

**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-LLCON02000-2012-56-EA

**CASEFILE/PROJECT NUMBER:**

**PROJECT NAME:** Kinney Creek Stream Protection

**LEGAL DESCRIPTION:** T. 2 N., R. 78 W., Section 24; 6<sup>th</sup> P.M.

**APPLICANT:** BLM

**PURPOSE & NEED FOR THE ACTION:** The purpose for the action is to prevent further damage to the stream corridor by vehicles causing erosion and sedimentation within the stream corridor. The route short-cuts a bend in the Kinney Creek Road and access along the Kinney Creek Road is not restricted by this project.

The BLM is proposing to close and rehabilitate a user-created route crossing Kinney Creek to provide protection to the stream corridor in a moderate to heavily visited area in Grand County, Colorado. The user-created route crosses Kinney Creek, removing the riparian vegetation, widening the stream, and causing the channel to braid downstream of the crossing. Upland runoff travels the steep road down to the creek, eroding the soils and depositing them in the channel.

### **SCOPING, PUBLIC INVOLVEMENT, AND ISSUES:**

**Scoping:** Internal scoping was initiated with affected resource programs during the field seasons of 2011 and 2012. The route has been identified for closure and decommissioning in all travel management alternatives for the Resource Management Plan revision due to its impacts on resources. Scoping of the decommissioning of the route occurred during public meetings and the public comment period for the Draft Resource Management Plan revision. No specific comments were made regarding this route. The project was presented to the Kremmling Field Office interdisciplinary team on 8/28/2012.

**Issues:** No issues have been identified for the protection of the stream corridor.

## **DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:**

### **Background/Introduction:**

Within the past 20 years motorized recreation has increased dramatically in areas of Colorado and throughout the nation. Due to the increase in use and impacts to resources, BLM policy and guidance under the Manual 1626 – Travel and Transportation - is to use an interdisciplinary approach to travel and transportation management. This requires the consideration of the impact of travel and transportation on other resources and the impact of managing other resources and uses on travel and transportation management. The project area is accessed by a BLM-designated and maintained road that also connects with other BLM-designated and maintained roads in the area. These designated and maintained roads were primarily developed for timber management and public access. Over time, new routes were created by visitors to the area, short-cutting bends in the designated roads.

The Kinney Creek area is a moderately to heavily visited area with use increasing in the fall when big game hunting season is ongoing. Visitors to the area participate in several recreational activities including camping, hiking, horseback riding, biking, wildlife viewing, hunting and Off Highway Vehicle (OHV) use. Other uses in the area include firewood cutting and cattle grazing. The upper section of Kinney Creek has a population of Colorado River Cutthroat Trout (a BLM Sensitive species) that is protected from mingling with other fish species by a culvert and a large drop in the stream above the project area as it crosses the Kinney Creek Road. Trout Unlimited has identified the lower stretch within the project area as potential habitat for expansion of the Cutthroat Trout population. The stream corridor is largely intact but erosion and sedimentation has increased at the project area due to motorized travel crossing the stream corridor.

The user-created route approaching Kinney Creek from the south has been eroding over time with the inside and outside edges now one to two feet tall with exposed roots along the surface. Due to the route-edge height, all sedimentation is transported downslope into Kinney Creek. The user-created route approaching Kinney Creek from the north also has been eroding overtime, has exposed roots and is also deeply incised as it approaches the lower portion of the route. Sediment from Kinney Creek Road and along the user-created route has been transported down the route and into Kinney Creek. The banks of Kinney Creek at the crossing have greatly widened over time causing the creek to split into two different branches leaving a sandbar deposit in the center. Trees that have likely been cut to clear the route from downfall have become lodged between live Aspen and willows below the stream crossing adding to the build-up of sediment within the creek.

