

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-N010-2009-0110-EA

CASEFILE/ALLOTMENT NUMBER: 0504080/04124

PROJECT NAME: Issuance of a grazing lease on the East Hamilton Sec. 15 Allotment #04124.

LEGAL DESCRIPTION: see Allotment Map, Attachment 1

East Hamilton Sec. 15 #04124

T5N R91W Sec. 27

204 acres private

386 acres BLM

590 acres total

APPLICANT: Tim Hamilton

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 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 Proposed Action is located within Management Unit 1, Eastern Yampa River. The Proposed Action is compatible with the management objective for this unit, which is to provide for the development of coal, oil, and gas resources. The Proposed Action would not conflict with the development of these resources.

NEED FOR PROPOSED ACTION: The East Hamilton Section 15 Allotment #04124 has been a vacant allotment since 1988, yet has remained available for grazing use by a qualified applicant. The previous lessee sold the base property and none of the subsequent owners applied for the preference until 2009. The applicant's private land qualifies as base property under 43 CFR

4110.2-1 (a) and (e). This lease is subject to issuance 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 permit/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 permit/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. This lease must be based on the lessee owning or controlling qualifying base property (private land). The grazing lessee has a preference right to receive the permit if grazing is to continue. The land use plan allows grazing on this allotment. 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.

Prior to becoming vacant, the East Hamilton Section 15 Allotment was leased to Glenn E. Siever. Siever's lease was for 18 cattle from 5/1 to 9/30 for 89 AUMs. When Siever leased the allotment, he leased both the parcel in Section 22 and the parcel in Section 27, hence the 89 AUMs. Since the current applicant's base property only adjoins the BLM parcel in Section 27 (on the northwesterly side of the BLM parcel), he only qualifies for grazing preference on that parcel under Section 15 of the Taylor Grazing Act.

PUBLIC SCOPING PROCESS: The Little Snake Field Office sent out a notice of availability of vacant grazing allotments on January 21, 2009 to interested and otherwise qualified individuals. A notice was also posted in the *Craig Daily Press* and the *Steamboat Pilot* on January 31 and February 7, 2009 to solicit interested parties to apply for authorizations to graze these allotments.

BACKGROUND: Tim Hamilton contacted the Little Snake Field Office in 2008 to inquire as to the status of any permitted grazing use on the East Hamilton Sec. 15 Allotment. He offered owned private land as base property that borders the southerly parcel of this allotment. Although he applied for preference on the entire allotment (consisting of a northerly and southerly parcel), his private property only borders the southerly parcel, thereby only qualifying him for that parcel.

In his application, he stated his desire to graze within the May 1 through September 1 grazing window as the previous lease had been but wanted to rest the allotment for the first year.

The East Hamilton Sec. 15 Allotment is located approximately one mile southeasterly of Hamilton, Colorado. It encompasses a ridge on the south side of the Williams Fork River. A small portion of the river contacts the parcel on the north side. Elevations range from approximately 6,200 feet along the Williams Fork River to 7,372 feet at the highest point on the ridge. The allotment is

characterized by steep slopes supporting a dense mountain shrub plant community.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

Issue a grazing lease on the vacant East Hamilton Sec. 15 Allotment to Tim Hamilton for a period of ten years, expiring February 28, 2020. This grazing lease would establish a preference tie to the qualifying base property owned by Tim Hamilton. The lease would be issued with the following terms and conditions:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
East Hamilton Sec. 15 #04124	6 Cattle	05/01	09/01	100	24
				unscheduled	<u>2</u>
					Total 26

The above lease would be subject to the Standard and Common Terms and Conditions, see Attachment 2.

No Action

The application to issue a grazing lease would be denied and the allotment would remain vacant. It would continue to remain open to grazing use for other qualified applicants; therefore, for the purposes of this analysis, this alternative would be similar to the Proposed Action.

Alternatives Considered but not Analyzed:

NEPA requires federal agencies to rigorously explore and evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). As also required by NEPA, the range of alternatives considered in detail includes only those alternative that would fulfill the purpose and need for the Proposed Action.

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: The allotment does not lie within any special designation airsheds or non-attainment areas.

