

U.S. Department of the Interior  
Bureau of Land Management  
Little Snake Field Office  
455 Emerson Street  
Craig, CO 81625-1129

## ENVIRONMENTAL ASSESSMENT

**EA NUMBER:** DOI-BLM-CO-N010-2009-0012-EA

**CASEFILE/ALLOTMENT NUMBER:** 0501170 / 04146

**PROJECT NAME:** Renewal of the grazing lease on the Dowden Gulch Allotment #04146

**LEGAL DESCRIPTION:** See allotment map, Attachment #1.

**Dowden Gulch Allotment #04146**

T6N, R89W, Sec. 36  
T5N, R89W, portions of Secs. 1-4, 9-15, 22-27, 35, 36  
T5N, R88W, portions of Secs. 19, 30, 31  
T4N, R89W, portions of Secs. 1, 2, 11, 12  
T4N, R88W, portions of Secs. 7, 8, 17, 18

2,153 acres BLM  
10,210 acres Private  
12,363 acres Total

**APPLICANT:** Tuttle Land and Livestock

**PLAN CONFORMANCE REVIEW:** The Proposed Action and Alternatives are subject to the following plan:

Name of Plan: Little Snake Resource Management Plan and Record of Decision

Date Approved: April 26, 1989

Results: The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3).

The Proposed Action is consistent with the Little Snake Resource Management Plan, Record of Decision, Livestock Grazing Management objective to improve range conditions for both wildlife and livestock through proper utilization of key forage plants and adjusting livestock stocking rates as a result of vegetation studies.

The allotment under the Proposed Action is located within Management Unit 1, Eastern Yampa River. The Proposed Action is compatible with the management objectives for this unit. The

objectives of the Eastern Yampa River management unit are to realize the potential for development of coal, oil, and gas resources. The Proposed Action would not conflict with these objectives.

**NEED FOR PROPOSED ACTION:** BLM lease #0501170, which authorizes livestock grazing on Dowden Gulch Allotment #04146 expires on February, 28, 2009. This lease is 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 U.S. Bureau of Land Management has the authority to renew the livestock grazing lease 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 Plan/EIS has been amended by *Standards for Public Land Health in the State of Colorado*.

The following Environmental Assessment will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the lease which improve or maintain public land health. The Proposed Action will be assessed for meeting land health standards.

In order to graze livestock on public land, the livestock producer (lessee) must hold a grazing lease. The grazing lessee has a preference right to receive the lease if grazing is to continue. The land use plan allows grazing to continue. This EA will be a site specific look to determine if grazing should continue as provided for in the land use plan and to identify the conditions under which it can be renewed.

**PUBLIC SCOPING PROCESS:** The BLM Little Snake Field Office sent out a Notice of Public Scoping on December 17, 2007 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were up for renewal in FY 2009. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on grazing permit and lease renewals. Individual letters were sent to the affected permittees and lessees informing them that their permit and/or lease was up for renewal and requesting any information they wanted included or taken into consideration during the renewal process. The issuance of a grazing lease is being carefully analyzed within the scope of the specific action being taken, resources issues or concerns, and public input received.

**BACKGROUND:** The Dowden Gulch Allotment #04146 is located about 10 miles south of Hayden, CO near the Moffat and Routt County border. The base property associated with this grazing lease is owned by Cottonwood Land Company and has historically been owned by coal production and exploration companies. The Tuttle's have leased this parcel from Cottonwood Land Company and maintained the BLM grazing lease since 1994. The BLM grazing lease was last renewed in 1998 under EA CO-016-98-012. In 2007 some BLM parcels were transferred to private ownership as a result of the Emerald Mountain Land Exchange. Actual use on this allotment has been around 47% of permitted use during 8/20 to 10/14 for the past several years.

Elevation within the allotment ranges from 8,000 feet to 6,600 feet consisting of ridges and draws across most of the allotment. Previous strip mining activities are evident within the allotment boundary, primarily on private land.

Public land parcels are scattered across the allotment and the steep topography and brushy vegetation limit utilization by livestock on these parcels. The soils within the allotment range from silty clay to loam to rock outcrops. The plant community is dominated by brush cover of sagebrush, Gambel’s oak, serviceberry, and aspen with a high component of perennial grasses and numerous forbs.

A recent visit assessed the allotment for meeting land health standards. The allotment was determined to be meeting all land health standards with very little utilization having occurred. The only concern noted during the assessment was the presence of weedy species including cheatgrass, Japanese brome, hound’s tongue, curly dock and common mullein. The level of these invasive species was sparse and determined to be acceptable.

**DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:**

**Proposed Action**

Renew the grazing lease on the Dowden Gulch Allotment #04146. The lease would be renewed as follows:

*From:*

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
Dowden Gulch #04146	590 Sheep	06/15	10/14	100	473

*To:*

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
Dowden Gulch #04146	1285 Sheep	08/20	10/14	100	473

The lease would be subject to the Standard and Common Terms and Conditions (Attachment #2).

**No Action Alternative**

No changes in the existing grazing lease would occur and the authorized use dates would remain the same.

**Alternatives Considered but not Analyzed:**

**No Grazing Alternative**

No livestock grazing would take place under this alternative.

This alternative is eliminated from detailed study because it is not a realistic, implementable alternative nor does it meet the requirements of the Federal Land Policy and Management Act of 1976. When the RMP was approved, it was determined that livestock grazing was an

appropriate use of this land. Eliminating grazing is not analyzed because no new issues or concerns have been identified that would require this action.

## **AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES**

### **CRITICAL RESOURCES**

#### **AIR QUALITY**

Affected Environment: There are no special designation air sheds or non-attainment areas nearby that would be affected by either alternative.

Environmental Consequences, all alternatives: Authorizing livestock grazing in the Dowden Gulch Allotment would not cause regional air quality impairment under either of the alternatives. Some localized dust may result from driving on unpaved roads, but this would be negligible compared to dust generated from all vehicle uses in the vicinity. Any fugitive dust generated from these sources or emissions from combustible engines would result in very minimal releases of these pollutants and not affect the overall air quality of the area.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 1/28/09

#### **AREA OF CRITICAL ENVIRONMENTAL CONCERN**

Affected Environment: Not Present

Environmental Consequences, all alternatives: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Gina Robison, 12/16/08

#### **CULTURAL RESOURCES**

Affected Environment: Grazing permit and lease renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for allotment #04146 by Robyn Watkins Morris, Little Snake Field Office Archaeologist, on December 30 and 31, 2008. 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 General Land Office (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 allotment 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)
04146	2452	9910	19%	9	328	96

(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.)

Eight cultural resource inventories have been previously conducted within the Allotment resulting in the complete coverage of 2452 acres and the recording of 38 cultural resources. Fourteen are prehistoric isolated finds (flakes, projectile points, biface), five are prehistoric open camps, six are prehistoric open lithic scatters, one prehistoric stone circle site, five historic sites (homesteads, dumps, and burial), one prehistoric rock carving, five historic tree carvings, and one historic Mine. On the historic GLO maps, numerous historic resources were noted. On the 1891 GLO for T4NR88W sec. 7 there was a road labeled “Wagon Road to Hayden.” On the 1910 GLO T4N R88W Secs. 17 and 18 there was a road labeled “County Rd. To Hayden.” On the 1910 GLO T5N R88W sec. 31 there is a unnamed road and fence. On the 1910 GLO T5N R89W there are fences/roads (sec. 1-3), house (sec. 10), and road labeled Williams Fork to Hayden (sec. 36). This road is modern Routt County Road 53. On the 1911 GLO T6N R89W there are fences and a historic road that is the same as modern Routt County Road 59. On the 1891 GLO T4N R89W there is a historic ditch and wagon road that is the same as modern Routt County Road 29. On the 1911 T4N R89W there is a historic road that is the same as modern Routt County Road 29.

Based on available data, a high potential for historic properties occurs in allotment #04146 due to heavy historic and prehistoric use. 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 lease.

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.

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 followup 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.

Environmental Consequences, all alternatives: 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, gullyng, 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. Although the number of AUMs remains the same for this lease renewal, the timing for livestock use is changing to later dates more in line with the recent use of this allotment. This change may lower the potential for impacts due to grazing at a time of lower moisture and higher shear strength in the soils would lead to a decrease in potential of damage to buried cultural resources. Placing salt blocks along roads or anywhere in the allotment would potentially impact historic properties. Additional monitoring of the historic properties currently known and in the future should continue to determine if livestock impacts are occurring to these properties.

Mitigation Measures: None

Standard Stipulations for cultural resources are included in Standard and Common Terms and Conditions (Attachment #2).

*Allotment Specific Stipulations:*

1. In allotment #04146, a Class II inventory is needed on about four acres of land around Dillabaugh Reservoir. Visits will be made to two needs data sites on BLM land (5RT294 and 5RT295295)
2. Site monitoring plans and 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 and lease 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, 12/31/08

## **ENVIRONMENTAL JUSTICE**

**Affected Environment:** The proposed action is located in an area of isolated dwellings. Ranching, farming and oil and gas exploration and development are the primary economic activities.