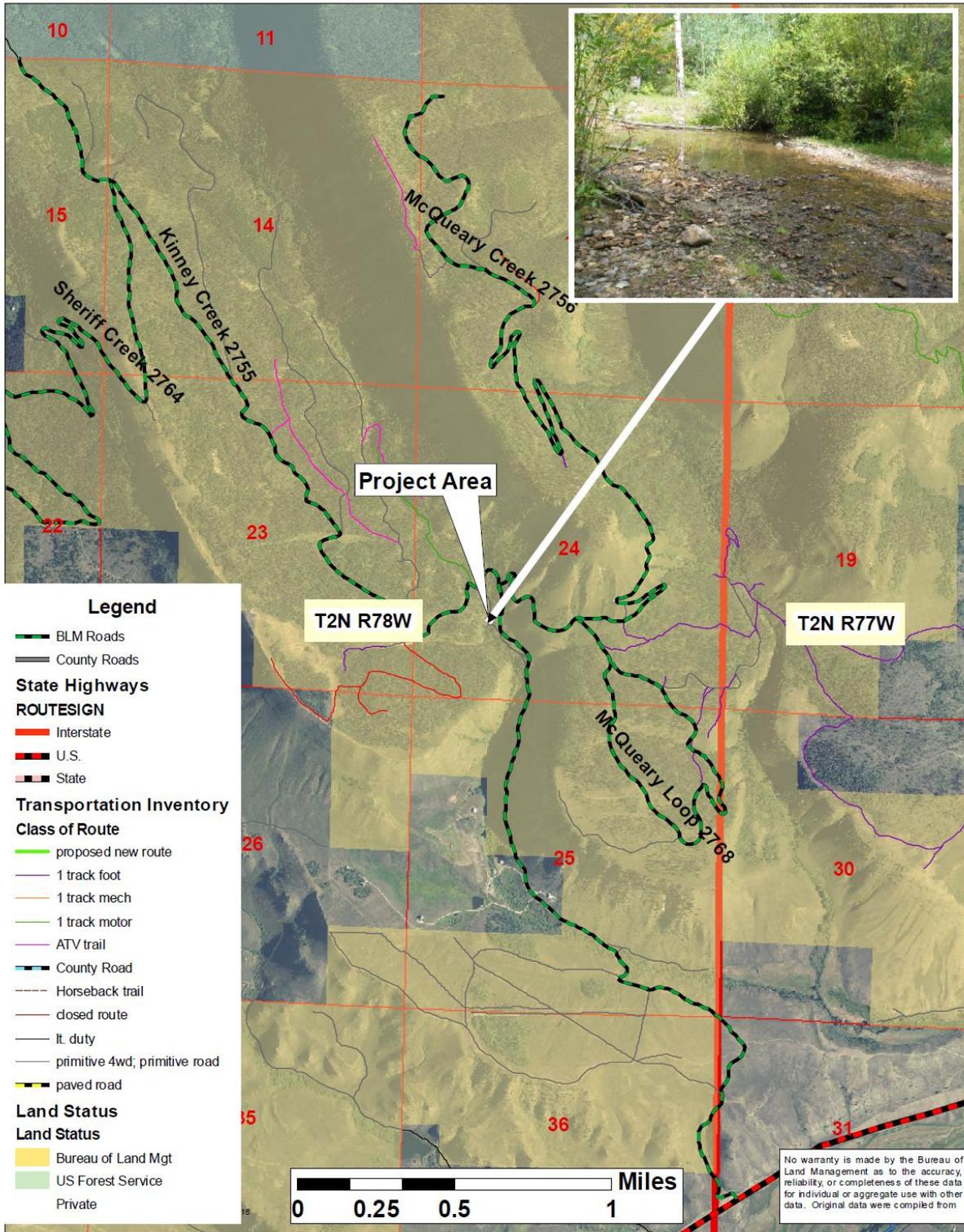
The proposed project would close the route to motorized vehicles by placing a fence barricade across both main access points to the road. The barricades would be constructed on site of native materials. The road would be scarified and seeded, with wattles installed to direct runoff off of the closed road. Hay would also be used as a mulch to reduce erosion and improve seeding success. Boulders would be hand placed along the original streambanks, to help prevent future motorized crossings and to help redefine the stream. The boulders would also help stabilize the streambanks until sufficient vegetation stabilizes the area. Debris and sediments that have

collected in and just downstream of the crossing would be removed, to help restore the original stream grade and channel.

Project area Map



# Kinney Creek Stream Protection



## DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

The proposed actions encompassed by the Kinney Creek Stream Protection project are split into two parts. The first part being the restoration of the user-created route on the south and north side of Kinney Creek. The second part is the rehabilitation and protection of the Kinney Creek stream corridor at the user-created route crossing area.

Proposed Action: Under the proposed action, the first part of the project would scarify and seed the south and north sides of the user-created route. The user-created route on the south side of Kinney Creek is approximately 100 feet in length. The surface of the user-created route would be scarified utilizing a harrow pulled behind an ATV and by hand tools where the surface is elevated in the center of the route or where the harrow does not fully scarify an area. The surface would then be seeded with an approved seed mixture as outlined in Figure 1. The seed mixture would be raked into the scarified surface and lightly packed down. Certified weed free hay would be spread over the seed mixture and certified weed free hay wattles would be placed and secured every ten feet on the lower half of the route to prevent runoff and erosion within the restoration area and into the stream corridor. The outside edge of the route would have its elevated bank excavated at the 25, 50 and 75 foot sections of the route to provide an outlet for water and sediments to exit the area being restored. Fifty feet of buck and pole fencing would then be constructed to prevent motorized vehicles from entering the project area from the south. Signage providing information about the restoration area would be installed on the fencing.

