

wildlife and livestock through proper utilization of key forage plants and adjusting livestock stocking rates as a result of vegetation studies.

The Proposed Action is located within the Management Unit 2 (Northern Central Management Unit). The Proposed Action is compatible with the management objective for this unit, which is to provide for the development of the oil and gas resource. Public lands are open to livestock grazing. Management practices or range improvement projects will be permitted and existing range improvements will be maintained consistent with the management objectives for this unit. The Proposed Action and Alternatives have been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3).

Other Documents

Applicable NEPA documents and other documents that cover the Proposed Action include the following:

- *The Federal Land Policy and Management Act (FLPMA) of 1976, as amended (43 USC 1752).*
- *Rangeland Reform Final Environmental Impact Statement.* December, 1994.
- *Colorado Public Land Health Standards, Decision Record & Finding of No Significant Impact and Environmental Assessment.* March 1997.
- *EA#CO-100-LS-00-010, Don and Keith Pankey 10 year grazing permit renewal for the Timberlake Allotment.*
- *EA#CO-100-LS-01-072, Transfer of AUMs from Pankey Osburn et al. to Keith and Don Pankey, and to Bob and Jacque Osburn. Renewal of the ten-year grazing permits for the Upper Housel Gulch Allotment #04210 licensed to Keith and Don Pankey and to Bob and Jacque Osburn.*

NEED FOR PROPOSED ACTION: Prior to 2004, the Upper Housel Gulch Allotment had one designated grazing permittee, Pankey, Osburn, et. al (authorization #0501111) for a total of 575 Animal Unit Months (AUMs). The base property attached to the grazing preference in the allotment was equally shared by all members of Pankey, Osburn, et. al. In 2004, at the request of Pankey, Osburn, et. al, the authorization was separated into two authorizations: Keith and Don Pankey (a partnership, authorization #0501111, 288 AUMs) and Bob and Jacque Osburn (husband and wife, authorization #0500009, 287 AUMs). The base property remained the same; Bob and Jacque Osburn and Keith and Don Pankey each shared an undivided half interest in approximately 2,688 acres of private land. An environmental analysis was prepared for this action, which transferred the grazing permit to the two parties and issued the grazing permits through 2014 (CO-100-LS-01-072). A new grazing rotation was also developed and analyzed. This new system was developed to accommodate the permittees' desires to manage their herds separately and to improve the overall health of the allotment.

The Upper Housel Gulch Allotment has been managed as a "common" allotment (meaning there is more than one designated livestock operator) from 2004 to the present. In early 2007, the two parties (Osburns and Pankeys) officially divided their private acreage and the Osburns sold their base property to Melvin M. Norman Construction, Inc. and the R&P Gonzales Living Trust (Norman Construction). Prior to the sale of the base property, Bob and Jacque Osburn transferred 94 AUMs of grazing preference to Don and Keith Pankey, increasing their grazing preference to

382 AUMs. Environmental documentation (CO-100-2007-070 CX) and a Proposed Decision were prepared for this action. In the absence of protests, the decision became final in mid-July 2007. Subsequently, Don Pankey sold his interest in the Upper Housel Gulch Allotment and the Timberlake Allotment to Keith Pankey who has since formed the Pankey Ranch LLC (Pankey Ranch).

Melvin M. Norman applied for a grazing permit for 193 AUMs of grazing preference in the Upper Housel Gulch Allotment on June 6, 2007. A transfer of the grazing preference from Bob and Jacque Osburn to Norman Construction was initiated. Environmental documentation (CO-100-2007-089 CX) and a Proposed Decision were prepared for this action. In the absence of protests, the decision became final in November of 2007 and a grazing permit was issued to Norman Construction, Inc., #0502941.

In the months leading up to the sale of the base property by the Osburns, the grazing permittees expressed their interest in splitting the allotment into two separate allotments. Each party was told that the BLM would not entertain any new grazing system proposals that were not as good as or better than the existing grazing system and that new system must include sound grazing management principles of rest, deferment and proper utilization. Both parties agreed that they would like to proceed with the allotment split proposal, as did the eventual buyer of the Osburn property, Norman Construction.

Splitting the Upper Housel Gulch Allotment into two separate allotments would facilitate the BLM's objective of improving grazing management (timing, distribution and utilization) on the Upper Housel Gulch Allotment while also providing livestock permittees the opportunity to meet their own resource objectives (such as running different breeds of cattle) with two separate herds in a more intensive management system. Specifically, grazing pressure would be reduced in some areas of prior heavy use on the Upper Housel Gulch Allotment with a change in timing and improved livestock distribution facilitated by the addition of several new ponds (proposed for construction on private and public land). The Timberlake Allotment, grazed by Pankey Ranches, LLC would also experience a slight modification to the existing grazing system.

The No Action Alternative would not address the challenges of two operators sharing a common allotment nor would it allow for the implementation of a new rotational, deferred-grazing system. Additionally, the EAs for Timberlake and Upper Housel Gulch grazing permit renewals would have to be updated separately and in different years even though they are adjacent permits held by the same permittee.

These permits are subject to renewal at the discretion of the Secretary of the Interior, who delegated the authority to BLM, for a period of up to ten years. The BLM has the authority to renew the livestock grazing permit consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, and Little Snake Field Office's Resource Management Plan/Environmental Impact Statement. This RMP/EIS has been amended by Standards for Public Land Health in the State of Colorado.

The following Environmental Assessment (EA) will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the

permit, which will improve or maintain public land health. All alternatives will be assessed for meeting land health standards.

In order to graze livestock on public land, the livestock producer must hold a grazing permit. The grazing permittee has a preference right to receive the permit if grazing is to continue. The land use plan allows grazing to continue. This EA is intended to analyze grazing impacts over a ten-year period.

NEED FOR AMENDMENT OF PROPOSED ACTION: On June 2, 2009 the Little Snake Field Office issued a Proposed Decision implementing the Proposed Action of DOI-BLM-CO-N010-2009-0008. On June 25, 2009 a protest was received from Melvin M. Norman Construction, Inc. and R&P Gonzales LT (Norman). Two meetings were held at the Little Snake Field Office subsequent to the receipt of the protest. New information regarding private land adjacent to the proposed Lower Housel Gulch Allotment was provided at these meetings by Norman. It is now proposed that this additional private land be included with the Lower Housel Gulch Allotment which changes the percent public land figure for Norman, from the previously calculated 62% to 52%. This changes the number of cattle Norman can run on the allotment and therefore changes the duration of time cattle can be on the allotment.

This amended EA analyzes a revision in the cattle numbers and the season of use for the proposed Lower Housel Gulch Allotment.

PUBLIC SCOPING PROCESS: The project is posted on the 2009 NEPA log on the Little Snake Field Office web site. The project was initially posted on November 4, 2008.

ALLOTMENT DESCRIPTION/BACKGROUND: The Upper Housel Gulch Allotment #04210 and Timberlake Allotment #04549, are adjacent to one another with the Timberlake Allotment lying east of the Upper Housel Gulch Allotment. The allotments are located approximately 15 miles northwest of Craig, Colorado, and 11 miles south of the Colorado/Wyoming state line. Elevation ranges from 6,700 feet at the north end of the Timberlake Allotment to 7,357 feet on the west side of the Upper Housel Gulch Allotment. Topography is comprised primarily of gentle slopes and rolling hills.

Soils vary from sandy loam to heavy clay. Dominant plant communities include stands of needle and thread grass, Indian ricegrass, bluebunch and western wheatgrasses, native bunch bluegrasses and bottlebrush squirreltail, along with numerous forbs. Shrub species include basin and Wyoming sagebrush, serviceberry, snowberry and antelope bitterbrush.

Pankey Ranches, LLC is permitted to graze livestock in both the Timberlake and Upper Housel Gulch Allotments from May 1 through October 15. Norman Construction, Inc. is permitted to graze livestock in the Upper Housel Gulch Allotment from May 1 through September 15. Springs, reservoirs and wells scattered throughout the allotments provide water for livestock and wildlife. Four wells and 5 stock ponds provide dependable water for most areas of the Timberlake Allotment.

MONITORING DATA: Monitoring data was collected on the Upper Housel Allotment in 1993 with the subsequent development of a use pattern map. The use pattern map reveals an area of heavy to severe use in the northwest corner of the West pasture near a late-season water source. The rest of the allotment was found to be in light use. The 2000 EA for the Timberlake Allotment reported “overall very good range condition” with “slight to light grass utilization”.

Both the Upper Housel Gulch and the Timberlake Allotments were included in the Fourmile Creek Landscape Health Assessment conducted in 2003. One site within the Upper Housel Gulch Allotment failed to meet the native plant community standard due to an unacceptable level of non-native plant species, specifically cheat grass and annual pepperweed. It was noted during the assessment that the area had burned in the recent past and the weeds were probably a result of this disturbance. A new rotational grazing system was implemented shortly after the assessment was completed; the new system allowed for early spring rest and a lighter stocking rate in each pasture over a three year period.