**Environmental Consequences, all alternatives:** The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of the proposed or alternative actions. 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:** Mike Andrews, 12/19/08

## **FLOOD PLAINS**

**Affected Environment:** No large floodplain areas are present on the public lands within the Dowden Gulch Allotment. The stream gradients are too steep in Hayden Gulch, Card Gulch and Dowden Gulch for continuous floodplain development. Some floodplain development is likely along Dowden Gulch on private lands where the gradient is lower.

**Environmental Consequences, all alternatives:** None

**Mitigative Measures:** None

**Name of specialist and date:** Ole Olsen, 1/28/09

## **INVASIVE, NONNATIVE SPECIES**

**Affected Environment:** Invasive and noxious weeds are present in the affected area. Invasive annuals such as downy brome (cheatgrass), blue mustard and yellow alyssum commonly occur in the affected area and are occupying disturbed areas, plant interspaces and areas where livestock concentrate. Invasive annual weeds are typically established on disturbed areas whereas, biennial and perennial noxious weeds are less common in occurrence, but can invade native plant communities. Downy brome is on the Colorado List C of noxious weeds. Colorado List B noxious weeds that are likely present within the Dowden Gulch Allotment include hoary cress (whitetop), hound's tongue, bull thistle and Canada thistle. Other Colorado List B noxious weeds that are present in the vicinity and could potentially become established within the allotment include Russian knapweed, diffuse knapweed, spotted knapweed, leafy spurge, dalmation toadflax, yellow toadflax, oxeye daisy, black henbane, musk thistle and other biennial thistles. The BLM is in cooperation with Routt County to employ the principals of Integrated Pest Management to control noxious weeds on public lands.

Environmental Consequences, all alternatives: The adverse impact of increased invasive and/or noxious weed establishment is very similar under either of the alternatives. Vehicular use for grazing operations, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance due to livestock concentration and human activities associated with grazing operations can also increase weed presence. The perennial noxious weeds in the area are less frequently established on the uplands but some potential exists for their establishment in draws and swales with moister soils. Proper grazing use by livestock is necessary to maintain a resilient native plant community that can occupy bare soils and resist invasive and noxious weed establishment. The largest concern in the project area would be for biennial and perennial noxious weed species to become established and not be detected; once they are detected they can be controlled with various integrated pest management techniques. Land practices and land uses by the livestock operator and their weed control efforts would largely determine the identification and potential occurrence of weeds within the allotment.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 1/28/09

## **MIGRATORY BIRDS**

Affected Environment: The Dowden Gulch allotment is comprised primarily of sagebrush and mixed mountain shrub communities, with some scattered aspen stands. Given the mix and diversity of vegetation present, this allotment provides cover, forage and nesting habitat for a variety of migratory bird species. Priority species on the USFWS Birds of Conservation Concern List that may nest in the area include: sage sparrow, Brewer's sparrow and Virginia's warbler. Golden eagles and red tailed hawks are known to nest and forage on the allotment. Scattered aspen stands may provide habitat for some cavity nesting species

Environmental Consequences, Proposed Action: Under the Proposed Action, the allotment would be grazed for approximately eight weeks from mid August to mid October. This grazing schedule would allow for ample growing season rest and adequate plant recovery periods. In addition, sheep are typically herded and do not graze any given area for extended periods of time. The vegetative community is in good condition, providing suitable and productive habitat for migratory bird species. As the permittee has been following the grazing schedule outlined in the Proposed Action, the continuation of grazing under this alternative would not degrade migratory bird habitat.

Environmental Consequences, No Action: This alternative would allow grazing for approximately four months. Although the allotment has not been used for the full permitted period, it would be possible under this alternative. BLM lands within the allotment would be grazed in conjunction with private land, which would help to distribute livestock and reduce concentration on public lands. In addition, sheep are typically herded and do not graze any given area for extended periods of time. This would help minimize potential impacts to migratory bird habitat from a four month grazing period. The No Action alternative would not degrade migratory bird habitat.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus, 12/22/08

### **NATIVE AMERICAN RELIGIOUS CONCERNS**

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council, and the Eastern Shoshone on July 11, 2007. The letter listed the grazing allotments up for renewal in FY07 and included a map of the areas. A follow up phone call was performed on August 14, 2007. 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, 12/31/08

### **PRIME & UNIQUE FARMLANDS**

Affected Environment: There are no Prime and Unique Farmlands present within the Dowden Gulch Allotment.

Environmental Consequences: None

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 1/28/09

### **T&E AND SENSITIVE ANIMALS**

Affected Environment: The allotment provides winter range for bald eagles, a recently delisted species. Bald eagles winter along major waterways and their tributaries within the LSFO, using adjacent upland habitat as scavenging areas primarily for winter or vehicle killed mule deer and elk. No bald eagle nests or roost sites are located on BLM lands within the allotment. Bald eagles may occasionally frequent the Dowden Gulch allotment while opportunistically feeding on carrion.