The user-created route on the north side of Kinney Creek is approximately 250 feet in length. The initial 50 feet of the user-created route north and furthest from the creek would not be rehabilitated since it may be used as a parking area for an adjacent dispersed campsite. The surface of the user-created route would also be scarified utilizing a harrow pulled behind an ATV and by hand tools where the surface is elevated in the center of the route or where the harrow does not fully scarify an area. The lower 100 feet closest to Kinney Creek is deeply incised on the downslope side of the user-created route requiring check dams to be installed. Check dams are used in sections of abandoned or reclaimed trenched tread to stop erosion and hold material in place during site restoration. Check dams would be installed within the deeply incised area of the route every 10 feet within the lower 100 feet of the user-created route north of the creek. Downfallen Lodgepole Pine adjacent to the user-created route would be cut into one-to-two foot lengths and installed crosswise into the incised area of the route. The log check dams would be embedded 8-12 inches into the sides of the incised area with the tops of the check dams level with the undisturbed area adjacent to the route. A rolling dip waterbar would be installed at the upper end of the route north of the creek where check dams are to be installed. A second waterbar may be installed in the section where the check dams are installed if new trenching is found from runoff from the uphill slope after monitoring. Waterbars are commonly used drainage structures to direct water and sediments off the lower edge of roads and trails or to assist in rehabilitating areas. The surface would then be seeded with an approved seed mixture as outlined in Figure 1. The seed mixture would be raked into the scarified surface and lightly packed down. Certified weed free hay would be spread over the seed mixture and certified weed free hay wattles would be placed and secured every ten feet to prevent runoff and erosion to the restoration area and into the stream corridor. All hay wattles would be secured by wooden stakes.

The second part of the project is to reestablish the Kinney Creek stream alignment and disturbed banks to its natural location and to protect the stream from additional sedimentation. Debris that has accumulated in the natural path of the stream would be removed to allow the stream to flow without restraint. Boulders would be placed on both the south and north sides of the stream and placed to mimic where the stream banks occurred naturally before being damaged by motorized vehicles crossing the stream. Boulders would be set one to two inches deep into the stream corridor by using hand tools. Boulders would not be tightly placed together, but would have one to three inches of space between them. The boulders would also have 0-6 inches of difference in their distances to the water's edge. This helps prevent the boulders from creating a "chute", channelizing high flows through the stream segment. Some higher flows can then scour between boulders and flood behind the boulders, reducing the stream's energy and velocities, and creating better fish habitat. On the south side of the stream, boulder placement would begin adjacent to the undisturbed portion of the upstream bank (see photo 1 yellow flagging) and be in a curvilinear path to and over the sediment and sand bar to willows downstream (see photo 2 yellow flagging). A certified weed free hay wattle would be placed on the backside of the boulders to catch any sediment that may come from slope above the boulders. On the north side of the stream, boulder placement would begin adjacent to the undisturbed stream bank and be placed in a curvilinear path to the undisturbed willows (see photo 3 yellow flagging). A certified weed free hay wattle would be placed on the backside of the boulders to catch any sediment that may come from the slope above the boulders. Once boulders and hay wattles have been put in place, accumulated sediments and gravels in the stream channel would be removed by shovel and deposited on the uphill (back side) of the boulders and wattles. The wattles would help keep the sediments from moving downhill to the creek until vegetation stabilizes the sediment. The sediment would provide a good location for willow slip plantings in the spring. It is estimated that approximately a depth of three to four inches of sediment and gravel would be removed from the stream. The road crossing caused this deposition in the channel to occur.

**Figure 1: Seed Mixture**

**Native Mountain Mix**

<b>Species</b>	<b>Purity</b>	<b>Percent of Mix</b>
Sodar, Certified Streambrush Wheatgrass	<b>19.43%</b>	<b>20%</b>
<b>Revenue, Slender Wheatgrass</b>	<b>18.89%</b>	<b>20%</b>
<b>Blue Wildrye</b>	<b>12.43%</b>	<b>12.5%</b>
<b>Fringed Bromegrass</b>	<b>9.95%</b>	<b>10%</b>
<b>Nodding, Native Bromegrass</b>	<b>9.75%</b>	<b>10%</b>
<b>Tufted Hairgrass</b>	<b>4.84%</b>	<b>5%</b>
<b>Prairie Junegrass</b>	<b>4.9%</b>	<b>5%</b>
<b>Rocky Mountain Fescue</b>	<b>4.83%</b>	<b>5%</b>
<b>Sherman Certified Big Bluegrass</b>	<b>4.66%</b>	<b>5%</b>
<b>Alpine, Timothy</b>	<b>2.43%</b>	<b>2.5%</b>
<b>Alpine Bluegrass</b>	<b>2.33%</b>	<b>2.5%</b>
<b>Spike Trisetum</b>	<b>1.98%</b>	<b>2.5%</b>
<b>Noxious Weed Seeds: NONE</b>		

**Photo 1: South side of Kinney Creek Stream – upstream bank**



**Photo 2: South side of Kinney Creek Stream – downstream bank location bank**



**Photo 3: North side of Kinney Creek Stream**



Design Features:

1. No motorized equipment would be used to remove sediment from the stream.
2. Woody debris removed from the stream channel would be dispersed in the adjacent timbered area.
3. The BLM would monitor disturbed areas for noxious weeds for two growing seasons after the project is completed. Noxious weed control, if needed, would be coordinated by the BLM.
4. The BLM would monitor the project area yearly for success of seeding and mitigation to reduce sedimentation is successful.
5. Restoration Area signage would be placed at both the north and south fenced areas.
6. Special Recreation Permit holders and grazing permittees for the area would be notified of the project.
7. BLM would plant willow slips along the disturbed streambank and behind the boulders/wattles in the spring following construction. Willow plantings would occur prior to the willow buds breaking dormancy.
8. During the in channel work, the stream would be routed to the east channel by temporary placement of the boulders. This would allow the woody debris jam and accumulated sediment to be removed without much water flowing through it. Once the primary channel is cleared, the boulders would be removed and placed on the south bank.