PROPOSED ACTION AND ALTERNATIVES

Proposed Action, as amended: The Proposed Action consists of the following components:

- Division of the Upper Housel Gulch Allotment, #04210, a common allotment, into two individual allotments, the Upper Housel Gulch Allotment, #04210 (Pankey Ranch LLC) and the Lower Housel Gulch Allotment, number to be assigned, (Norman Construction). Acreage split depicted in Table 1.
- Construction of 3.0 miles of new fence to facilitate the division of the allotment (see Attachment 2).
- Construction of 3 new pit reservoirs (on BLM managed lands) in the newly configured Upper Housel Gulch Allotment (see Attachment 3) to facilitate livestock distribution.
- Implement new grazing systems on the Upper and Lower Housel Gulch Allotments and incorporate a new grazing system on the Timberlake Allotment to be used in conjunction with the Upper House Gulch Allotment for Pankey Ranches.
- Issue a new 10 year grazing permit to Norman Construction.
- Transfer 382 AUMs of grazing preference in the Upper Housel Gulch Allotment from Keith and Don Pankey to Pankey Ranches, LLC. Transfer 318 AUMs of grazing preference in the Timberlake Allotment from Keith and Don Pankey to Pankey Ranches, LLC. (The name change transfer from Keith and Don Pankey to Pankey Ranches LLC is an action which is categorically excluded from NEPA. It is included here for the sake of continuity and understanding.)
- Issue a new 10 year grazing permit to Pankey Ranches, LLC. This permit would combine the current authorization for the Upper Housel Gulch Allotment, #0501111 and the Timberlake Allotment, #0501046, under the #0501111 grazing authorization.

Table 1. Approximate Acreage Split - Amended

Allotment	BLM	BLM LU	Total BLM	Private, Owned by Permittees	Private, Owned by Others	Total
Upper Housel Gulch (Pankey Ranches, LLC)	720	2,272	2,992	1,281	0	4,273
Lower Housel Gulch (Norman Construction, Inc.)	826	677	1,503	1,389	489	3,381
Total			4,495	2,670	489	7,654

Livestock grazing would continue to be permitted in each of the three allotments (Timberlake, Upper and Lower Housel Gulch). Grazing would be in accordance with the grazing system described below.

The current Upper Housel Gulch Allotment has a total of 575 AUMs of grazing preference. The proposed division would result in the proposed Upper Housel Gulch Allotment containing 2,992 BLM acres which provides approximately 374 AUMs of forage (the Upper Housel Gulch Allotment was adjudicated at 8 acres per AUM; $2,992/8 = 374$). Pankey Ranches, LLC owns approximately 1,289 acres of private land within the proposed Upper Housel Gulch Allotment, which provides approximately 161 AUMs of forage for a total of 535 AUMs. Pankey Ranches, LLC would be billed at a rate of 70% public land ($374 \text{ AUMs}/535 \text{ AUMs} = .699$ or 70%).

The proposed Lower Housel Gulch Allotment would contain approximately 1,503 BLM acres and 188 AUMs of forage. Norman Construction, Inc. owns approximately 1,389 acres of private land within the proposed Lower Housel Gulch Allotment, which provides approximately 174 AUMs of forage for a total of 362 AUMs. Norman Construction, Inc. would be billed at a rate of 52% public land ($188 \text{ AUMs}/362 \text{ AUMs} = .519$ or 52%).

There are approximately 489 acres of private lands within the boundaries of the proposed Lower Housel Gulch Allotment that are not owned or controlled by Norman Construction, Inc., therefore these lands are not included in the percent public land calculations.

The Timberlake Allotment has a total of 319 AUMs of grazing preference. This would not be changed by the Proposed Action.

The grazing authorization for each permittee would be changed as follows:

Melvin M. Norman Construction, Inc./R&P Gonzales Family Living Trust, #0502941

From:

Allotment	Livestock	Period of use		
<u>Name and Number</u>	<u>Number & Kind</u>	<u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Upper Housel Gulch	52 Cattle	05/01 to 6/15	82	64
#04210	52 Cattle	06/16 to 07/31	82	64
	52 Cattle	08/01 to 09/15	82	64
			Unscheduled	1
			Total	193

Special Terms and Conditions

1) This grazing permit requires the permittee to follow the grazing rotation outlined in EA#CO-100-LS-01-072. The projects and improvements as defined in the Proposed Action section of EA#CO-100-LS-01-072 will be constructed only after a cooperative agreement is signed and approved by the BLM.

Melvin M. Norman Construction, Inc./R&P Gonzales Family Living Trust, #0502941

To (as amended):

Allotment	Livestock	Period of use		
<u>Name and Number</u>	<u>Number & Kind</u>	<u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Lower Housel Gulch	82 Cattle	06/01 to 10/15	52	192
#04210 – Year 1				
Lower Housel Gulch				
#04210 – Year 2	82 Cattle	05/01 to 09/15	52	193

Special Terms and Conditions

1) The Upper Housel Gulch will continue to be grazed as a common allotment until the fence (as described in this EA, Attachment 2) which divides the allotment is constructed.

2) Upon completion of the division fence, the Lower Housel Gulch Allotment will be grazed in accordance to the grazing rotation plan outlined in Table 3 of this EA.

3) The permittees will be responsible for fence construction using BLM supplied materials for approximately 1.25 miles of fence and their own materials for approximately 1.75 miles (Pankey Ranches LLC will purchase approximately .88 miles (4,646 feet) of fence materials; Norman Construction will purchase approximately .88 miles (4,646 feet) of fence materials). The labor cost of the fence construction shall be split equally between the two permittees.

4) The permittees will be responsible for an equal portion of the maintenance of the entire fence.

5) Fence construction can begin after 6/30/09 with a projected completion date of 5/01/10 but completion no later than 5/01/11.

Pankey, Keith and Don, #0501111

From:

<u>Allotment</u>	<u>Livestock</u>	<u>Period of use</u>		
<u>Name and Number</u>	<u>Number & Kind</u>	<u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Upper Housel Gulch #04210	83 Cattle	05/01 to 10/15 Unscheduled	83	380 2
			Total	382

Special Terms and Conditions

- 1) The permit includes the grazing system shown in Table 4 of EA#CO-100-2001-072. It requires the permittee to utilize East Timberlake Allotment, #04549, or forage other than Upper Housel Gulch #04210 during the dates of 06/01-08/31.
- 2) If the permittee should decide to use Upper Housel Gulch for dates other than those in the new rotation, the original three pasture rotation system will be used.
- 3) The grazing system's dates and stocking rates allow the permittee to take up to 172 AUMs of non-use annually.
- 4) The projects and improvements as defined in the Proposed Action section of EA#CO-100-LS-01-072 will be constructed only after a cooperative agreement is signed and approved by the BLM.

Pankey, Keith and Don, #0501046

From:

<u>Allotment</u>	<u>Livestock</u>	<u>Period of use</u>		
<u>Name and Number</u>	<u>Number & Kind</u>	<u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Timberlake #04549	125 Cattle	05/01 to 10/15	46	318

Special Terms and Conditions

- 1) If the allotment is used season-long, a four pasture rotation grazing system will be used. Pastures used during the growing season (5/01-7/15) will have a maximum of 30 days use. Those pastures used in the rotation after 7/15 may be used for more than 30 days. Early use will be rotated between the pastures so the same pasture is not used early in consecutive years.
- 2) If the allotment is not used season long, the whole allotment may be used as one pasture as long as growing season use (5/01-7/15) is 30 days or less, or use occurs after 7/15.
- 3) A grazing schedule will be submitted each year and approved on a yearly basis consistent with conditions 1 and 2.

Pankey Ranches, LLC, #0501111

To:

<u>Allotment</u> <u>Name and Number</u>	<u>Livestock</u> <u>Number & Kind</u>	<u>Period of use</u> <u>Begin & End</u>	<u>%PL</u>	<u>AUMs</u>
Upper Housel Gulch #04210	98 Cattle	05/01 to 10/15 Unscheduled	70	379 3
			Total	382
Timberlake #04549	136 Cattle	05/01 to 10/01 Unscheduled	46	317 1
			Total	318

Special Terms and Conditions

1) The Upper Housel Gulch will continue to be grazed as a common allotment until the fence (as described in EA DOI-BLM-CO-N010-2009-0008, Attachment 2) which divides the allotment is constructed.

2) Upon completion of the division fence, the Upper Housel Gulch and Timberlake Allotments will be grazed in accordance to the grazing rotation plan outlined in Table 2 of EA DOI-BLM-CO-N010-2009-0008.

3) The permittees will be responsible for fence construction using BLM supplied materials for approximately 1.25 miles of fence and their own materials for approximately 1.75 miles (Pankey Ranches LLC will purchase approximately .88 miles (4,646 feet) of fence materials; Norman Construction will purchase approximately .88 miles (4,646 feet) of fence materials). The labor cost of the fence construction shall be split equally between the two permittees.

4) The permittees will be responsible for an equal portion of the maintenance of the entire fence.

5) Fence construction can begin after 6/30/09 with a projected completion date of 5/01/10 but completion no later than 5/01/11.

Proposed Grazing Systems, Timberlake and Upper Housel Gulch Allotments - The new fence would enable Pankey Ranches to implement a new rotational, deferred-grazing system incorporating both the new Upper Housel Gulch Allotment and Timberlake Allotment. This rotation would provide the opportunity for each pasture to be deferred until seed ripe at least two of every four years with the exception of one pasture in the Timberlake Allotment. The Wright Pasture in the Timberlake Allotment would have a growing season-long deferment one of every four years under the proposed system. The combined permitted federal AUMs for the Upper Housel Gulch and Timberlake Allotments is currently 700 AUMs. The new grazing system would not exceed that amount.