The Dowden Gulch Allotment also provides habitat for greater sage grouse and Columbian sharp-tailed grouse, both BLM sensitive species. The entire allotment contains sharp-tailed grouse winter habitat and the north portion contains sharp-tailed nesting habitat. The allotment provides overall habitat for greater sage grouse.

The allotment does not provide habitat for any federally threatened or endangered species and therefore, there would be no effect to any of these species.

Environmental Consequences, all alternatives:

*Bald Eagle*

Continued grazing would be unlikely to impact wintering bald eagles. Grazing in the allotment would not coincide with bald eagle use of winter habitat. Grazing upland habitats adjacent to waterways would not impact bald eagle's ability to use these waterways and would not impact prey availability. In addition, livestock grazing would not impact bald eagle's ability to feed on carrion in upland habitats within the allotment.

Environmental Consequences, Proposed Action:

*Columbian Sharp-tailed and Greater Sage Grouse:*

Grazing under the Proposed Action would have minimal impacts to Columbian sharp-tailed and greater sage grouse habitat. Under this alternative, the allotment would be grazed for approximately eight weeks from mid August to mid October. This grazing schedule would allow for growing season rest and adequate plant recovery periods. Fall grazing could potentially remove residual grasses, important for sharp-tailed grouse nest cover. However, as sheep are typically herded and do not graze any given area for extended periods, this impact would be minimized. The vegetative community is in good condition, providing suitable and productive habitat for both grouse species. These conditions would be expected to continue under the Proposed Action.

Environmental Consequences, No Action:

*Columbian Sharp-tailed and Greater Sage Grouse:*

Environmental Consequences, No Action Alternative: The No Action alternative would allow grazing for approximately four months. Although the allotment has not been used for the full permitted period, it would be possible under this alternative. BLM lands within the allotment would be grazed in conjunction with private land, which should help to distribute livestock and reduce concentration on public lands. In addition, sheep are typically herded and do not graze any given area for extended periods of time. The No Action alternative would not degrade habitat for either grouse species.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus, 12/22/08

**T&E AND SENSITIVE PLANTS**

Affected Environment: There are no federally listed threatened or endangered or BLM sensitive plant species present on the Dowden Gulch Allotment.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim, 12/19/08

## **WASTES, HAZARDOUS OR SOLID**

Affected Environment: There are no hazardous materials present on the public land within the Dowden Gulch Allotment.

Environmental Consequences, all alternatives: 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 the allotment.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne, 12/08/2008

## **WATER QUALITY - GROUND**

Affected Environment: The surface formations affected by the proposed grazing lease and the Cretaceous Williams Fork, Lewis shale, Mancos shale and Iles formation. Ground water occurrence within the project area is within the Trout Creek Member of the Iles Formation and the Twentymile Sandstone of the Williams Fork Formation. Recharge of these aquifers occurs in the uplands of the Williams Fork Mountains to the south and east of the project area, and along the axis of the Sage Creek Anticline to the east of the project area.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Jennifer Maiolo 12/23/2008

## **WATER QUALITY - SURFACE**

Affected Environment: Most of the BLM lands within the Dowden Gulch Allotment are in the southern portion of the allotment. Runoff water drainage flows to Hayden Gulch, Dowden Gulch, Card Gulch and a few short ephemeral tributaries to the East Fork Williams Fork River. Hayden Gulch is a perennial tributary and Dowden Gulch is likely an intermittent tributary to the East Fork. The water quality of the East Fork Williams Fork River needs to support Aquatic Life Cold 1, Recreation 1a, Water Supply and Agriculture. Runoff water drainage from the small isolated tracts of BLM lands in the northern portion of the allotment flows towards Temple Gulch and Dill Gulch which are intermittent tributaries to Dry Creek. Dry Creek is a perennial tributary of the Yampa River. The water quality of the Yampa River needs to support Aquatic Life Cold 1, Recreation 1a, Water Supply and Agriculture. Dry Creek and its tributaries need to have water quality that would support Aquatic Life Warm 2, Recreation 1a and Agriculture. Dry

Creek and its tributaries are designated as use protected. Dry Creek is listed as an impaired stream segment for having elevated selenium levels. This impairment occurs upstream from the confluences of Temple and Dill Gulches and is more closely correlated with surface coal mining activities. The local coal mining company is investigating the source of the selenium contamination. The remaining stream segments are presently supporting their classified beneficial uses.