Environmental Consequences, all alternatives: Authorizing cattle grazing would not cause regional air quality impairment under either of the alternatives. The existing plant cover gives sufficient cover to the soil surface and the continued use of rotational grazing would provide would maintain sufficient plant cover to protect soils from wind erosion. There are no existing roads on the allotment, so there would be none to extremely limited vehicular access for livestock management activities and it would not result in releases of particulate matter (dust) emissions.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/9/09

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 9/14/09

CULTURAL RESOURCES

Affected Environment: Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for East Hamilton Sec. 15 Allotment #04124 by Erin M. Parks, Little Snake Field Office Archaeologist. 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. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in the 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)
04124	18.02	1012.44	0.017%	None	27.37	8.21

*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 the allotment resulting in the complete coverage inventory of 18.02 acres with no discovery of cultural resources. The 1879 GLO plat for T5N R91W was referenced and shows a trail on the east side of the Morapos Creek that ends in Section 28. A 1904 revision to this plat shows the boundary for the White River Plateau Timber Land Reserve, created in 1891, that includes Sections 23-27, although this unlikely to show up physically on the land.

Based on available data, a low potential exists for historic properties in the allotment. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within ten year period of the lease. A Class III inventory is needed in about 5.67 acres.

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

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 in these concentration areas may cause substantial ground disturbance and cause irreversible adverse effects to historic properties.

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

Mitigation Measures: None

Name of specialist and date: Erin M. Parks and Robyn Watkins Morris 9/30/09

ENVIRONMENTAL JUSTICE

Affected Environment: The allotment is located in an area of isolated dwellings. Oil & gas development, coal mining, and ranching 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 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: Louise McMinn 9/15/09

FLOOD PLAINS

Affected Environment: The extreme northerly portion of the allotment encompasses a small part of the floodplain of the Williams Fork. The portion of floodplain on public lands within the allotment is very small (along 0.13 miles of stream).

Environmental Consequences, all alternatives: Permitting livestock grazing would not impair the ability of the small portion of floodplain along the Williams Fork to play its natural role in preventing catastrophic flooding to areas downstream. Outside of the allotment, floodplains along this stream are extensive and permitting livestock grazing as proposed would be compatible with uses along the entire length of the Williams Fork.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/9/09

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present in the allotment and surrounding areas. Invasive annuals such as cheatgrass, blue mustard, and yellow alyssum commonly occur and are occupying disturbed areas, shrub interspaces, and areas where livestock concentrate. Cheatgrass is on the Colorado List C of noxious weeds. Colorado List B noxious weeds that may be found in or near the allotment include houndstongue, Canada thistle, hoary cress (whitetop), leafy spurge, dalmatian toadflax, oxeye daisy, Russian knapweed, black

henbane, musk thistle, bull thistle, and other biennial thistles. The BLM is in cooperation with the Moffat County Cooperative Weed Management program 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 access to public lands for dispersed recreation and 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 provide opportunity for increased weed presence. The perennial noxious weeds found in the area are less frequently established on the uplands but some potential exists for their establishment in lower areas with higher soil moisture. The largest concern in the allotment would be for biennial and perennial noxious weed species to become established and not be detected, therefore not treated or controlled. Land management practices of the livestock operator would help with identification and potential expansion of weeds within the allotment.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/25/09

MIGRATORY BIRDS

Affected Environment: Golden eagles are known to nest within this allotment. BLM records show two historic golden eagle nest sites within the allotment. The status of these nests is not known at this time. Golden eagles are listed on the USFWS 2008 Birds of Conservation Concern List.

Environmental Consequences, all alternatives: Livestock grazing within this allotment would not impact nest sites of golden eagles. The proposed grazing system is also unlikely to have negative impacts on habitats for other prey species. There is little chance for take to occur as a result of either alternative.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 9/22/09

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Eastern Shoshone, Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 26, 2009. The letter listed the FY2010 projects that the BLM would notify them on and projects that would not require notification. A follow up phone call was performed on July 26, 2009. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Erin M. Parks and Robyn Watkins Morris 9/30/09

PRIME & UNIQUE FARMLANDS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/9/09

T&E AND SENSITIVE ANIMALS

Affected Environment: There are no threatened or endangered species or habitats for such species within this allotment. This allotment does provide nesting habitat for Columbian sharp-tailed grouse and winter range habitat for bald eagles. Both bald eagles and Columbian sharp-tailed grouse are BLM special status species.

Environmental Consequences, all alternatives: There would be no impacts to threatened or endangered species or habitats for such species. There is some potential for trampling of sharp-tailed grouse nests to occur. The likelihood of this occurring is low. There is little chance that trampling would affect sharp-tailed grouse populations. Neither alternative would have any negative impacts on nesting habitat within this allotment.