**No Action Alternative:**

The no action alternative would be to not close and rehabilitate the user-created cutoff route crossing Kinney Creek and to not provide protection to the stream corridor. Motorized travel would continue across the stream and erosion along the route would continue to deposit sedimentation into the stream and the stream banks would continue to erode.

**ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD:**

Leaving a non-motorized trail by only rehabilitating one side of the user-created route from the north to provide access to the stream and the area adjacent to the stream was considered. However the user-created route does not have a sustainable alignment and erosion along the route and sedimentation to Kinney Creek would continue.

**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: Record of Decision for the Kremmling Resource Management Plan

Date Approved: 1984 and updated in 1999

Decision Number/Page:

Decision Number II B 7a (d. priority 3)/ Page 11

7. Recreation Resource Management a. Objective. “To ensure the continued availability of outdoor recreational opportunities which the public seeks and which are not readily available from other sources, to reduce the impacts of recreational use on fragile and unique resource values, and to provide for visitor safety, and resource interpretation.”

d. Implementation/Priorities *Priority 3*. Manage extensive RMA’s to provide visitor information, minimal facility development and site maintenance, and public land access. Also manage extensive RMA’s to resolve management issues for off-road vehicle (ORV) use.

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3. Water Resource Management a. Objective. “To maintain streams on public lands which meet state water quality standards and channel stability. To protect and enhance ground water and sensitive watersheds in association with actions initiated by other resource programs.”

b. Planned Actions. All streams on public lands in the resource area which meet or exceed state water quality standards and have acceptable channel stability will be maintained in their present condition through limited management. Ground water will be protected to maintain its present good quality. Sensitive watersheds will be protected by placing restrictions on activities that could adversely affect them. Intensive management practices will be applied to sensitive watersheds to improve them.

## **AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES**

**Standards for Public Land Health:** In January 1997, the Colorado BLM approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, special status species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis (EA). These findings are located in specific elements listed below.

**Cumulative Effects Analysis Assumptions:** Cumulative effects are defined in the Council on Environmental Quality (CEQ) regulations (40 CFR 1508.7) as “...the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” Table 1 lists the past, present, and reasonably foreseeable future actions within the area that might be affected by the Proposed Action; for this project the area considered was the Kinney Creek drainage. However, the geographic scope used for analysis may vary for each cumulative effects issue and is described in the Affected Environment section for each resource.

**Table 1.** Past, Present, and Reasonably Foreseeable Actions

Action Description	STATUS		
	Past	Present	Future
Spring or Water Developments	X	X	X
Soil Resources	X	X	X
Surface and Ground Water Quality	X	X	X
Wetland and Riparian Zones	X	X	X
Floodplains, Hydrology, and Water Rights	x	x	x
Recreation	X	X	X
Access and Transportation	X	X	X

### **Affected Resources:**

The CEQ Regulations state that NEPA documents “must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). While many issues may arise during scoping, not all of the issues raised warrant analysis in an environmental assessment (EA). Issues will be analyzed if: 1) an analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of the impacts. Table 2 lists the resources considered and the determination as to whether they require additional analysis.

**Table 2.** Resources and Determination of Need for Further Analysis

<b>Determination<sup>1</sup></b>	<b>Resource</b>	<b>Rationale for Determination</b>
<b>Physical Resources</b>		
NI	Air Quality	The Proposed Action and the No Action Alternative do not impact air quality.
NI	Geology and Minerals	The Proposed Action and the No Action Alternative do not impact Geology and Minerals.
PI	Soil Resources*	See the Soils Section in the document.
PI	Surface and Ground Water Quality*	See the Water Quality Section in the document for a discussion of surface water quality. The Proposed Action and the No Action Alternative would not affect ground water quality.
<b>Biological Resources</b>		
PI	Wetlands and Riparian Zones*	See the Wetlands and Riparian Zones Section in the document.
NI	Vegetation*	Not affected to a degree where detailed analysis is required. Current bare ground would be reseeded with an approved seed mix.
NI	Invasive, Non-native Species	Sporadic Houndstongue ( <i>Cynoglossum officinale</i> ) occur near the project site, however detailed analysis is not warranted for this proposed action.
NI	Special Status Plant and Animal Species*	No T/E species present. The BLM Sensitive Colorado River Cutthroat trout would not be impacted by the Proposed Action or the No Action Alternative.
NI	Migratory Birds	Migratory birds would not be impacted by the Proposed Action or the No Action Alternative.
NI	Aquatic Wildlife*	Aquatic wildlife would not be impacted by the Proposed Action or the No Action Alternative.
NI	Terrestrial Wildlife*	Terrestrial wildlife would not be impacted by the Proposed Action or the No Action Alternative.
<b>Heritage Resources and the Human Environment</b>		
NP	Cultural Resources	The project is a no effect; there are no historic properties that would be affected.
NP	Paleontological Resources	There are no fossil resources that would be affected.
NP	Native American Religious Concerns	Tribal consultation was initiated on February 7, 2012 and on March 28, 2012, and to date no tribe has identified any area of traditional cultural concern.
NI	Visual Resources	The proposed project is within an area inventoried as and would meet the management objectives of VRM Class II. The project is within a timbered area and is only visible from the adjacent Kinney Creek Road.
NI	Hazardous or Solid Wastes	There are no Hazardous or Solid Wastes within the project area or created by the proposed action.
NI	Fire Management	Do to the small size of the project; there would be no impact to wildfire.
NI	Environmental Justice	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.
<b>Resource Uses</b>		

