, non-native species after the project is completed. If invasive, non-native species become established or spread as a result of the Proposed Action, the BLM will be responsible for their control. BLM will also monitor the natural revegetation of the area. If seeding is needed, a BLM approved seeding mix will be used (see Attachment 1).



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

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Water Well, Troughs, Fence and Pipeline on Keith Holsinger's Allotment #7080 (East Walden)

DECISION

1.0 Introduction and Background

The East Walden Allotment (#07080), which is found just east of the town of Walden, has historically had cattle distribution problems due to the lack of water on the allotment. Several water improvements have been developed on this allotment since the 1990s, most of which are reservoirs, which can be inadequate in dry years. The reservoirs do not produce or maintain effective water sources for cattle in years with little snow or rainfall. A new well would produce consistent water for this pasture and contribute to better distribution of cattle within this allotment. It is expected that construction of the well and associated range improvements would improve land health conditions within the allotment.

2.0 Decision and Rationale

2.1 Alternatives Considered but not Selected

Under the No Action alternative, the well would not be drilled and the problem of cattle distribution on this allotment would not be solved.

2.2 Decision and Rationale

This project was developed with the cooperation of the Owl Mountain Partnership, the North Park HPP and Keith Holsinger. Based on information in the EA, the project record, and consultation with my staff, I have decided to allow the drilling of a water well, and the installation of troughs, fence and a pipeline, on the East Walden Allotment (#7080). The project is not expected to adversely impact any resources and in fact would benefit wildlife, sage grouse and migratory birds with better habitat and an additional water source. However, some temporary soil and vegetation disturbance may be impacted during the initial drilling and construction time. These disturbances would only be temporary until the vegetation and soils recover.

A new water source would act as a tool to improve cattle distribution within this allotment, thereby improving land health conditions within the allotment. The public benefits from public lands which are maintained in a healthy condition and are able to produce sustainable resources for a variety of uses.

3.0 Consultation and Coordination

The BLM has requested a formal consultation from the USFWS for a final biological opinion regarding the potential effects of the well on federally listed species and designated critical habitat associated with the Platte River in Nebraska.

Keith Holsinger(Permittee), the North Park Habitat Partnership Program committee members, the Owl Mountain Partnership, and the Colorado Division of Wildlife were consulted and all supported the proposed project. See Appendix 2 for the Native American Consultation List.

4.0 Public Involvement

During discussions between the Owl Mountain Partnership/HPP/CDOW at various Owl Mountain Partnership meetings, there were no concerns expressed, and all parties exhibited support.

Keith Holsinger (Permittee) was also contacted and exhibits support.

The EA was available for a formal 30-day public comment period which began on xxx date and ended on xxx date. The document was posted on the Kremmling Field Office's internet website (insert website).

No comments or concerns were received.

5.0 Plan Consistency

Based on information in the EA, the project record, and recommendations from BLM specialists, I conclude that this decision is consistent with the Kremmling RMP and the Federal Land Policy and Management Act (FLPMA).

6.0 Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision _____ will be the date this notice of decision is posted on BLM's (Kremmling Field Office) internet website.

David Stout
Manager, Kremmling Field Office

Date

Appendix 1

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: County Road 12E Well
Project Leader: Zach Hughes
Date Proposal Received: (Only for external proposals)
Date Submitted for Comment: 12/20/2010
Due Date for Comments: 03/01/2011

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 Initiated	Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO	NA	1/3/2011	BBW	The SHPO was consulted on Class III inventory report CR-11-06.
Native American	3/26/2010	2/22/2011	BBW	To date no American Indian tribe has identified any area traditional cultural concern. Consultation was done in the spring of 2010.
T&E Species/FWS	2/1/11		PB	Formal Consultation for all 2011 North Platte Projects resulting in Depletions Requested.
Permits Needed (i.e. Air or Water)	12/2010		PB	An application for a well permit has been filed with the state of Colorado. All terms and conditions of the permit will be followed, and the BLM will adhere to Colorado state water law.