AUMs are calculated as follows:

$$\frac{\# \text{ of animals} \times \# \text{ of days} \times \% \text{ public land}}{30.41666} = \# \text{ of AUMs}$$

The dates contained in the table are based on the grazing rotation, including the deferred pastures, resulting in a shorter duration of time than what is outlined in the grazing permit. The grazing permit encompasses the entire grazing season from the earliest possible turnout date, to the latest date cattle can be on the allotments. Under the Proposed Action, the grazing systems presented below would be followed by Pankey Ranches, LLC.

Table 2. Pankey 4-year rotational, deferred-grazing system

Year 1 (2010)	Allotment – Pasture	Acres	Date(s)	Grazing duration
	Timberlake – Wright	763	05/01-05/15	16 days
	Timberlake – Sherman	809	05/16-06/01	17 days
	Timberlake – Homestead/South	2,336	06/02-07/02	31 days
	Upper Housel – North	2,202	07/03-08/14	43 days
	Upper Housel – West	1,655	08/15-09/18	35 days
	Timberlake – Homestead/South	2,336	09/19-10/01	13 days
	Upper Housel – Catch	423	10/02-10/15	14 days
Year 2 (2011)	Allotment – Pasture	Acres	Date(s)	Grazing duration
	Timberlake – Wright	760	05/01-05/15	16 days
	Upper Housel – North	2,202	05/16-06/16	32 days
	Upper Housel – West	1,655	06/17 – 7/18	32 days
	Timberlake – Homestead/South	2,336	07/19-09/04	48 days
	Timberlake – Sherman	809	09/05-09/19	15 days
	Upper Housel – North	2,202	09/20-10/01	12 days
	Upper Housel – Catch	423	10/02-10/15	14 days
Year 3 (2012)	Allotment – Pasture	Acres	Date(s)	Grazing duration
	Timberlake – Wright	760	05/01-05/15	16 days
	Timberlake – Sherman	809	05/16-06/01	17 days
	Timberlake – Homestead/South	2,336	06/02-07/02	31 days
	Upper Housel – West	1,655	07/03-08/04	33 days
	Upper Housel – North	2,202	08/05-09/18	45 days
	Timberlake – Homestead/South	2,336	09/19-10/01	13 days
	Upper Housel – Catch	423	10/02-10/15	14 days
Year 4 (2013)	Allotment – Pasture	Acres	Date(s)	Grazing duration
	Upper Housel – West	1,655	05/01-05/31	31 days
	Upper Housel – North	2,202	06/01-07/01	31 days
	Timberlake – Sherman	809	07/02-07/17	16 days
	Timberlake – Homestead/South	2,336	07/18-09/04	49 days
	Timberlake – Wright	760	09/05-09/20	16 days
	Upper Housel – North	2,202	09/21-10/01	11 days
	Upper Housel – Catch	423	10/02-10/15	14 days
Year 5 (2014)	Start over with Year 1 rotation			

Proposed Grazing System, as Amended - Lower Housel Gulch Allotment (Allotment # to be determined) The proposed fence would enable the permittee to implement a new rotational, deferred-grazing system providing the opportunity for each pasture to be deferred until seed ripe one out of every four years. The permitted federal AUMs for the Lower Housel Gulch Allotment is 193 AUMs. The new grazing system would not exceed that amount.

Table 3. Norman Grazing Rotation, as Amended

Year 1 (2010)	Allotment – Pasture	Acreage	Date(s)	Grazing duration
	Lower Housel Gulch West	886	06/01-07/12	42 days
	Lower Housel Gulch East	2,496	07/13-10/15	95 days
Year 2 (2011)	Allotment – Pasture	Acreage	Date(s)	Grazing duration
	Lower Housel Gulch East	2,496	05/01-08/04	96 days
	Lower Housel Gulch West	886	08/05-09/15	42 days
Year 3 (2012)	Start over with Year 1 rotation			

Fence Construction

A new east/west fence would be constructed on the center line of sections 4, 5 and 6, T9NR92W, 6th PM dividing the present Upper Housel Gulch Allotment #04210, a common allotment, into two individual allotments. See Attachment 2 for a map of the division fence and proposed allotments. The newly created “Upper Housel Gulch” Allotment would be assigned to Pankey Ranches LLC and the “Lower Housel Gulch” allotment would be assigned to Norman Construction.

The location of the fenceline would be flagged by the BLM. The BLM would furnish 1.25 miles of fencing materials and two cattleguards. The balance of materials and all labor would be the shared responsibility of the two permittees.

The construction of this fence would be subject to the following stipulations:

1. To protect wintering big game, no fence construction (including brushbeating) may occur between December 1 and April 30.
2. Wire spacing shall be 38”-30”-22”-15” bottom wire smooth; See Attachment 5.
3. Wooden stays will be used for construction to increase visibility of the fence. To further increase visibility, the fence will be marked with flagging along the wires.
4. To protect sage-grouse breeding and nesting activities, no fence construction may occur between March 1 and June 30.

5. The permittees will be responsible for fence construction using BLM supplied materials for approximately 1.25 miles of fence and their own materials for approximately 1.75 miles (Pankey Ranches LLC will purchase approximately .88 miles (4,646 feet) of fence materials; Norman Construction will purchase approximately .88 miles (4,646 feet) of fence materials). The labor cost of the fence construction shall be split equally between the two permittees.
6. The permittees will be responsible for an equal portion of the maintenance of the entire fence.
7. Metal or wire gates will be placed at all intersections with existing roads. Cattleguards will be installed on major roads.
8. Fence construction will not occur until a Form 4120-6, Cooperative Agreement for Range Improvements, is signed by the permittee or the authorized representative and the BLM. The Cooperative Agreement will include all of the above stipulations.
9. Fence construction will not occur until a Class III cultural resources survey is completed. If sensitive cultural resources are identified during the survey, mitigation may include moving the fence to avoid any identified cultural resources.

Pond Construction

In order to more effectively implement the rotational, deferred grazing system, several water development projects are proposed for construction, located primarily on private land but three are proposed to be built on BLM managed lands, see Attachment 3. Ponds constructed on BLM lands will be built by BLM personnel to BLM specifications, see Attachment 6.

Timberlake Allotment

Wright Pasture – The permittee would construct two pit ponds in bottom of West Timberlake drainage or tributaries, one at north end and one at south end of the pasture. Another reservoir or pit pond would be constructed in the S½ SW¼, Section 15, T10NR92W, 6th PM. All three ponds would be on private land.

Sherman Pasture – One pit pond would be constructed by BLM on a site which is determined to be suitable by BLM engineering staff near the center of section 23, T10N R92W.

Upper Housel Gulch Allotment

North Pasture – The permittee would install a solar pump on existing well in NE ½ Section 28, T10NR92W. Two existing ponds in SE½ SW¼ Section 29, T10NR92W would be cleaned and sealed by the permittee. The BLM would construct one pit pond on a suitable site in the drainage in the E½SE¼, section 28, T10N R92W.

West Pasture – The permittee or the BLM would clean and seal existing reservoir in the NW¼ Section 32 T9NR92W.

Catch Pasture – The permittee would clean and seal an existing reservoir in NE¼ SE¼ section 33, T10NR92W. The BLM would construct a pit pond on a suitable site in Housel Gulch in the NE¼ of section 4, T9N R92W.

The pit ponds and reservoirs would disturb 1 acre or less per pond and would hold approximately .25 acre/feet of water. Reservoirs to be cleaned and sealed would stay within the existing pond footprint and cause no new disturbance.

The construction of the ponds would be subject to the following stipulations:

1. Proposed pond locations will be evaluated for floodplain and riparian resources by an interdisciplinary team to determine if the locations are suitable. Ponds will only be constructed on sites that are determined to have little or no potential for partial breach or erosion of the embankment.
2. Access to and from the sites will be on existing roads or trails. Where cross-country travel is mandatory, the same tracks will be used in and out. While traveling, the dozer blade will be kept up.
3. Top soil will be stockpiled and used to cover the disturbed area to the greatest extent possible.
4. Noxious weeds will be controlled by the permittee on any area disturbed as a result of these projects. Any spraying of weeds will need to be cleared through BLM prior to spraying.
5. No hazardous materials/hazardous waste or trash shall be disposed of on public lands. If a release does occur, it shall be reported to the Little Snake Field Office immediately at 970-826-5000.
6. All surface disturbances will be reseeded with native species adapted to the area.
7. No construction or surface disturbing activities will occur between December 1st and April 30th to protect wintering big game. Under mild winter conditions, the last 60 days of the seasonal limitation period may be suspended. Severity of the winter will be determined on the basis of snow depth, snow crusting, daily mean temperatures, and whether animals were concentrated on the crucial winter range during the winter months.
8. Pond construction will not occur until a Class III cultural resources survey is completed. If sensitive cultural resources are identified during the survey, mitigation may include moving the fence to avoid any identified cultural resources.
9. Pond construction will not occur until a Form 4120-6, Cooperative Agreement for Range Improvements, is signed by the permittee or the authorized representative and the BLM. The Cooperative Agreement will include all of the above stipulations.

No Action Alternative: The Timberlake Allotment would continue to be managed as outlined in EA #CO-100-LS-00-010 until the year 2010 and the Upper Housel Gulch Allotment would continue to be managed as outlined in EA #CO-100-LS-01-072 until 2014 under this alternative. No new range improvements would be constructed. Livestock would continue to graze the allotments as permitted in the existing permits.