Determination <sup>1</sup>	Resource	Rationale for Determination
NI	Forest Management	Forest Mgmt. would not be impacted by the Proposed Action, or the No Action, Alternative.
NI	Rangeland Management	Not affected to a degree where detailed analysis is required
PI	Floodplains, Hydrology, and Water Rights	See the write-up. There would be no effect on private or public water rights from the Proposed Action and the No Action Alternatives.
NP	Realty Authorizations	There are no Realty authorizations in the project area.
PI	Recreation	Camping, hiking, horseback riding, biking, wildlife viewing, hunting and Off Highway Vehicle (OHV) use.
PI	Access and Transportation	Motorized and non-motorized modes of travel. Public access to area.
NP	Prime and Unique Farmlands	The Proposed Action is not located in an area of farmlands, nor would it indirectly affect prime and unique farmlands.
<b>Special Designations</b>		
NP	Areas of Critical Environmental Concern	There are no ACECs in the project area.
NP	Wilderness, Wilderness Study Areas and Lands with Wilderness Characteristics	There is no Wilderness or Wilderness Study Areas in the project area. The project area was inventoried for Wilderness Characteristics in 1979 and again in 2009. The project area does not possess Wilderness Characteristics.
NP	Wild and Scenic Rivers	There are no Wild and Scenic Rivers in the KFO.
NP	Scenic Byways	There are no Scenic Byways within the project area.

<sup>1</sup> NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

\* Public Land Health Standard

## SOIL RESOURCES

*Affected Environment:* The Proposed Project is too small of an area to accurately assess the soils using the published Grand County Soil Survey (NRCS). The survey is not intended for use on areas less than 40 acres. The project is generally located in stony loams and loam soils. In undisturbed areas, accumulations of vegetative litter and duff slow runoff and protect soils. The Proposed Project is located entirely in disturbed soils. The road and the streambanks are void of vegetation, litter, or duff. The road's surface has lost the native topsoil and on the west (north) side, underlying rocks are exposed. The steeper west (north) portion of the road has channelized runoff in a rut, increasing the amount of soil erosion.

### *Environmental Consequences of the Proposed Action:*

Direct and Indirect Effects: The Proposed Action would close the route to continued vehicle access. Drainage would be diverted off the route at frequent intervals, helping to reduce the amount of gullyng and soil loss on the route. Runoff diverted from the road would be dispersed by the adjacent natural litter, duff and microtopography, which both slows and reduces the runoff, due to a more complex runoff pathway and infiltration. Revegetation would reduce erosion rates from the closed route to a more pre-route level.

Cumulative Effects: Over time, the Proposed Action would compliment travel and grazing management efforts to reduce unsustainable soil disturbances within the Kinney Creek area. Previously disturbed areas would revegetate, protecting upland soils from accelerated erosion.

*Mitigation:* none

*Finding on the Public Land Health Standard #1 for Upland Soils:* The Kinney Creek drainage is considered to be meeting the Upland Soils land health standard. Although the Proposed Action affects a small area of the drainage, it is helping maintain overall soil health.

*Environmental Consequences of the No Action Alternative:*

**Direct and Indirect Effects:** Under the No Action Alternative, motorized use would continue on the user-created route. As the route continues to erode, use would result in a wider route, as users try to avoid the gullies and large exposed rocks. The amount of disturbed soils would continue to increase, and these exposed soils would erode.

**Cumulative Effects:** The No Action Alternative would not be consistent with the Resource Area's efforts to address surface disturbances that are impacting the Kinney Creek drainage.

## **SURFACE & GROUND WATER QUALITY**

*Affected Environment:* The Kinney Creek drainage is located in the Upper Colorado River Basin. The state of Colorado has designated Kinney Creek for class 1 coldwater aquatic life, water supply, agriculture, and recreation uses. The state of Colorado has not identified the stream as having water quality concerns. The BLM has conducted water quality sampling in Kinney Creek since 1982, with most of the sampling occurring downstream of the Proposed Action, below the private lands. Sediment sampling has shown that there is a large amount of sediment coming from the upstream National Forest lands and is deposited on the BLM. During the 2011 runoff period, which had very high flows, upstream portions of the creek rechannelized, blew out beaver dams, and downcut the stream channel. Several damaged areas had greater stream erosion due to poor streambank vegetation. Despite the stream's sediment loads, the upper portions support a self-sustaining cutthroat population, and the lower portions- including the project area- support a brook trout population.