(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.)
NI	Air Quality Belcher	2/15/11	PB	Air quality is considered to be meeting the air quality standards and the proposed action is not expected to impact air quality.
NP	Areas of Critical Environmental Concern (ACEC) McGuire	2/8/11	MM	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
NI	Cultural Resources Wyatt	2/22/2011	BBW	Cultural inventory CR-11-06 was completed. No cultural resources were located. The project is a “no-effect”; there are no historic properties that would be affected.
NP	Environmental Justice Cassel	3/14/11	SC	According to the most recent Economic Census Bureau statistics (2009), there are minority and low income communities within the

				Kremmling Planning Area. There would be no direct impacts to these populations.
NP	Farmlands, Prime and Unique Belcher	2/15/11	PB	There are no farmlands, prime or unique, in the proximity of the proposed project area.
NP	Floodplains Belcher	2/15/11	PB	The proposed action is outside of the active floodplain and would not directly or indirectly affect the floodplain.
NP	Invasive, Non-native Species Hughes	02/04/11	ZH	Currently there are no invasive non native species inventoried and or present in the project area. However, soil disturbing activities such as the drilling of a well may contribute to the introduction of invasive non native species. As per the design features, the BLM would monitor the project area for invasive weeds and treat as necessary.
PI	Migratory Birds McGuire	2/8/11	MM	See Analysis in the EA.
NI	Native American Religious Concerns Wyatt	2/22/2011	BBW	To date no American Indian tribe has identified any area of traditional cultural concern for this project..
PI	T/E, and Sensitive Species (Finding on Standard 4) McGuire	2/8/11	MM	See Analysis in the EA.
NP	Wastes, Hazardous and Solid Elliott	3/2/11	KE	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.
NI	Water Quality, Surface and Ground (Finding on Standard 5) Belcher	2/28/11	PB	The proposed action would be implemented according to state laws to protect ground water quality. There would be no impact from the no action alternative.
NP	Wetlands & Riparian Zones (Finding on Standard 2) Belcher	2/28/11	PB	There are no wetland or riparian zones that would be directly affected by the proposed action or the no action alternative.
NP	Wild and Scenic Rivers Schechter	1/27/11	HS	There are no eligible Wild and Scenic River segments in the proposed project area.
NP	Wilderness Monkouski	2/22/2011	JJM	There are no designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.
PI	Soils (Finding on Standard 1) Belcher	2/28/11	PB	See analysis in the EA
PI	Vegetation (Finding on Standard 3) Landing Tibbs Hughes	02/22/11	ZH	See analysis in the EA
NP	Wildlife, Aquatic (Finding on Standard 3) McGuire	2/8/11	MM	No aquatic wildlife present in the proposed project area.
PI	Wildlife, Terrestrial (Finding on Standard 3) McGuire	2/8/11	MM	See Analysis in the EA.
NI	Access/Transportation Monkouski	2/22/2011	JJM	The proposed action is in an area designated as "Open" and would utilize an existing route with minimal cross country travel. There are no proposed temporary closures for existing routes within the project area. No impacts to access or transportation would occur from proposed action or no action alternative.
NP	Forest Management K. Belcher	1/4/2011	KB	No forest resources are present in the proposed project area.
NI	Geology and Minerals Elliott	3/2/11	KE	There would be no impacts to geological or mineral resources from the proposed action or

				no action alternative.	
NP	Fire	Wyatt	2/22/2011	BBW	No impacts from the proposed action or the no action alternative due to the design feature in the proposed action.
NI	Hydrology/Water Rights	Belcher	2/28/11	PB	The BLM will not issue a notice to proceed for drilling the well until a state permit is received.
NI	Paleontology	Wyatt	2/22/2011	BBW	Geologic formations sensitive for fossil resources are present, but would not be impacted by the proposed project. The BLM standard "discovery" stipulation is part of the environmental assessment and would be attached to any authorization allowing project to proceed. A petrified tree stump lies along the 2-track leading to the well but would not be impacted with the design features of the proposed action.
NI	Noise	Monkouski	2/22/2011	JJM	The proposed action is of short-term duration in an area with existing noise impacts. Within a one-mile radius there are two county roads, the McCallum Oil Field and a public shooting range. There are no expected impacts from the proposed action or no action alternative.
NI	Range Management	Tibbs Landing Hughes	03/07/11	ZH	Livestock grazing would not change under the proposed action or no action alternative and it would not impact the ability of the permittee to graze this allotment.
NP	Lands/ Realty Authorizations	Sperandio	2/23/11	AS	There are no ROWs in the proposed project area.
NI	Recreation	Monkouski	2/22/2011	JJM	The proposed action is within the Extensive Recreation Management Area. Recreational activities in the area include hunting, horse riding, hiking and Off-Highway Vehicle use. The project would occur outside of big game hunting seasons and would not restrict other recreational uses during or after implementation. No impacts.
NI	Socio-Economics	Cassel	3/15/11	SC	There would be no impacts to the socio economics from the proposed action or the no action alternative.
NI	Visual Resources	Elliott	3/2/11	KE	The proposed well development is within a VRM Class III area. The expected level of change to the landscape would be low. The well development could attract attention, but would not dominate the landscape. The proposed action would be consistent with VRM Class III management. Visual resources would not be impacted under either alternative.
PI	Cumulative Impact Summary		3/15/2011	ZH	See cumulative impact section in this EA.
FINAL REVIEW					
	P&E Coordinator	Cassel	3/16/2011	SC	