Table 4 shows the current rotational grazing system developed per Final Decision of June 2, 2004 and Table 5 shows the default grazing system.

Table 4. 2004 Rotational Grazing System on Upper Housel Gulch Allotment #04210

Pasture	North Pasture		East Pasture		West Pasture	
Operator	Pankey	Norman	Pankey	Norman	Pankey	Norman
Year 1	98 Cattle	56 Cattle	98 Cattle	56 Cattle		56 Cattle
	5/1-6/1	5/1-6/15	9/1-10/15	8/1-9/15		6/16-7/31
Year 2	98 Cattle	56 Cattle		56 Cattle	98 Cattle	56 Cattle
	9/1-10/15	8/1-9/15		6/16-7/31	5/1-6/1	5/1-6/15
Year 3		56 Cattle	98 Cattle	56 Cattle	96 Cattle	56 Cattle
		6/16-7/31	5/1-6/1	5/1-6/15	9/1-10/15	8/1-9/15

Table 5. Default Grazing System

Pasture	North Pasture	East Pasture	West Pasture
Operator	Pankey	Pankey	Pankey
Yearly	101 Cattle 5/1-6/15	101 Cattle 8/1-9/15	101 Cattle 6/16-7/31

The Decision was signed in June 2004, so the first year of the new grazing system was 2005; therefore the subsequent years of the system would be as follows:

- Year 1 – 2005, 2008, 2011
- Year 2 – 2006, 2009, 2012
- Year 3 – 2007, 2010, 2013

ALTERNATIVES CONSIDERED BUT ELIMINATED:

No Grazing Alternative: No livestock grazing would take place under this alternative. This alternative has been eliminated from analysis in the EA because it would not conform to the RMP/ROD. The RMP/ROD identified livestock grazing as a suitable and appropriate use on the allotment. Eliminating grazing has not been analyzed because no new issues or concerns have been identified that may require this action.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: Neither allotment lies within any special designation air sheds or non-attainment areas nearby that would be affected by either alternative.

Environmental Consequences, Proposed Action as amended: Short term, local impacts to air quality resulting from diesel engine exhaust, other combustible engines and dust from surface disturbing operations would result from other activities proposed. Emissions required to construct a pond and brush beat the small areas proposed for vegetation treatments would be very minimal. Use of combustible and diesel engines would be required to complete these range improvements. The emissions from these activities consist of both gaseous and particulate fractions. Gaseous constituents from diesel engine exhaust include carbon dioxide, carbon monoxide, nitric oxide, nitric dioxide, oxides of sulfur and hydrocarbons. Fine particulates of soot from diesel exhaust and fugitive dust from soils would be localized to the project area. The health effects of these emissions are largely from long-term and occupational exposure in confined areas. Construction of the proposed range improvements and implementation of the proposed vegetation treatments would not adversely affect the regional air quality.

Environmental Consequences, No Action: None.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/09

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences, both alternatives as amended: Not applicable.

Mitigative Measures: Not applicable.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/2009

CULTURAL RESOURCES

Affected Environment: Grazing permit renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for both allotments, #04549 and #04210, by Robyn Watkins Morris, Little Snake Field Office Archaeologist, on January 6, 2009. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding The Livestock Grazing And Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the Field Office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from GLO maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land

Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis developed for the allotments in this EA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in each allotment.

Allotment Number	Acres Surveyed at a Class III Level	Acres NOT Surveyed at a Class III Level	Percent of Allotment Inventoried at a Class III Level	Eligible or Need Data Sites- Known in Allotment	Estimated Sites for the Allotment *(total number)	Estimated Eligible or Need Data Sites in the Allotment (number)
04210	1275	6550	19%	1	207	61
04549	336	3569	8%	1	103	30

(Note *Estimates of site densities are based on known inventory data. Estimates should be accepted as minimum figures which may be revised upwards based on future inventory findings.)

Six cultural resource inventories were conducted within allotment #04210 resulting in the complete coverage of 1275 acres and the recording of 28 cultural resources. Fourteen of those cultural resources are prehistoric isolated finds such as a flake, mano, projectile point, or chopper. Six are prehistoric open camps with only 1 determined eligible to the National Register. There is 1 historic trash dump, 1 historic homestead, 1 historic mine-all determined not eligible to the National Register. Finally, there was 1 historic trash dump/prehistoric lithic scatter site. A historic road on the General Land Office plat from 1904 was noted within the allotment. The road is named “Meeker-Rawlins Wagon road” on the map. There is also a side road on the same map that juts southeast of the Meeker-Rawlins Wagon road in T9N R92W section 9. On an earlier General Land Office plat from 1881, there is a cabin located in T9N R92W section 9 about where the road on the later map ends. The East Timberlake area is also known for historic and modern gold mining and there may be remains from those efforts as well.

Five cultural resource inventories were conducted with allotment #04549 resulting in the complete coverage inventory of 336 acres and the recording of 8 cultural resources. Three are prehistoric isolated finds-flakes, projectile point, and a metate. There is a prehistoric open lithic site and open camp. There are 2 historic isolated glass bottles and 1 historic trash dump. A historic road on the General Land Office plat from 1904 was noted within the allotment. The road is named “Meeker-Rawlins Wagon road” on the map.

Based on available data, a high potential for historic properties occurs in allotment #04210 and a medium potential exists for historic properties in allotment #04549. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within the ten year period of the permit.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

Environmental Consequences, Proposed Action as amended: The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gullying, and increased potential for unlawful collection and vandalism. Continued livestock use may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties. In this Proposed Action, the livestock would be more evenly distributed throughout the allotments. At least one pasture would be deferred from use during the early months when the potential for impacts is high due to grazing at a time of higher moisture and lower shear strength in the soils. This leads to increased potential of damage to buried cultural resources due to erosion. Placing saltblocks along roads or anywhere in the allotment would potentially impact historic properties. Additional monitoring of the historic properties currently known and in the future would continue to determine if livestock impacts are occurring to these properties.

Environmental Consequences, No Action Alternative: The current system allows more use in the spring in each pasture. These early dates have the potential to increase soil damage and thus increase damage to cultural resources.

Mitigation Measures: Range improvements associated with the allotment (e.g., fence and pond construction) are subject to compliance requirements under Section 106 and will undergo standard cultural resources inventory and evaluation.

Standard Stipulations for cultural resources are included in Standard Terms and Conditions (Attachment 4).

Allotment Specific Stipulations for this EA:

1. 5MF1641 is an eligible open camp next to a known spring/reservoir. This site will be monitored in 2009 and must be monitored every five years.
2. In allotment #04210, the historic Meeker-Rawlins road will be surveyed and recorded in T10N R92W sec 34, 27, 22 and T9N R92W sec 4.
3. Site monitoring plans, other mitigation plans, will be developed and provided to the Colorado State Historic Preservation Officer in accordance with the Protocol (1998) and subsequent programmatic agreements regarding grazing permit renewals.

Conducting Class II and III survey(s), monitoring, and developing site specific mitigation measures will mitigate the adverse effects to an acceptable level (Cultural Matrix Team Meeting 26 January 1999, NHPA Section 106, 36CFR800.9; Archaeological Resource Protection Act 1979; BLM Colorado and Colorado SHPO Protocol 1998; and NEPA/FLPMA requirements).

Name of specialist and date: Robyn Watkins Morris, 08/04/09

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 5, 2008. The letter listed the FY08 and FY09 projects that the BLM would notify them on and projects that would not require notification. A follow-up phone call was performed on June 16, 2008. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris, 08/04/09

ENVIRONMENTAL JUSTICE

Affected Environment: The Proposed Action is located in an area of isolated dwellings. Ranching, farming and oil/gas development are the primary economic activities.

Environmental Consequences, both alternatives as amended: No populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Louise McMinn, 07/29/2009

FLOODPLAINS

Affected Environment: Floodplains are present within Housel Gulch, West Timberlake Creek and other unnamed tributaries within the allotments. Housel Gulch and its tributaries flow northeasterly towards West Timberlake Creek. The headwater segments of Housel Gulch and portions of its tributaries within the (proposed) Lower Housel Gulch Allotment have fairly broad valleys, well vegetated with wetland plants and little to no defined stream channels. This segment of Housel Gulch has a few large spring-fed ponds built within the floodplain area. Further downstream, Housel Gulch narrows and becomes confined by hill slopes where wetland characteristics disappear. Housel Gulch broadens again downstream in the (proposed) Upper Housel Gulch and Timberlake Allotments where it typically has a sandy ephemeral stream channel. A site evaluation in July 2000 found a wetland system that occurred for a length of about 1100 feet within the Timberlake Allotment. Above and below the wetland area, the gulch had a well developed active floodplain adjacent to the sandy stream channel. The floodplain areas were in good condition and this area appeared to be in an upward trend.

The headwater segment of Housel Gulch and an unnamed tributary to the northwest were visited on April 9, 2002. Within Housel Gulch, two ponds spanned the valley width completely, and one old breached pond was observed as well. Roads are numerous on the uplands and follow the fall line of the slope to access floodplains or cross to the next ridge. Some roads continue along the valley and tributary drainages. At the end of the broader floodplain area on public lands in the

southern half of section 9 (T. 9N, R. 92W.), the gulch becomes confined, and a deep headcut is present. In this area there has been some unauthorized backhoe activity, resulting in a portion of the drainage being dug out.