Environmental Consequences, Proposed Action: The Proposed Action Alternative would implement a shorter season of use and it would defer livestock use until after the growing season for most vegetation. These adjustments to grazing management would improve the forage and soil resource conditions within the allotment. Better water quality would generally be associated with improving upland resource conditions.

Environmental Consequences, No Action: No change to the water quality of runoff waters from the Dowden Gulch Allotment would be expected. Selection of the No Action Alternative would still require proper use of the vegetative resources which would maintain healthy plant communities and stable upland soils. No adverse impact to water quality would be anticipated from renewing the grazing lease under this alternative.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 1/28/09

## **WETLANDS/RIPARIAN ZONES**

Affected Environment: The only riparian system that occurs within the Dowden Gulch Allotment is along Hayden Gulch. BLM Spring No. 100-02 is the only spring source and it is near the lower end of Reach 3. It is partially developed with a perforated pipe leading to a steel tank.

All three reaches of Hayden Gulch are rated as functioning at risk with no apparent trend. Reach 1 (0.88 miles) is the longest in length, Reach 2 (0.19 miles) includes two very short segments that flow across corners of BLM land and Reach 3 (0.24 miles) flows across a narrow tract of BLM lands further upstream. The rating is based on the presence of several headcuts and a stream channel that appear to be down cutting and becoming more incised. Small headcuts are present in Reach 3 where high stream flows have access to an active floodplain. Greater stream incisement is present within Reach 2 and in the upper end of Reach 1. Vegetation within each of these reaches is a diverse, lush wetland plant community with no evidence of grazing utilization. Within Reaches 2 and 3, heavy vegetation is helping to stabilize the headcuts.

Environmental Consequences, all alternatives: The riparian system in Hayden Gulch has not received much livestock use in recent years and it is not anticipated that this would change. Herding and alternative water sources, many on adjacent private lands, reduce the time livestock are accessing Hayden Gulch. The headcuts and stream incisement may have been caused by previous livestock grazing practices or water developments. Ponds are present on the adjacent private lands and channelization of water from spillways is also suspected as a causative factor.

It is not likely that continued sheep use within this allotment under either the No Action or Proposed Action Alternatives would adversely affect this riparian area.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 1/30/09

## **WILD & SCENIC RIVERS**

Affected Environment: Not Present

Environmental Consequences, all alternatives: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Gina Robison, 12/16/08

## **WSAs, WILDERNESS CHARACTERISTICS**

Affected Environment: Not Present

Environmental Consequences, all alternatives: Not Applicable

Mitigative Measures: Not Applicable

Name of specialist and date: Gina Robison, 12/16/08

## **NON-CRITICAL ELEMENTS**

### **RANGELAND MANAGEMENT**

Affected Environment: The current season of use on this grazing lease is 06/15 to 10/14. For the period of time the Tuttle's have leased the base property and held the BLM grazing lease they have only utilized ~220 AUM's (47%) from 08/20 to 10/14.

Environmental Consequences, Proposed Action: By changing the use dates on the grazing lease administration will be improved. The application date will be correctly listed when received by the lessee and the amount of communication and paperwork processing required for annual billing will be reduced.

Environmental Consequences, No Action: Under this alternative the lessee will correct the application every year and an additional correction in authorized use will be processed on an annual basis.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne, 12/08/2008

## SOILS

Affected Environment: The primary soil mapping units found on the BLM lands in the southern portion of the allotment are the Ustorthents-Rock outcrop association, 25 to 99 percent slopes; Cryoborolls, cryorthents soils, rock outcrop, 25 to 99 percent slopes; and Lintim loam, cool, 3 to 25 percent slopes. Smaller areas of Impass silty clay loam, 12 to 25 percent slopes; Lintim loam, 3 to 12 percent slopes; Routt loam, warm, 25 to 65 percent slopes; Rabbitears loam, 3 to 12 percent slopes; and Dunckley-Skyway complex, 25 to 65 percent slopes are present. The parent material for the Lintim loam, 3 to 12 percent slopes soils is loess derived from mixed sources and/or slope alluvium derived from shale. The parent materials for the remaining soils are colluvium derived from sandstone and shale and/or slope alluvium derived from sandstone and shale. All of these soils are suited for livestock grazing.

The Ustorthents, Cryoborolls and Cryorthents soils occur on moderate to steep slopes and the soil depths overlying bedrock are highly variable. The water holding capacity of these soils is very low where the soils are shallow. Very severe erosion could be expected from surface disturbing activities, including grazing that expose 50 to 75 percent of the soil surface.