*Environmental Consequences of the Proposed Action:*

**Direct and Indirect Effects:** The proposed work would be done by hand during very low flows, with most of the flow being diverted during the work. This would result in only limited short-term amounts of sediment being added to the stream during project implementation. Once the work is done, sediment levels would drop back to pre-project levels with sedimentation levels over-time becoming closer to those that existed before the user-created route was established. During runoff events, the expected sediment loads should be reduced due to road closure and restored stream channel. The proposed work was discussed with the Army Corps of

Engineers. Nationwide Permit #19 covers the work, due to the small amount of dredging and the use of hand labor.

Cumulative Effects: The Proposed Action would help reduce the amount of sediment being directly transported to this stream segment. Removing the debris jams and accumulated sediment would also help reduce future sediment accumulation in this segment of the stream, by restoring the natural flow of the stream segment. The Proposed Action compliments the other management actions in the Kinney Creek drainage to protect water quality. Closing the stream crossing and rehabilitating the streambanks would help reduce sediment loading from the adjacent public uplands.

Mitigation: none

*Environmental Consequences of the No Action Alternative:*

Direct and Indirect Effects: Under the No Action Alternative, the existing conditions would be expected to continue to degrade. If a debris jam did fail, the stream might flush some of the accumulated sediment to downstream portions of the stream. This could result in a new primary channel, or in deepening the existing channel. Upland erosion from the road would continue to deposit sediments in the stream, and prevent riparian vegetation from establishing.

Cumulative Effects: Leaving the Proposed Route open could allow the streambank disturbance to increase, widening the length of stream without riparian vegetation to stabilize the banks. This could result in increased sediment loading to the stream.

Mitigation: none

## **WETLANDS AND RIPARIAN ZONES**

*Affected Environment:* Kinney Creek is a diverse riparian area, alternating between relatively narrow riparian areas along steeper gradient stream segments to broader wet meadows with low stream gradients. The Proposed Action is located along a fairly steep portion of stream. The riparian zone includes an alder/willow community, with narrowleaf cottonwoods scattered throughout. Under the Rosgen Stream Type Classification system, Kinney Creek is classified as a B-type channel and should have a fairly narrow stream width, with low sinuosity. The south side of the stream is slightly less confined with some seeps on the east side of the main Kinney Creek access road, joining Kinney Creek below the project area.

*Environmental Consequences of the Proposed Action:*

Direct and Indirect Effects: The Proposed Action would help restore the natural stream channel and grade, which would help stabilize the riparian zone in this portion of the stream.

Cumulative Effects: Over time, the streambank's riparian vegetation would help narrow the widened channel to pre-route conditions. The stream channel would be able to pass high flood flows without as much channel braiding and stream erosion, as the vegetated streambank would be more stable.

*Environmental Consequences of the No Action Alternative:*

**Direct and Indirect Effects:** The No Action Alternative would allow continued vehicle access across the creek. The current stream crossing would continue to provide no streambank stability due to the bare streambanks and the widened channel. This segment of the stream would not have the riparian zone shading the water.

Mitigation: none

**Cumulative Effects:** Over time, vehicle access may take various approaches to crossing the creek. This could increase the length of streambank without riparian vegetation on one or both sides of the creek. As more of the streambank is not stabilized from high flows, the stream width would increase, reducing the riparian habitat and aquatic habitat provided by a stable stream with vegetative shading, natural pool-to-riffle ratios, and stream stability.

Mitigation: none

## **FLOODPLAINS, HYDROLOGY, AND WATER RIGHTS**

*Affected Environment:* The proposed project is located along a fairly confined portion of Kinney Creek, with a narrow floodplain. Below the road crossing, the stream gradient drops slightly and the floodplain width increases somewhat. The perennial stream is typical for the Kremmling area, with high flows in during the spring runoff and flows dropping throughout the summer. Localized summer thunderstorms can result in short duration, high intensity rainfall that can transport large amounts of sediment to streams. Beaver dams occur upstream and downstream of the project area, and occasionally, beavers have constructed dams on the small seeps east of the Kinney Creek access road just downstream of the project. Currently, it appears that the 2011 high flows have removed most of the beavers and their dams upstream of the project. Currently, the large amount of woody debris and sediment has overwhelmed the stream's capacity. Deposition has raised the stream's bed at the road crossing, and there are now two main channels below the road. The floodplain is obliterated at the road crossing, and braided below it. There are no diversions upstream of the project area. The Colorado Water Conservation Board does have an instream water right on this segment of the stream for 1 cfs, to protect the natural environment. Downstream of the project area, also in Section 24, is a private irrigation ditch and there are two more irrigation ditches further downstream.