One pond was observed directly below a documented spring in the unnamed drainage to the northwest. The pond in the northwest tributary was built to support gold sluicing operations, and some evidence of historic practices of hydraulic mining was observed along the hill slopes upstream. A large area of disturbance between the pond and the abandoned facilities on the hillslope to the east was caused by mining operations.

Environmental Consequences, Proposed Action as amended: Rotational grazing practices that have been established since 2002 would continue, as modified by the implementation of the Proposed Action. The Proposed Action would require the construction of an allotment boundary fence between the two new proposed allotments. This fence would cross the floodplain area along Housel Gulch and the crossing would be perpendicular to the gulch. Construction impacts or subsequent trailing along the fence would also be perpendicular to the gulch, eliminating the potential for channeling runoff flow and soil erosion. Overall, the fence would improve livestock distribution on the upland areas and reduce trailing impacts along the floodplain area.

The Proposed Action would establish an additional pond within Housel Gulch in the Catch Pasture of the (proposed) Upper Housel Gulch Allotment. A pond is also proposed for the North Pasture in an unnamed gulch paralleling Housel Gulch to the west. These ponds would introduce additional livestock use into ephemeral floodplain areas and this could result in some instability along the floodplain. There is a small tributary in the southeastern portion of the Catch Pasture and possibly some alternate sites in the southern portion of the North Pasture which should also be considered for pond placement to alleviate any potential extended use on the floodplain areas within these gulches.

Construction of pit ponds would greatly reduce the potential for a total embankment failure, although a partial breach or erosion of the embankment may occur with high runoff. Otherwise, no threat to human safety, life and welfare would result from renewing the grazing permits under the Proposed Action Alternative.

Environmental Consequences, No Action: No additional developments would be constructed. The water developments that are presently located within Housel Gulch are spring fed and occur within wetland systems. The available water that is present in the wetland areas extend the growing season of wetland plants which has helped maintain stability of the adjacent floodplain areas under rotational grazing practices. Rotational grazing practices would be continued. Floodplain areas would be expected to function properly.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/28/09

INVASIVE, NONNATIVE SPECIES

Affected Environment: A landscape health assessment was conducted on the Upper Housel Gulch Allotment in 2003 as part of the Four Mile Landscape Assessment. Site 15 of the assessment was in the Upper Housel Gulch Allotment. This site failed to meet the healthy native plant community standard due to the unacceptable level of non-native plant species, specifically cheat grass and annual pepperweed. This area had burned in the near past, and the weeds were most likely a result of this disturbance. Key species were recovering in patches. A new grazing system was implemented in 2004 as part of ten year renewal, which incorporated more rest and fewer AUMs being used.

With the exception of the site discussed above, there are very few known infestations of noxious weeds in the allotments. Downy brome (cheatgrass), isolated houndstongue plants and small infestations of Canada thistle, have been found in small amounts in the allotments. There is always the potential for noxious weeds such as whitetop, dalmation toadflax, knapweed, and others to exist and spread on public lands. The BLM is in cooperation with Moffat County Cooperative Weed Management program to locate and treat noxious weeds. All principles of integrated pest management are employed to control noxious weeds on public lands.

Environmental Consequences, both alternatives as amended: Access to public land within these allotments provide opportunities for noxious weeds to be introduced, but large tracks of private lands within the allotments are not easily accessible to the public. However, wind, water, and wildlife species are other ways that noxious weeds can be introduced into the allotments. Land practices and land uses by the livestock operators and their weed control efforts would largely determine the identification and potential occurrence of noxious weeds within the allotments. It is important to identify and document the occurrence of noxious weeds when they are found because they can infect healthy rangelands.

Environmental Consequences, Proposed Action Alternative as amended: The new fence would not contribute any weed problems due to the fact that the line would be brush beat/mowed instead of bladed. Thus, disturbance to the existing vegetation would be kept to a minimum providing little opportunity for invasive species to become established. Constructing new pit ponds would cause concentrated use by livestock in the area around the new water developments, but it is unlikely the area would harbor vigorous populations of these species due to the physical trampling that would occur. Some increase in annual invasive plants could occur for a short distance radiating from the water development due to the diminished character of the native plant community. Proper grazing use by cattle would be necessary to maintain a resilient native plant community that can occupy bare soils and resist invasive and noxious weed establishment.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/09

MIGRATORY BIRDS

Affected Environment: This locality provides potential nesting, foraging, and/or roosting habitat for the following USFWS 2002 Birds of Conservation Concern: golden eagle, northern harrier, vesper sparrow, Brewer's sparrow, and sage sparrow. Although several of these species are known to breed in the area, GIS data for specific nest locations are currently unavailable.

Environmental Consequences, Proposed Action as amended: Livestock grazing can alter vegetation structure, composition, and function. Effects on migratory birds are dependent on the species of interest and may be adverse or beneficial depending on grazing timing, frequency, and intensity. Birds may be displaced as a result of fence and pit construction and/or grazing; and trampling of nests, eggs, or young could occur. Grazing would occur during breeding season for most of these species. However, it is unlikely that the proposed action would influence migratory bird populations on a landscape level. In the long term, habitat value for migratory birds in these allotments would improve as a result of fence and water developments, a deferred rotation grazing system, and more even cattle distribution. Timing restrictions in place to protect breeding and nesting greater sage-grouse would help prevent disturbance to migratory bird species for much of their nesting season.

Environmental Consequences, No Action: Currently, poor cattle distribution in some portions of the allotment has a long-term potential of producing fair wildlife habitat with weedy patches and reduced production of key forage species. A downward trend is possible over the long term under current grazing management.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Tim Novotny, 07/30/2009

PRIME & UNIQUE FARMLANDS

Affected Environment: Three soils units within these allotments have been identified as Farmland of Statewide Importance. These are the Cowestglen sandy loam, 0 to 3 percent slopes; the Forelle loam, 1 to 3 percent slopes; and, the Forelle-Evanot complex, 1 to 12 percent slopes.

Environmental Consequences, both alternatives as amended: Renewing the grazing permits for these allotments would not convert these soils to non-agricultural uses.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 07/28/09

T&E SPECIES – SENSITIVE PLANTS

Affected Environment: There are no BLM sensitive plant species sensitive plant species documented in or near the affected environment.

Environmental Consequences, both alternatives as amended: None.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Hunter Seim, 7/29/2009

T&E AND SENSITIVE ANIMALS

Affected Environment: No federally threatened or endangered species or habitats for such species occur within either allotment under consideration. The area provides breeding and nesting habitat for greater sage-grouse, a BLM special status species. Colorado Division of Wildlife records show an active sage grouse lek within the boundary of the Timberlake Allotment and potentially moving into the Upper Housel Gulch Allotment, depending on the year. This is a large lek, 137 males counted on the lek 3 years ago; most recent counts have been 40 – 50+ males. There is an inactive lek just south of the Upper Housel Gulch allotment southern boundary. In addition, an active lek is located south of the Upper Housel Gulch allotment and an inactive lek is present west of the Upper Housel Gulch allotment. There are two active leks located within 2 miles NNW of both Allotments. Both Upper Housel Gulch and Timberlake Allotments are within grouse production areas.

Environmental Consequences, Proposed Action as amended: Due to greater control of utilization levels and season of use, the Proposed Action would capitalize on the no action alternative already in place by providing the same or even more opportunity for residual herbaceous cover for nesting in the spring and early summer. An additional benefit, due to reduced grazing pressure early in the growing season for an additional year (4 year vs. 3 year rotation), is the promotion of vigorous, succulent forbs and expanded wetland areas for sage grouse brood rearing. The ponds would reduce livestock concentrations at already existing watering sites and improve livestock distribution, providing the opportunity for these drainages to provide better quality brood rearing habitat.

Livestock grazing can alter vegetation structure, composition, and function. Effects on wildlife are dependent on the species of interest and may be adverse or beneficial depending on grazing timing, frequency, and intensity. Potential impacts include habitat degradation, fragmentation, and loss; individual displacement; and reduced fitness. Such impacts are more significant during breeding and wintering seasons. In the long term, habitat value for greater sage-grouse in these allotments would improve as a result of fence and water developments, a rotational grazing system, and more even cattle distribution. The construction of the new allotment boundary fence has the potential to negatively impact greater sage-grouse within both allotments. New fences can lead to mortality due to collisions with the fence. In order to mitigate this potential impact, the newly constructed fence would be marked with flagging along the wires to increase visibility. Alternately, peeled wooden stays would be used in fence construction design to increase the visibility of the fence. Fence construction would not occur between March 1 and June 30 in order to protect breeding and nesting greater sage-grouse.

Environmental Consequences, No Action: Federally listed threatened or endangered species and their habitat would not be affected by this action.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Tim Novotny, 07/30/2009

T&E SPECIES – PLANTS

Affected Environment: There are no federally listed threatened or endangered plant species present on either the Upper Housel Gulch Allotment or Timberlake Allotment.

Environmental Consequences, both alternatives as amended: None.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Hunter Seim, 7/29/2009

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no hazardous materials present on either the Upper Housel Gulch Allotment or Timberlake Allotment. If a release does occur during construction of ponds or reservoir, then the environment affected would be dependent on the nature and volume of material released.

Environmental Consequences, both alternatives as amended: Potential releases of hazardous materials could occur due to vehicular access for livestock management operations. Coolant, oil, and fuel are materials that could potentially be released. Due to the limited amount of vehicular activity that would be required, the potential for releases of any of these materials is low and if a release were to occur, it would be minimal and highly localized and not result in an adverse impact to either allotment.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/2009

WATER QUALITY – GROUND

Affected Environment: The geology of the area affected by the Proposed Action suggests that there is potential for ground water aquifers. The ground water quality in the area ranges from useable to poor.