The Lintim loam, Routt loam, Rabbitears loam and Impass silty clay loam soils have deep soil profiles and a high water holding capacities. The Lintim, Routt and Impass soils exhibit moderately low permeability, whereas the Rabbitears, Dunckley and Skyway soils, have moderately high permeability. The erosion hazard with moderate disturbance introduced is slight to severe for these soils and this is largely dependent of the slope.

On soil areas where grazing would be expected, mosses are the most observable biological soil crust and these are found below the edge of the sagebrush canopy, where trampling effects are lessened and sunlight is available. Cyanobacteria is present in the plant interspaces where plant and litter cover is not abundant and is typically more abundant on the less productive soils in the allotment.

Environmental Consequences, all alternatives: Soil compaction and depleted soil cover are the most obvious impacts incurred to the soil resource as a result of livestock use. These effects occur on areas receiving concentrated livestock use, such as bedding areas. Any bedding areas on BLM lands would likely be on flat to gentle slopes where the erosion hazard would be slight. Proper grazing use (utilization of 40-60%) of the vegetative resources would sustain the ground cover necessary to protect the soil surface from excessive erosion and would equate to slight soil disturbance, allowing the soils to remain stable.

Environmental Consequences, Proposed Action: The deferred use will allow the vegetative resources to grow un-interrupted through the growing season from spring to mid-August, increasing long term vigor of the plant community, overall soil health and decreasing the susceptibility of the soils to erosion.

Environmental Consequences, No Action: The No Action Alternative would continue to

allow livestock use beginning in mid-June. Since sheep are typically herded it is not likely that heavy utilization (>60%) of vegetative resources would occur, except in concentrated use areas. Late spring and early summer sheep use could easily be rotated by herding to eliminate early use in the same area in consecutive years.

Mitigative Measures: None

Name of specialist and date: Ole Olsen, 2/4/09

## **UPLAND VEGETATION**

**Affected Environment:** The vegetation in this allotment is comprised of sagebrush and shrub communities. Species present include Wyoming big sagebrush, green rabbitbrush, snowberry, serviceberry, bitterbrush, Gambel's oak, silver sagebrush, lupine, yarrow, sego lily, skunkcabbage, arrowleaf balsamroot, Indian paintbrush, Oregon grape, bluebunch wheatgrass, needle and thread, Sandberg bluegrass, western wheatgrass, Indian ricegrass, prairie junegrass, basin wildrye and aspen stands. Additionally, mint and sedges are found in the wetter areas along the Hayden Gulch. Overall the vegetation communities were very healthy and vigorous. Some noxious/invasive species were identified including common mullein, curly dock, cheatgrass, Japanese brome and hound's tongue but all were at an acceptable level.

**Environmental Consequences, Proposed Action:** This allotment has received very light use in the past. Because the Proposed Action reflects current actual use the consequences of this alternative on the upland vegetation would be neutral. The adjustment in use dates would limit use of the allotment to post growing season which would be advantageous for the vegetation. The low level of undesirable species would likely not be affected by the change in the grazing lease dates.

**Environmental Consequences, No Action:** The No Action alternative would continue to provide for potential use earlier in the season. Although it has not been used for the full permitted period, it would be possible under this alternative. There are no indications that livestock grazing would cause negative impact to the upland vegetation under the full period of this lease.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne, 12/08/2008

## **WILDLIFE, TERRESTRIAL**

**Affected Environment:** The Dowden Gulch allotment is comprised primarily of sagebrush and mixed mountain shrub communities, with some scattered aspen stands. These communities typically provide habitat for big game species as well as small mammals, reptiles and birds. The allotment provides important habitat for wintering big game species. A small portion of the allotment is mapped as mule deer severe winter range and most of the allotment is elk severe winter range (CDOW).

Environmental Consequences, Proposed Action: Under the Proposed Action, the allotment would be grazed for approximately eight weeks from mid August to mid October. This grazing schedule would allow for ample growing season rest and adequate plant recovery periods. In addition, sheep are typically herded and do not graze any given area for extended periods of time. The vegetative community is in good condition, providing suitable and productive habitat for wildlife species. As the lessee has been following the grazing schedule outlined in the Proposed Action, the continuation of grazing under this alternative would not degrade wildlife habitat.