Appendix 2

NATIVE AMERICAN TRIBES CONTACTED:

Colorado Commissioner of Indian Affairs
Attn: Ernest House, Jr., Exec. Sec.
130 State Capitol
Denver, Colorado 80203

Neil Cloud, NAGPRA Rep.
Southern Ute Indian Tribe
Mail Stop #73
Ignacio, Colorado 81137

Terry Knight, Sr., THPO Director
Ute Mountain Ute Tribe
P O Box 468
Towaoc, Colorado 81334

Harvey Spoonhunter, Chairman
Northern Arapaho Business Council
P O Box 396
Fort Washakie, Wyoming 82514

Ivan Posey, Chairman
Shoshone Tribe
P O Box 538
Fort Washakie, Wyoming 82514

Curtis Cesspooch, Chairman
Uintah & Ouray Tribal Business Center
P O Box 190
Fort Duchesne, Utah 84026

Matthew Box, Chairman
Southern Ute Indian Tribe
P O Box 737
Ignacio, Colorado 81137

Gary Hayes, Chairman
Ute Mountain Ute Tribe
P O Box 189
Towaoc, Colorado 81334

Robert Goggles, NAGPRA Rep.
Northern Arapaho Tribe
328 Seventeen Mile Road
Arapaho, Wyoming 82510

Wilford Ferris
Shoshone Tribe, Cultural Center
P O Box 538
Fort Washakie, Wyoming 82514

Darlene Conrad, THPO Director
Northern Arapaho Tribe
P O Box 396
Fort Washakie, Wyoming 82514

Betsy Chapoose, Director
Uintah & Ouray Tribal Business Council
P O Box 190
Fort Duchesne, Utah 84026

Attachment 1: Seed Mix

Western Wheatgrass	<i>Pascopyrum smithii</i>	6.0 lbs PLS**/acre
Bluebunch Wheatgrass	<i>Pseudoroegneria spicata</i>	6.0 lbs PLS/acre
Slender Wheatgrass	<i>Elymus trachycaulus</i>	6.0 lbs PLS/acre
	ssp: <i>trachycaulus</i>	
Canby bluegrass	<i>Poa canbyii</i>	2.0lbs PLS/acre
Indian ricegrass	<i>Achnatherum hymenoides</i>	<u>4.0 lbs PLS/acre</u>
	TOTAL	24.0 lbs PLS/acre

Seeding rates are for broadcast seeding. If drilled, seeding rates may be halved.

*All seed must be certified weed free

**PLS = pure live seed

**Water Well, Troughs, Fence and Pipeline on
Keith Holsinger's Allotment #7080 (East Walden)**

TERMS AND CONDITIONS OF THE PROJECT

- Construction will occur when clay soils are dry.
- Troughs will be located on sandy loam soils if possible.
- The topsoil will be separated from underlying soils for respreading after construction. This includes the area or pad that the troughs are located.
- While in use, each internal combustion engine including tractors, trucks, or equivalents, welders, generators, stationary engines, or comparable powered equipment shall be provided with at least the following:
 - 1) One fire extinguisher, at least #ABC with an Underwriters Laboratory (UL) rating of 3A - 40BC, or greater. Extinguisher shall be mounted so as to be readily available for use (not locked in a tool box or chained to a seat, for example),
 - 2) One shovel
 - 3) One axe
- Standard Cultural & Paleontological stipulations:

The holder shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The holder shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the holder shall bear the cost of the services of a non-Federal professional.

Within five working days the Authorized Officer will inform the holder as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
- A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.

If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the holder will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the holder will then be allowed to resume construction.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.

Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the holder's cost.

Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the Authorized Officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the Authorized Officer.