Environmental Consequences, both alternatives as amended: Due to the limited number of livestock grazing, to dispersal of this livestock over a fairly large area and to the rotation of grazing areas, there would be no adverse impacts to ground water quality within the Proposed Action area. The Proposed Action would be conducted in accordance with existing Colorado laws for water quality. Specifically, all permit activities must comply with the applicable water quality regulations in The Colorado Water Quality Control Act, and they will be in conformance with the classifications and numeric standards for water quality established by the Colorado Water Quality Control Commission. The proposed ponds would not impact ground water quality.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Jennifer Maiolo 7/24/2009

WATER QUALITY – SURFACE

Affected Environment: The water quality of the Little Snake River segment (Region 11, Segment 15) that would receive tributary water draining from these allotments needs to support Aquatic Life Cold 1, Recreation 1a, Agriculture and Water Supply. The water quality of the tributaries (Region 11, Segment 17a) to this segment of the Little Snake River needs to support Aquatic Life Cold 1, Recreation 1b and Agriculture. These stream segments are presently supporting classified uses.

Environmental Consequences, both alternatives as amended: No adverse impacts would occur to the water quality streams resulting from implementing the No Action Alternative or the Proposed Action. Best Management Practices have been incorporated into the current grazing management of this allotment which is outlined in the No Action Alternative. Fences, numerous ponds and rotational grazing practices have allowed resource conditions to improve over the last several years. The Proposed Action Alternative continues to alternate early spring use and rotate livestock use between defined pastures. The new fence that would be installed to establish the Lower Housel Gulch Allotment requires developing additional water sources where it is lacking in the Catch Pasture of the Upper Housel Gulch Allotment. Another pond within the North Pasture of the (proposed) Upper Housel Gulch Allotment and a pond in the Sherman Pasture of the Timberlake Allotment, as well as the new allotment fence, would promote improved grazing distribution.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/28/09

WETLANDS & RIPARIAN ZONES

Affected Environment: No lotic riparian resources occur within the Upper Housel Gulch, Timberlake and the proposed Lower Housel Gulch Allotments. All riparian systems that occur are lentic riparian systems supported by a few springs and toe slope seeps along the valleys and

floodplains within Housel Gulch and within some of the unnamed drainages. All but one of these riparian systems occurs near the headwater areas of respective drainages.

Several springs were assessed within the (proposed) Lower Housel Gulch Allotment (East Pasture) in May 2002. BLM Springs 50-09, 50-15 and 50-08 are in the headwater area of Housel Gulch and along with other minor seeps support a continuous wetland system that extends a little over a mile in length downstream and past BLM Spring 27-09 with an area of nearly 10 acres. Two ponds have been constructed within this area below two of the spring sources (Springs 50-09 and 27-09) and one old breached pond is present as well. At least four headcuts are present within this wetland system and two of these are below the breached pond. Data collected in 2002 determined that the gulch bottom was well vegetated with riparian/wetland plants. There was drier vegetation occurring upstream of a large headcut and small areas of scouring below the headcuts with small areas of trampling. This lentic riparian system was rated as functioning at risk (FAR) with an upward trend, due to the presence of the headcuts.

Four separate lentic riparian systems were documented in July 2002 within the West Pasture of the (proposed) Upper Housel Gulch Allotment in an unnamed tributary gulch of West Timberlake. BLM Spring 028-04 (1.44 acres) with a dam and pond below the spring site was in Proper Function Condition (PFC). The dam is built completely across the small gulch and riparian/wetland vegetation extends above and below the pond for a little over 0.25 miles. The pond had submerged bulrush species and the wetland plants growing along the edge were increasing when compared to photographs taken in 1981. A new water source, #028-New2, was found on the upper end of this lentic system and a headcut exists near the bottom; the presence of the headcut likely means that this system was functioning at risk.

A few hundred yards further down this gulch in a small tributary draining from the west, another lentic riparian system exists with an area of 0.16 acres; it was rated as functioning at risk in 2002. It was associated with a previously undocumented water source (028-New1) emerging from a headcut. This riparian wetland system extended above the source (headcut) a few hundred yards and a few hundred yards below the source where another headcut was present. Trampling in the wetter areas and some hummocked and heaved soil was present.

Nearly 0.5 miles further down the gulch in a small tributary draining from the east, a small lentic system associated with BLM Spring 027-10 (0.05 acres) was rated as functioning at risk with an upward trend. A comparison of data collected in July 1982 when this spring source was inventoried and July 2002 when the riparian system was documented does not show an obvious long term upward trend. In 2002 the spring site appeared drier with deep hummocks and heaved soil.

Farther west in the (proposed) West Pasture of the Upper Housel Gulch Allotment, in a separate fork of the same gulch, another isolated lentic riparian system associated with BLM Spring 028-20 and another new water source on the upper end identified as 028-New exists on 0.67 acres. A pond had been constructed on the lower end of the riparian area. This system was functioning at risk with a downward trend. The downward trend rating was due to the concentrated use by cattle resulting in heavy grazing and trampling near the pond and small areas of heaved soil. The pond and the lower end of the riparian system were visited in July 1982 and September 1999. There was an upward trend occurred in this 17-year interval. In that period it was also apparent

that the wildfire that occurred in the northwestern end of the West Pasture swept over this lentic draw because sagebrush stands that were adjacent to the draw and in the near background in 1982 were not present in 1999. It also appeared that some aggradation had also occurred because the riparian area appeared wider. Water was present in the pond in July 1982, September 1999 and in July 2002, but a repeat visit in early August of 2002 found the pond to be dry.

One additional lentic area was documented in July 2003 within the proposed Lower Housel Gulch Allotment (East Pasture). This area is associated with BLM Spring 050-14 and it was functioning at risk with no apparent trend. In 1982, it was a well vegetated gentle sloping upland draw with a small spring area emerging from an eroding bank. In 2003, it was a dried up and heavily trampled shallow depression, which apparently had held a shallow area of water. There appeared to be a small dike constructed to pool the spring water, although no surface water was present in the vicinity.

Two miles downstream from the lower end of the large riparian system in the headwater area of Housel Gulch, a small isolated lentic area occurs within the Timberlake Allotment. This site is associated with BLM Spring 027-06 located in an ephemeral portion of Housel Gulch. It was assessed in July 2000 as functioning at risk with an upward trend, primarily due to a headcut on the lower end. The lentic riparian system is about 2000 feet in length and it is estimated to be about 1.1 acres in size. The spring site was revisited in July 2003. The actual spring source was non-functioning due to a unsuccessful development of the spring in the early 1980s, although the spring is within a small fenced area and it was well vegetated.

One additional spring source is present within the (proposed) Lower Housel Gulch Allotment. BLM Spring 028-19 would be on the northern end of the proposed West Pasture. However, this spring has not been visited for the purpose of assessing any associated riparian vegetation.

Environmental Consequences, Proposed Action as amended: The FAR ratings completed in 2002/2003 serve as an indication that a change in grazing management might facilitate more positive trends. The grazing system implemented after 2002 resulted in a positive change in riparian resources. The Proposed Action would improve livestock distribution across the allotments reducing impacts on riparian zones and upland areas. The indirect benefits on wetlands and riparian zones from a change in upland management resulting from a shift in livestock time of use and alternating periods of shortened grazing durations would also provide the opportunity for riparian trends to move upward.

The proposed new ponds within the Upper Housel Gulch Allotment would reduce impacts on natural water sources, provide more flexibility with the grazing rotation due to a seasonal lack of water in some areas and along with the proposed allotment fence could reduce trailing within the draws and gulches. The pond locations would be evaluated for riparian resources prior to giving authorization for their construction.

Environmental Consequences, No Action: The current rotational grazing system would remain in place and provide for stable or upward trends in riparian zones. Due to longer grazing times in each pasture, some wetlands and riparian zones would receive more impacts than would be received in the Proposed Action.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/28/09

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences, both alternatives as amended: None.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/2009

WILDERNESS, WSAs

Affected Environment: Not present.

Environmental Consequences, both alternatives as amended: None.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/2009

NON-CRITICAL ELEMENTS

RANGE MANAGEMENT

Affected Environment: The season of use authorized on the Upper Housel Gulch Allotment is currently 5/1 through 10/15. Mr. Norman is currently authorized to run 53 cattle at 82% PL for a total of 193 AUMs. Mr. Pankey is currently authorized to run 98 cattle at 82% PL for a total of 382 AUMs. The season of use authorized on the Timberlake Allotment is 5/1 through 10/15 with a limit of 30 days per pasture, unless grazing occurs after July 15.

Environmental Consequences, Proposed Action as amended: The new fenceline would enable Pankey Ranches, LLC to implement a new rotational grazing system incorporating both the (proposed) Upper Housel Gulch Allotment #04210 and Timberlake Allotment #04549. This rotation would provide the opportunity for each pasture to be deferred until seed ripe at least two of every four years (with the exception of Timberlake – Wright Pasture that has essentially a season-long deferment one of every four years). The new fence, combined with proposed stock water developments would greatly improve livestock distribution across the new combination of pastures. Areas that had been overgrazed in the past would receive more moderate utilization under this action. Further, grazing durations would be shortened per pasture, since more pastures would be utilized in the same grazing season.