Environmental Consequences, No Action Alternative: The No Action alternative would allow grazing for approximately four months. Although the allotment has not been used for the full permitted period, it would be possible under this alternative. BLM lands within the allotment would be grazed in conjunction with private land, which would help to distribute livestock and reduce concentration on public lands. In addition, sheep are typically herded and do not graze any given area for extended periods of time. The No Action alternative would not degrade wildlife habitat.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus, 12/22/08

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

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Fluid Minerals		JAM 12/23/08	
Forest Management	CR 12/08/08		
Hydrology/Ground		MDW 01/06/09	
Hydrology/Surface		OO 1/27/09	
Paleontology		JAM 12/23/08	
Range Management			CR 12/08/08
Realty Authorizations		MAA 12/19/08	
Recreation/Travel Mgmt		GMR 12/16/08	
Socio-Economics		MAA 12/19/08	
Solid Minerals		JAM 12/23/08	
Visual Resources		GMR 12/16/08	
Wild Horse & Burro Mgmt	CR 12/08/08		

**CUMULATIVE IMPACTS SUMMARY:** This allotment and areas surrounding have historically been grazed by both sheep and cattle. Numerous maintained and unmaintained roads exist throughout the area, including on the allotment. These roads are used regularly by local residents and ranchers as well by as the primary recreation users in the area, hunters. Active coal mining has occurred in the area and is evidenced by various infrastructure and reclaimed areas. 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, cultivation on private lands, and weed presence. The Proposed Action to continue grazing on these allotments 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 vegetative community is in good condition, providing suitable and productive habitat for numerous wildlife species. This alternative is currently being met. Neither alternative would degrade wildlife habitat or preclude this standard from being met.

Name of specialist and date: Desa Ausmus, 12/22/08

**SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD:** The allotment provides habitat for bald eagles, greater sage grouse and Columbian sharp-tailed grouse. The vegetative community is in good condition, providing suitable and productive habitat for special status species. Neither alternative would be expected to degrade habitat or preclude this standard from being met.

Name of specialist and date: Desa Ausmus, 12/22/08

**PLANT AND ANIMAL COMMUNITY (plant) STANDARD:** This standard is being met within this allotment. The allotment consists of a diverse and productive plant community. Although noxious weeds and undesirable species are present, there is a vigorous community of desirable native species in the area to promote and maintain healthy plant communities.

The No Action Alternative would also continue to meet this standard as it is the current use pattern under the existing grazing lease. Potential changes could occur if use within the authorized time period was adjusted by the lessee.

Name of specialist and date: Christina Rhyne, 12/08/2008

**SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant) STANDARD:** There are no federally listed threatened or endangered or BLM sensitive plant species present on the Dowden Gulch Allotment. This standard does not apply.

Name of specialist and date: Hunter Seim, 12/19/08

**RIPARIAN SYSTEMS STANDARD:** This standard is being met within this allotment. The Hayden Gulch riparian system consists of a diverse, lush wetland plant community. Although the system is rated as functioning at risk with no apparent trend, it is not likely that the problems with stream morphology are the result of present sheep use.

Name of specialist and date: Ole Olsen, 1/30/09

**WATER QUALITY STANDARD:** The water quality standard for healthy rangelands would be met with implementation of either the Proposed Action or No Action Alternatives. Runoff from snowmelt and summer storms will drain from the Dowden Gulch Allotment into stream segments that are presently supporting classified uses with one exception. Dry Creek currently has impaired water quality from elevated selenium levels upstream (Temple and Dill Gulches) unrelated to livestock grazing impacts in the Dowden Gulch Allotment. These streams receive and transport runoff water drainage from the Dowden Gulch Allotment to Dry Creek. Except for Dry Creek, no stream segments are listed as impaired.

Name of specialist and date: Ole Olsen, 2/4/09

**UPLAND SOILS STANDARD:** The upland soil standard for healthy rangelands would be met with implementation of either the Proposed Action or No Action Alternatives. Proper grazing use (40-60% utilization) of the vegetative resources and other management practices that are used at the discretion of the livestock operator are more easily achieved with herded sheep use. General impacts from an earlier and longer grazing period (No Action) can be mitigated with herding rotations. Upland soil infiltration and permeability rates are appropriate for the steep to slight slopes found on the public lands within this allotment. Vegetative cover is sufficient to disperse hydrologic influences. Upland soils within this allotment support diverse plant communities from low sage on claypan sites to oak brush on brushy loam sites. These plant

communities provide cover, litter and a variety of root depths to enhance upland soil health. Proper grazing use (40-60% utilization) of the vegetative resources and other management practices that are used at the discretion of the livestock operator are more easily achieved with herded sheep use.

Name of specialist and date: Ole Olsen, 2/4/09

**PERSONS/AGENCIES CONSULTED:** Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Tuttle Land and Livestock (Hal and Sandy Tuttle).

**MITIGATION MEASURES:** None

**COMPLIANCE PLAN(S):** None

**ATTACHMENTS:** Attachment #1- Allotment Map  
Attachment #2 - Standard and Common Terms and Conditions

**SIGNATURE OF PREPARER:**

**DATE SIGNED:**

**SIGNATURE OF ENVIRONMENTAL REVIEWER:**

**DATE SIGNED:**

### **Finding of No Significant Impact**

The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. With the implementation of the attached mitigation measures there is a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

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 Resource Area 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.