Livestock grazing as proposed would not have any impact on bald eagles or their habitats.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 9/22/09

T&E AND SENSITIVE PLANTS

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

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/9/09

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no hazardous wastes present on the 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: Hunter Seim 9/9/09

WATER QUALITY - GROUND

Affected Environment: The surface formation within the allotment is the Cretaceous Iles Formation overlain by well-drained soils. The Trout Creek sandstone of the Iles formation is a regional aquifer. Recharge occurs by infiltration of precipitation in elevated outcrops. Discharge occurs by upward leakage through confining layers, lateral flow to stream valleys on low-lying outcrops, and evapotranspiration.

Environmental Consequences, all alternatives: Grazing would have no adverse impacts on the aquifer or on the recharge zone.

Mitigative Measures: None

Name of specialist and date: Jennifer Maiolo 9/9/09

WATER QUALITY - SURFACE

Affected Environment: The public land within this allotment consists of a steep ridge running northwesterly-southeasterly. Runoff water from the north slope of this ridge drains directly into the Williams Fork, a perennial stream. Runoff from the south slope drains into an unnamed intermittent drainage before draining into the Williams Fork. The Williams Fork needs to have water quality sufficient to support Aquatic Life Cold 2, Recreation 1a, Water Supply, and Agriculture. No use impairment problems are identified and the Williams Fork's water quality is sufficient to support these uses.

Environmental Consequences, Proposed Action: The allotment is upstream of a waterway that is currently supporting classified uses. Permitting livestock grazing as proposed is consistent with land uses throughout the Williams Fork watershed and would not result in changes to this circumstance.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/9/09

WETLANDS/RIPARIAN ZONES

Affected Environment: A riparian resource exists on the allotment, but it is extremely limited. A meander of the Williams Fork crosses into the northern boundary of the allotment for approximately 0.13 miles. This area supports riparian development consisting primarily of sedges. Where the Williams Fork crosses onto public land, it is confined to the base of the ridge.

Environmental Consequences, all alternatives: Permitting grazing use at this level from May 1 through September 1 would result in a greater potential for concentrated grazing use on the small riparian area within the allotment from July through August. While this could potentially result in unacceptable degradation of a limited amount of riparian vegetation, this is unlikely due to the much greater access that livestock would have to a much larger section of the Williams Fork on private land. Additionally, the steep topography of the ridge immediately to the south of this area and the need to keep livestock out of trespass on private land along the unfenced northern boundary of the allotment would discourage the operator from allowing extended livestock use in this portion of the allotment.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/10/09

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 9/14/09

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 9/14/09

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: The principal soils within the grazeable portions of the allotment include the Bulkley-Quilt Complex, 12-45%; Cochetopa loam, 12-25%; Cochetopa loam, 25-65%; Flygare loam, dry, 25-65%; and Weed sandy loam, 1-12%.

The Bulkley-Quilt Complex, 12-45% slopes, makes up approximately 18 acres of the allotment. This soil complex is well drained, has very high runoff, with slow to very slow permeability. This soil supports the Deep Clay Loam Ecological Site.

The Cochetopa loam, 12-25% slopes, and Cochetopa loam, 25-65% slopes, makes up approximately 12 acres and 71 acres of the allotment, respectively. These soils are well drained, have very high runoff, with slow permeability. These soils support the Mountain Loam and Brushy Loam Ecological Sites.

The Flygare loam, dry, 25-65% slopes, makes up approximately 153 acres of the allotment. This soil is well drained, has high runoff with moderately slow permeability. This soil supports the Brushy Loam Ecological Site.

The Weed sandy loam, 1-12% slopes, makes up approximately 7 acres of the allotment. This soil is well drained, has medium runoff with moderate permeability. This soil supports the Deep Loam Ecological Site.

Environmental Consequences, all alternatives: Most of the soils on the allotment are on steep slopes that would be highly susceptible to erosion if the root masses and canopy cover of the existing plant community were to be compromised. Livestock grazing at the permitted stocking rate would not result in use at levels that would compromise this ability of the plant community nor would it result in concentrations of use that would cause widespread compaction. The slopes do have numerous trails that criss-cross the ridge. Most of these trails are created and maintained by wildlife, but cattle would use these as well. This is a typical condition of these types of landscapes and not indicative of an unacceptable impact to soils.