On the (proposed) Lower Housel Gulch Allotment (grazed by Norman et al.), the two pasture system would be implemented with a compliment of private land. Both the Lower Housel Gulch pastures and the private land allow Norman flexibility in grazing timing. The result of this action would be to improve livestock distribution on the (proposed) Lower Housel Gulch pastures while maintaining proper stocking rates.

Environmental Consequences, No Action: The permittees would continue to use Upper Housel Gulch as a common allotment as outlined in EA#CO-100-LS-01-72. This would not address the challenges of two operators sharing a common allotment nor would it allow for more effective resource management with the implementation of a new rotational, deferred-grazing system. Additionally, the EAs for Timberlake and Upper Housel Gulch grazing permit renewals would have to be updated separately and in different years even though they are adjacent permits held by the same permittee. The associated difficulties of two livestock operators with different livestock management goals trying to run livestock together would continue to create challenges for both operators. In addition, new water sources would not be developed in the Upper Housel Gulch and Timberlake Allotments; livestock distribution would not be improved. Pankey Ranches, LLC would continue to use the Timberlake Allotment as outlined in EA#CO-100-LS-00-010.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/09

SOILS

Affected Environment: Diverse soil types are found within these allotments. Sandy, sandy loam and loam soils derived from sandstone intermixed with finer textured soils derived from shale, mudstone and claystone occur together on the hill slopes and ridges that are typical of the topography. These soil differences are easily observed because of the stark contrast between the Wyoming big sagebrush communities growing on sandy loams and the less frequently occurring low sagebrush-saltbush communities that occupy silty clay loam sites. Valley soils are derived from recent alluvium and colluvium deposits from the flanking hillslopes. The soils that have developed from these parent materials differ with respect to soil textures, depth, salinity, water runoff and water erosion hazard. Either natural conditions, historic grazing practices and/or livestock and wildlife preferences have left the grass species lacking on some areas of the low sagebrush plant communities leading to losses of topsoil. Remnant plant pedestals and flow patterns are commonly found on the silty clay loam soils; plant materials, litter and biological soil crusts, which help to alleviate overland flow and water erosion, are somewhat lacking in the inter-spaces. Wintering herds of wildlife could be exacerbating this condition by early grazing on these areas. The low sagebrush areas retain a shallower snow-pack in the winter thereby receding faster with earlier green-up in the spring.

The appearance of the soil surface occupied by a low sagebrush plant community on a westerly facing slope observed on April 9, 2002 was in an upward trend. Although plant pedestals were

common they appeared to be remnant from another grazing era. The site was on the western side of Housel Gulch above the wetland area in the Upper Housel Gulch Allotment.

In June of 2003, site assessments found that biological soil crusts were at appropriate levels on all five sites visited. Most of the biological soil crusts in these allotments consisted of cyanobacteria, moss and lichens. On lower elevation areas, there are shallow soils and otherwise drier sites with more interspace area and sunlight available to support cyanobacteria and other lichens varieties. The higher elevation areas in the Lower Housel Gulch Allotment (Sites 16, 17) did not have the diversity of biological crusts that would be apparent where plant cover is less and only moss varieties were regularly observed. Biological soil crusts were lacking on Site 15 due to fire activity and possibly heavy cheatgrass. Damage to biological soil crusts is not uncommon on severely burned sites and the shade and litter buildup from heavy cheatgrass can delay their reestablishment.

Climatic factors such as drought, type of rainfall, presence and depth of snowpack, freeze-thaw process and a frost-layer will affect the moisture regime of the soil profile seasonally.

Environmental Consequences, both alternatives as amended: Soil compaction and depleted soil cover are the most obvious impacts incurred to the soil resource as a result of livestock grazing. These effects would occur on areas receiving concentrated livestock use under either alternative. Concentrated use areas are typically less pronounced under rotational grazing practices because shorter grazing durations and grazing within different portions of the grazing period allow the vegetative and soil resources to recover. The majority of the public lands within the allotments would have adequate plant and litter cover remaining after the grazing period to protect the soil resource under either alternative.

No loss or gain of biological soil crusts would occur as a result of implementing either of the alternatives.

Environmental Consequences, Proposed Action as amended: The establishment of additional ponds would lead to increased livestock use adjacent to the new water sources. This increased use by livestock would lead to depleted soil cover and soil compaction that would be most severe immediately adjacent to the new water developments. The new allotment fence and three proposed water developments would enhance livestock management and improve livestock grazing distribution.

Environmental Consequences, No Action: Soil resources and plant communities would continue to improve with the implementation of the No Action Alternative. Rotational grazing practices would continue to be practiced and other Best Management Practices, such as pasture fences and water developments are in place to support this level of grazing management.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/28/09

SURFACE WATER HYDROLOGY

Affected Environment: Housel Gulch and West Timberlake Creek along with their respective tributaries receive runoff water from the ridges and hill slopes within these allotments. Housel Gulch is an ephemeral tributary to West Timberlake Creek which is an ephemeral tributary to Timberlake Creek. Timberlake Creek is an intermittent tributary to Fourmile Creek which is also an intermittent tributary to the Little Snake River.

Environmental Consequences, both alternatives as amended: Livestock grazing impacts on surface hydrology would be directly associated with livestock use on the soils, vegetation, floodplain and riparian resources. These resources were found to be in an upward trend under the current rotational grazing system described in the No Action Alternative. All of the sites visited in these allotments during the Fourmile Creek Watershed Assessment in June 2003 were meeting standards with the exception of Site 15 in the northwestern corner of the North Pasture (Upper Housel Gulch Allotment), which did not meet the vegetation standard due to a recent burn and early serial stage vegetation.

Environmental Consequences, Proposed Action as amended: The proposed ponds that would be located within Housel Gulch and a parallel tributary to the west would promote more livestock use within the gulches and onto their ephemeral floodplain areas. This additional use by livestock could cause instability of the floodplain area in close proximity to the water source. Adherence to the pond construction stipulations would ensure that there are no negative impacts to the drainage.

Environmental Consequences, No Action: Soil resources and plant communities would continue to improve with the implementation of the No Action Alternative. Riparian resources and floodplain areas would remain stable. The water developments located within Housel Gulch are spring fed and occur within wetland systems. The available water in the wetland areas extend the growing season of wetland plants which has helped maintain stability of the adjacent floodplain areas under rotational grazing practices. Rotational grazing practices would continue to be practiced and other Best Management Practices, such as pasture fences and water developments are in place to support this level of grazing management.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/28/09

UPLAND VEGETATION

Affected Environment: The overall community composition is 40% grasses and 60% browse species. The drainage and seep communities contain sedge species, rushes, and bluegrass. The upland communities are occupied by Wyoming big sagebrush, greasewood, green and rubber rabbit brush, shadscale, bitterbrush, serviceberry, budsage, Nuttall's saltbrush, needle and thread, western wheatgrass, Sandberg's bluegrass, phlox, Junegrass, buckwheat, aster, Indian ricegrass, bottlebrush squirrel tail, thickspike wheatgrass and vetches. The driest sites, usually on

the sandy ridge tops and south slopes contain large populations of pricklypear cactus, black sage, and forbs.

Both the Upper Housel Gulch and the Timberlake Allotments were included in the Fourmile Creek Landscape Health Assessment conducted in 2003. One site within the Upper Housel Gulch Allotment failed to meet the native plant community standard due to an unacceptable level of non-native plant species, specifically cheat grass and annual pepperweed. It was noted during the assessment that the area had burned in the recent past and the weeds were probably a result of this disturbance. A new rotational grazing system was implemented shortly after the assessment was completed; the new system allowed for early spring rest and a lighter stocking rate in each pasture over a three year period.

Environmental Consequences, Proposed Action as amended: Each pasture within the proposed Upper Housel Gulch Allotment and the Timberlake Allotment would have an opportunity for deferment at least two of every four years (with the exception of Timberlake – Wright Pasture that would have a season-long deferment one of every four years) combined with a lighter stocking rate (11-12 acres per AUM). Each pasture within the proposed Lower Housel Gulch Allotment would be deferred every other year. This growing season deferment is expected to have the following impacts on the allotment's vegetative communities: the early spring rest would decrease the grazing pressure on plant species during the most active growth period. The lighter stocking rates within the Timberlake and Upper Housel Gulch Allotments would decrease grazing pressure on several key forage species, and would decrease grazing pressure across the pastures. The full growing season deferment would benefit vegetation health and vigor and allow a full growing season and seed drop to occur across the entire allotment over a four-year period. Grazing during the fall would not decrease plant vigor or vegetation health because it would occur after a full season of deferment for many plant species. The number of AUMs available for use in each allotment would not change under the Proposed Action.

The proposed fenceline would be brush beat; very little existing vegetation would be disturbed.

The proposed water projects would improve livestock distribution across the allotments. The improved distribution and utilization would allow a more vigorous and healthy plant community to develop in pastures that are currently receiving little or no use due to seasonal lack of water. The water projects would also decrease use in the northwest corner of the current Upper Housel Gulch allotment that is currently showing signs of heavy utilization near the only late season water source in the area.