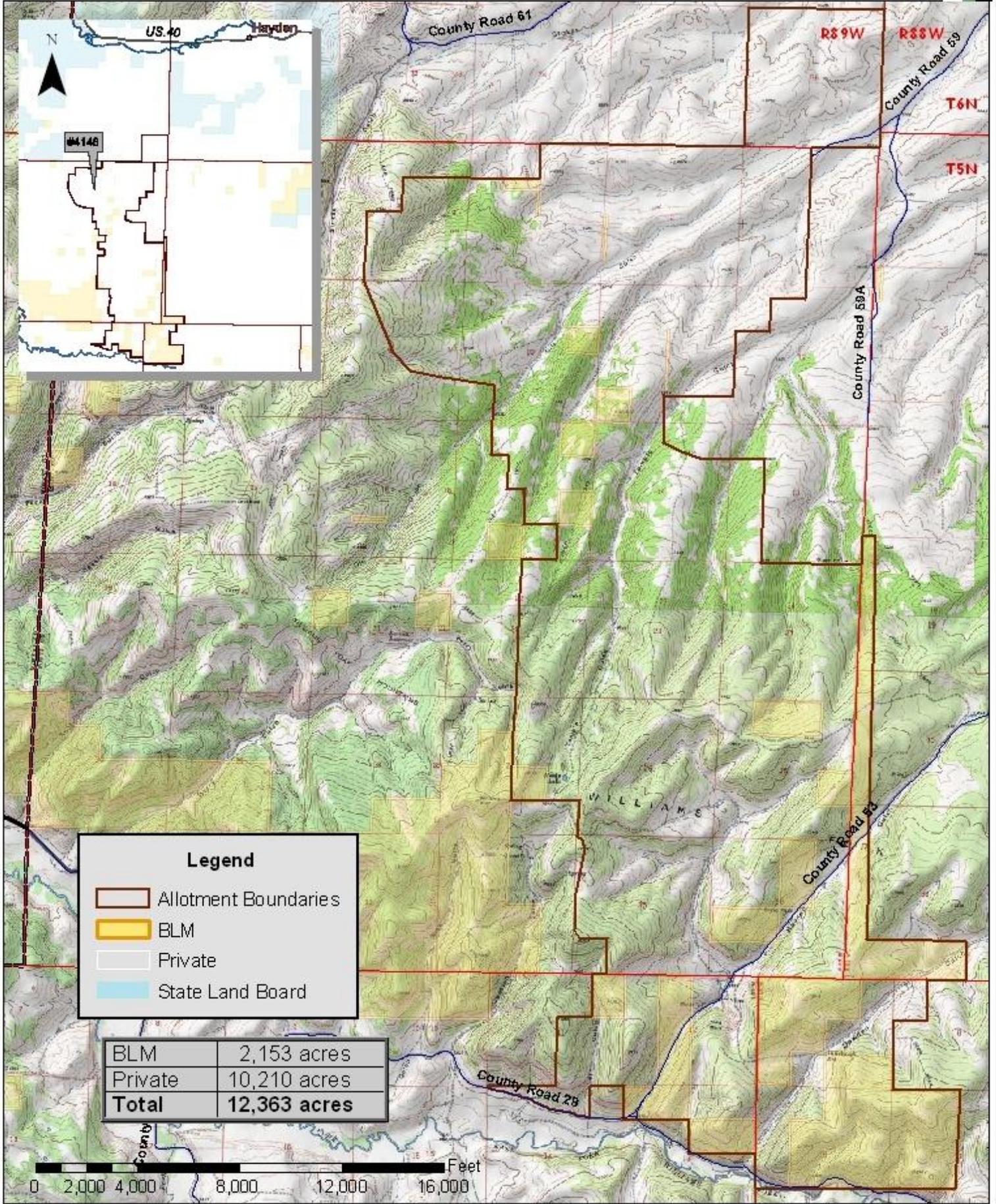
**SIGNATURE OF AUTHORIZED OFFICIAL:**

**DATE SIGNED:**

#4146 Dowden Gulch

CR  
12/08/08

WFB



**ATTACHMENT #2**  
**DOI-BLM-CO-100-2009-0012-EA**  
**TERMS AND CONDITIONS**

**Standard Terms and Conditions**

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the 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. Noncompliance by the permittee/lessee with rules and regulations;
  - b. Loss of control by the permittee/lessee of all or a 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 allotment(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 or 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 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 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 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.

The terms and conditions of this lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.