*Environmental Consequences of the Proposed Action:*

**Direct and Indirect Effects:** The Proposed Action would restore the natural stream channel and the proper width/depth ratio. This would help the natural floodplain to function, reducing a flood's energy by allowing flows to spread across the vegetated floodplain. Since the floodplain is naturally narrow in this segment, restoring and revegetating it is important to reduce downstream braiding and cutting.

**Cumulative Effects:** Restoring the stream, revegetating the access road, and improving the vegetative cover should help maintain a primary stream channel in this segment of Kinney Creek, reducing the braiding and the sediment loads due to the road. This helps the Dennis ditch

downstream of the project, as the diversion structure relies on the water to be in the one natural channel, and to not have high loads of sediment.

*Environmental Consequences of the No Action Alternative:*

Direct and Indirect Effects: The existing conditions would continue.

Cumulative Effects: The stream's floodplain would continue to be imbalanced in this segment of stream. Depending on the flows experienced, additional widening and/or braiding could occur. The downstream irrigation ditch's headgate might be left on an abandoned channel, have less flow due to multiple channels, or have problems with sediment loads deposited in the structure.

*Mitigation:* none

## **RECREATION**

*Affected Environment:* The project area is within a moderately to highly visited area. Recreation activities in the area include camping, hiking, horseback riding, biking, wildlife viewing, hunting and Off Highway Vehicle (OHV) use.

*Environmental Consequences of the Proposed Action:*

Direct and Indirect Effects: The proposed project would close a user-created route that the public would no longer have motorized or mechanized access to and that recreational activity would be slightly reduced within the area. However, there are sufficient roads within the area to provide these opportunities. Those who hike or ride horseback would also be denied the opportunity to use the route since it would be closed for restoration and stream corridor protection. Hikers or horseback riders would still be able to travel through the adjacent timbered area away from developed and maintained roads. Conversely, those who are visiting the area to hunt and view wildlife may have their opportunities improved within the immediate area of the project since there would be less disturbance or disruption to wildlife.

Cumulative Effects: None.

*Environmental Consequences of the No Action Alternative:*

Direct and Indirect Effects: By not closing the user-created route and providing restoration and protection to the disturbed area, motorized and mechanized use would continue. Erosion of the route and sedimentation and stream bank damage would continue. The potential of new user-created routes from the existing one is possible and there would be increased damage to the resources in the area and have an impact on non-motorized and non-mechanized recreational activities.

Cumulative Effects: None.

*Mitigation:* None

## **ACCESS AND TRANSPORTATION**

*Affected Environment:*

Adjacent to the project area, there are two BLM designated and maintained roads and other non-maintained roads within the existing transportation system which were primarily developed for the management of forest resources. The proposed project location is within an area that receives moderate-to-heavy off highway vehicle (OHV) use, with increased use during hunting seasons. The proliferation of new routes and resource damage from OHVs has been an ongoing issue in this area. The user-created route proposed for closure and rehabilitation short-cuts the maintained Kinney Creek Road.

*Environmental Consequences of the Proposed Action:*

Under the proposed action, visitors to the area would not be able to utilize the user-created route to short-cut the Kinney Creek Road and cross Kinney Creek. The user-created route is approximately 370 feet in length and provides an alternative and more challenging route than the maintained Kinney Creek Road.

This impact would displace visitors to other areas where the proposed action has not occurred, potentially creating new routes that are not sustainable and have adverse impacts to the other areas. Conversely, by rehabilitating the user-created route would provide greater opportunities for those seeking to travel through areas that are not constructed or user-created and that have less impacts to the natural setting.

Cumulative Effects: Considering the past, present and future uses of the area, cumulative beneficial effects from the proposed action would include returning the area to its original setting and mitigating for the adverse impacts to other resources. It would also provide an area for those looking to hike or horseback in a natural setting and not on a user-created or constructed route. Adverse effects would include 375 feet less of route within the area for multiple –use travel and the inability to cross the stream by motorized vehicle.

*Environmental Consequences of the No Action Alternative:*

Under the No Action Alternative, there would be continued use of the user-created route and increased sedimentation to the stream. Additional unauthorized user-created routes may be developed with increased impacts to the project area resources.

Cumulative Effects: Considering the past, present and future uses of the area, cumulative adverse impacts of not implementing the proposed action may include the development on new-user created routes and increased and cumulative impacts to other resources of the area.

*Mitigation:* None

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

The below tribes were consulted in 2010 and 2012. There was no response to consultation in either year. A tour of Kinney Creek to look at and discuss impacts from grazing and recreational uses was conducted in the spring of 2012 by the BLM, USFS, Colorado Parks and Wildlife, USFWS and Trout Unlimited. The project was identified as something that may be implemented in the future. No concerns were brought forward by those attending the tour. The Army Corp of Engineers was consulted on the proposed action in July of 2012. The proposed action was not found to meet existing regulations and a Nationwide Permit #19 that does not require pre-authorization since the project work within the stream channel is by non-mechanized means with excavation of less than 25 Cubic Yards below the high waterline.