Environmental Consequences, No Action: The No Action alternative would not implement any of changes to the grazing rotation. The current rotation would continue to adequately meet the acceptable levels of health and vigor of the allotment, but at a lower and less effective extent than the Proposed Action. This alternative does not provide for the projects that would improve livestock distribution over the vegetative communities, improve riparian and upland plant species and improve the effectiveness of use in late season pastures. It would also not decrease the levels of use in areas of livestock concentration due to lack of late season water sources.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008
BLM Specialist Approval (initial and date): Kathy McKinstry, 07/28/09

WILDLIFE, AQUATIC

Affected Environment: Aquatic habitat in this allotment is limited to several lentic springs and ponds. These systems may support important invertebrates, amphibians, and reptiles.

Environmental Consequences, Proposed Action as amended: Potential impacts from livestock grazing include trampling of individuals or nests/eggs; water displacement, sedimentation, and nitrification; and removal or degradation of shading vegetation. However, habitat value for aquatic species in these allotments should improve as a result of fence and water developments, a deferred rotation grazing system, and more even cattle distribution. Neither alternative would have measurable impacts on aquatic wildlife.

Environmental Consequences, No Action: Less than desired cattle distribution under current grazing management is producing fair terrestrial habitat. A downward trend is possible under the current grazing system. It is reasonable to assume similar conditions and trends would also be seen in nearby aquatic habitats.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008
BLM Specialist Approval (initial and date): Tim Novotny, 07/30/2009

WILDLIFE – TERRESTRIAL

Affected Environment: The Upper Housel Gulch Allotment provides year round habitat for mule deer, elk and pronghorn antelope in all but the most severe winters. A variety of small mammals, songbirds and reptiles may also be found within this allotment.

Environmental Consequences, both alternatives as amended: General habitat needs would be met in both alternatives by maintaining and enhancing the vegetative structure expected within the range sites through more intensive grazing management practices. Livestock grazing can alter vegetation structure, composition, and function. Effects on wildlife are dependent on the species of interest and may be adverse or beneficial depending on grazing timing, frequency, and intensity. Potential impacts include habitat degradation, fragmentation, and loss; individual displacement; and reduced fitness.

Environmental Consequences, Proposed Action as amended: The proposed fenceline would be constructed in a manner that would not impede big game movements in the area. It would temporarily impact a small strip of vegetation during the construction phase but the negative impacts would be negligible. Improved livestock distribution would improve big game habitats within both allotments. Most small mammals, songbirds and reptiles within these allotments would benefit as well.

Environmental Consequences, No Action: The No Action alternative would not implement any of changes to the grazing rotation. The current rotation would continue to adequately meet the acceptable levels of health and vigor of the allotment and produce fair terrestrial habitat.

Mitigative Measures: None.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008

BLM Specialist Approval (initial and date): Tim Novotny, 07/30/2009

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

Other Non-Critical Elements

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Fluid Minerals		JAM 07/24/09	
Forest Management	KM 07/28/09		
Hydrology/Ground			JAM 07/24/09
Hydrology/Surface			OO 07/28/09
Paleontology		JAM 07/24/09	
Range Management			KM 07/28/09
Realty Authorizations		LM 07/29/09	
Recreation/Travel Mgmt		GR 08/04/09	
Socio-Economics		LM 07/29/09	
Solid Minerals		JAM 07/24/09	
Visual Resources		GR 08/04/09	
Wild Horse & Burro Mgmt	KM 07/28/09		

CUMULATIVE IMPACTS SUMMARY: These allotments and areas surrounding have historically been grazed by both sheep and cattle. Numerous maintained and un-maintained roads exist throughout the area, including on the allotment. These roads are used regularly by local residents and ranchers as well as by hunters, the primary recreation users in the area. Wildlife populations in the area are high, especially for deer and elk that compete with livestock for available forage throughout the area. The primary impacts from all of these activities are most immediately seen in the presence of roads, fences, cultivated land on private lands, and weed presence. Grazing would continue under both alternatives on the Upper Housel Gulch, Lower Housel Gulch and Timberlake Allotments and is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The affected environment provides suitable habitat for a variety of wildlife species. This standard would be met for this allotment under the Proposed Action as amended and No Action alternatives.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008
BLM Specialist Approval (initial and date): Tim Novotny, 07/30/2009

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal)

STANDARD: No threatened or endangered wildlife species or critical habitats have been identified for this area. The allotments contain breeding and production habitat for greater sage grouse, a BLM Special Status Species. This standard is currently being met and would continue to be met under both the No Action and Proposed Action as amended alternatives.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008
BLM Specialist Approval (initial and date): Tim Novotny, 07/30/2009

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: This standard is being met within these allotments. The allotments consists of diverse plant communities. Although noxious weeds and undesirable species may be present, there is a diverse and vigorous community of desirable native plant species in the area to propagate and maintain healthy plant communities. As long as the grazing rotations and distributions are maintained, the No Action and Proposed Action as amended would continue to meet this standard for these allotments.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008
BLM Specialist Approval (initial and date): Kathy McKinstry, 7/28/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no threatened or endangered plants in the allotments. The No Action alternative and the Proposed Action as amended alternative to renew the permits would not negatively impact the vegetative communities within the affected environment. The No Action and Proposed Action as amended alternatives would not negatively affect the potential for native plant communities to exist or prevent this standard from being met. This standard would be met for these allotments under all alternatives.

Name of specialist and date: Aeroscene Land Logic, 12/15/2008
BLM Specialist Approval (initial and date): Hunter Seim, 7/29/2009

RIPARIAN SYSTEMS STANDARD: The riparian standard for healthy public lands is met for the Upper Housel Gulch Allotment, Timberlake Allotment and the proposed Lower Housel Gulch Allotment under each of the alternatives. The current rotational grazing that is occurring has allowed the riparian resources to remain stable or move toward an upward trend. Installation of the new fence and proposed water developments would provide for additional flexibility in livestock management and improved livestock distribution. This standard would be met for this allotment under the Proposed Action as amended and No Action alternatives.

Name of specialist and date: Ole Olsen, 7/28/09

WATER QUALITY STANDARD: The water quality standard for healthy rangelands is met for the Upper Housel Gulch and Timberlake Allotments under each of the alternatives and it is also met for the proposed Lower Housel Gulch Allotment with implementation of the Proposed

Action as amended alternative. Establishing the Lower Housel Gulch Allotment with installation of the new allotment fence and proposed water developments would enhance livestock management and grazing distribution within all of the allotments. Runoff from snowmelt and storms flows into Housel Gulch and West Timberlake Creek, which have some wetland and stable ephemeral floodplain areas to help filter sediment, nutrients and other nonpoint sources of contamination. It is unlikely that the proposed ponds that are needed in the Upper Housel Gulch Allotment that would be located within Housel Gulch and a large unnamed tributary would affect water quality in the long term, but if alternative sites for these water developments can be found it would avoid introducing additional livestock use on floodplain areas. No impaired stream segments exist within the effected area.

Name of specialist and date: Ole Olsen, 7/28/09

UPLAND SOILS STANDARD: The upland soil standard for healthy rangelands is met for the Upper Housel Gulch and Timberlake Allotments under each of the alternatives and it is also met for the proposed Lower Housel Gulch Allotment with implementation of the Proposed Action as amended alternative. The current rotational grazing system represented by the No Action Alternative has allowed the plant communities and especially key forage plants, spring rest and deferment periodically through the growing season to maintain or improve vigor and plant diversity. Although the low sagebrush plant community soils show some excessive runoff and erosion, the plant pedestals are healing and the sites appear to be in an upward trend. The Proposed Action as amended would not reverse the condition and trend of the forage and upland soil resources, as it represents a further refinement of livestock grazing distribution and rotation of livestock use. Implementation of the Proposed Action as amended would continue to improve plant cover, residual forage conditions and plant diversity across these allotments, providing diverse plant cover and diverse root systems to protect the soil surface and enhance upland soil health.

Name of specialist and date: Ole Olsen, 7/28/09

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Colorado Division of Wildlife, Keith and Shelley Pankey, Melvin M. Norman.

ATTACHMENTS:

- Attachment 1 - Allotment Map
- Attachment 2 – Proposed Allotment Division Map
- Attachment 3 – Proposed Pastures/Pond Map
- Attachment 4 – Standard Terms and Conditions
- Attachment 5 - Typical Water Retention Pit
- Attachment 6 – BLM Fence Standards

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Based on the analysis of potential environmental impacts contained in DOI-BLM-CO-N010-2009-0008, as amended and all other available information, I have determined that the proposal and the alternatives analyzed do not constitute a major Federal action that would adversely impact the quality of the human environment. Therefore, an EIS is unnecessary and will not be prepared. This determination is based on the following factors:

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts have been disclosed in the EA. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Little Snake Field Office jurisdiction and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplain, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other actions that may be implemented in the future to meet the goals and objectives of adopted Federal, State or local natural resource related plans, policies or programs.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice Policy.
9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act were identified. If, at a future time, there could be the potential for adverse impacts, treatments would be modified or mitigated not to have an adverse effect or new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

Attachment 4
DOI-BLM-CO-N010-2009-0008
Standard Terms and Conditions

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
 - a. Non compliance by the permittee/lessee with rules and regulations;
 - b. Loss of control by the permittee/lessee of all or part of the property upon which it is based;
 - c. A transfer of grazing preference by the permittee/lessee to another party;
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotments(s) described;
 - e. Repeated willful unauthorized grazing use;
 - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit of lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.

- 10) Grazing fee payments are due on the due date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

Common Terms and Conditions

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.
- E) 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. The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days, the authorized officer will inform the operator as to:

- whether the materials appear to be eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.