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

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Southern Ute Indian Tribe  
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Curtis Cesspooch, Chairman  
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Betsy Chapoose, Director  
Uintah & Ouray Tribal Business Council  
P O Box 190  
Fort Duchesne, Utah 84026

**INTERDISCIPLINARY REVIEW:**

<b>Name</b>	<b>Title</b>	<b>Area of Responsibility</b>	<b>Date Signed</b>
Paula Belcher	Hydrologist	Air Quality; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Soils; Wetland and Riparian Zones	09/20/2012
Bill Wyatt	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontological Resources	9/21/2012
Neilie Tibbs	Rangeland Management Specialist	Rangeland Management	09/17/2012
Megan McGuire	Wildlife Biologist	Migratory Birds; Special Status Plant and Animal Species; Terrestrial and Aquatic Wildlife; Areas of Critical Environmental Concern.	09/18/2012
Kelly Elliot	Natural Resource Specialist	Hazardous or Solid Wastes; Geology and Minerals	9/25/2012
John Monkouski	Outdoor Recreation Planner	Wilderness; Visual Resources; Access and Transportation; Recreation.	8/28/2012
Ken Belcher	Forester	Forest Management	9/21/2012
Annie Sperandio	Realty Specialist	Realty	9/24/2012
John Monkouski	Outdoor Recreation Planner	Project Lead – Document Preparer	8/28/2012
Susan Cassel	Planning & Environmental Coordinator	NEPA Compliance	9/26/2012
Zach Hughes	Natural Resource Specialist	Invasive species, Wildlife, Range	09/17/2012

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

**Finding of No Significant Impact (FONSI)  
DOI-BLM-CON02000-2012-0056-EA**

**BACKGROUND**

The BLM is proposing to close and rehabilitate a user-created route crossing Kinney Creek to provide protection to the stream corridor in a moderate to heavily visited area in Grand County, Colorado. The user-created route crosses Kinney Creek, removing the riparian vegetation, widening the stream, and causing the channel to braid downstream of the crossing. Upland runoff travels the steep road down to the creek, eroding the soils and depositing them in the channel.

**FINDING OF NO SIGNIFICANT IMPACT**

Based upon a review of the EA and the supporting documents, I have determined that the Proposed Action is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27 and do not exceed those effects as described in the Record of Decision (ROD) December 19, 1984; Updated February 1999. Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

**Context**

The project is a site-specific action directly involving BLM-administered public lands that does not in and of itself have international, national, regional, or state-wide importance. The project area is not within an area of a special designation.

**Intensity**

The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

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

This project may have minor short-term adverse impacts to hydrology, surface and ground water quality, however, these impacts are not significant. The same resources that would have short-term adverse impacts will have long-term beneficial impacts from restoring the stream and its corridor to a more natural state.

**2. The degree to which the Proposed Action affects public health or safety.**

There would be no impact to public health and safety.

**3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

There are no significant impacts to riparian vegetation, parklands, prime farmlands, wetlands, historic, cultural, or wild and scenic rivers within the project area. There are no municipal water supplies in the project area.

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

The proposed project is unlikely to be controversial since there would not be a negative effect on the quality of the human environment.

**5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.**

No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

**6. 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 neither establishes a precedent for future BLM actions with significant effects nor represents 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 other activities and any other reasonable foreseeable activities in the same area 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 on 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 would not directly 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 (ESA) of 1973.**

The project would not adversely affect any sensitive, threatened, endangered species or those proposed for listing.

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

Neither the Proposed Action nor impacts associated with it violate any laws or requirements imposed for the protection of the environment.

**SIGNATURE OF AUTHORIZED OFFICIAL:**  /s/ David Stout  
Field Manager

**DATE SIGNED:** 9/27/12

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

**DECISION RECORD**

**PROJECT NAME:** KINNEY CREEK STREAM PROTECTION

**ENVIRONMENTAL ASSESSMENT NUMBER:** DOI-BLM-LLCON02000-2012-0056-EA

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-LLCON02000-2012-0056-EA, authorizing the National Public Lands Day project to close and rehabilitate a user-created route crossing Kinney Creek.

**Mitigation Measures: None**

**Monitoring:**

1. The project area would be monitored yearly to ensure that seeding and mitigation to reduce sedimentation is successful.
2. The BLM would monitor disturbed areas for noxious weeds for two growing seasons after the project is completed.

**COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984 Kremmling Resource Management Plan (RMP), updated in February 1999.

**ENVIRONMENTAL ANALYSIS AND FINDING OF NO SIGNIFICANT IMPACT**

The Proposed Action was analyzed in DOI-BLM-CO-2012-0056-EA and it was found to have no significant impacts, thus an EIS is not required.

**PUBLIC INVOLVEMENT**

**RATIONALE**

Based on information in the EA, the project record, and consultation with my staff, I have decided to choose the Proposed Action as described in the EA. The project is not expected to adversely impact any resources long term and the benefits of the rehabilitation of the damages to Kinney Creek outweigh the short-term adverse impacts to soils, riparian areas and water quality.

**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 (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

**SIGNATURE OF AUTHORIZED OFFICIAL:**    \_/s/ David Stout\_\_\_\_\_   
Field Manager

**DATE SIGNED:** 9/27/12