The limited soils on less steep slopes around the base of the ridge would receive use along with adjacent private lands. There is the potential for concentrated use on areas of public land adjacent to the Williams Fork, but topography and the limited ability of cattle to use this area without spreading northward onto private land would limit the amount of use that could realistically be made there.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/11/09

UPLAND VEGETATION

Affected Environment: This allotment is dominated by a mountain shrub plant community. Dominant plants present include Gambel oak (*Quercus gambelii*), snowberry (*Symphoricarpos albus*), basin big sagebrush (*Artemisia tridentata*), Wood's rose (*Rosa woodsii*), yarrow (*Achillea millefolium*), Kentucky bluegrass (*Poa pratensis*), western wheatgrass (*Agropyron smithii*), slender wheatgrass (*A. trachycaulum*), bluebunch wheatgrass (*A. spicatum*), prairie junegrass (*Koeleria pyramidata*), and basin wildrye (*Elymus cinereus*).

Environmental Consequences, all alternatives: The majority of this allotment is on steep slopes that are either unavailable to livestock grazing or not conducive to sustained grazing use by cattle. At the permitted stocking rate, grazing use would not exceed 50% on forage species, particularly as the best grazing land and the most water sources are on private land.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 9/14/09

WILDLIFE, AQUATIC

Affected Environment: Aquatic wildlife habitat within this allotment is limited to a small stretch of the Williams Fork that passes along the edge of the public lands. This reach is approximately 0.13 miles. While aquatic wildlife may use this short stretch at times, any populations of aquatic species would be dependent on management of private sections of the Williams Fork both upstream and downstream.

Environmental Consequences, all alternatives: The proposed grazing would be compatible with aquatic wildlife habitats. With such limited amounts of habitats on public lands, management of this reach would not have any impacts, positive or negative, on aquatic wildlife.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 9/22/09

WILDLIFE, TERRESTRIAL

Affected Environment: The East Hamilton Allotment is capable of supporting mule deer and elk throughout the year. This allotment provides severe winter range for elk. A variety of small mammals, songbirds and reptiles may also be found within this allotment a various times of the year.

Environmental Consequences, Proposed Action: The proposed livestock grazing use would not have a negative impact on big game species within this allotment. Limits on utilization levels during the summer months would ensure that habitats for big game species are not negatively impacted. There is potential that ground nesting songbirds using this allotment could

have nests destroyed by livestock via trampling. This is unlikely to occur frequently and would not have a negative impact on any species population.

Mitigative Measures: None

Name of specialist and date: Timothy Novotny 9/22/09

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 9/9/09	
Forest Management	JHS 9/9/09		
Hydrology/Ground		JAM 9/9/09	
Hydrology/Surface		JHS 9/9/09	
Paleontology		JAM 9/9/09	
Range Management		JHS 9/9/09	
Realty Authorizations	LM 9/15/09		
Recreation/Travel Mgmt		KMM 9/14/09	
Socio-Economics		LM 9/15/09	
Solid Minerals		JAM 9/9/09	
Visual Resources		KMM 9/14/09	
Wild Horse & Burro Mgmt	JHS 6/22/09		

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. These roads are used regularly by local residents and ranchers as well by as the primary recreation users in the area, hunters. 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 this allotment 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: Livestock grazing on this allotment, as proposed, would not have a negative impact on big game, small mammals, or reptiles. There is a small chance that some ground nesting songbirds could have nests destroyed by trampling. This is unlikely to occur frequently and there is little chance that any species

populations would be impacted negatively. This standard is currently being met and would continue to be met under both alternatives.

Name of specialist and date: Timothy Novotny 9/22/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal)

STANDARD: There are no threatened, endangered species or habitat for such species within this allotment. The proposed project does provide nesting habitat for Columbian sharp-tailed grouse, and wintering habitat for bald eagles; both species are BLM special status species. Livestock grazing on this allotment would not have any negative impacts on habitats for either species. This standard is currently being met and would continue to be met under either alternative.

Name of specialist and date: Timothy Novotny 9/22/09

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: Authorizing grazing on this allotment under either alternative would meet this standard. Livestock use, while permitted throughout the growing season, would be at a stocking rate that would ensure that forage resources are not utilized to a degree where forage plants would be diminished within the plant community.

Name of specialist and date: Hunter Seim 9/10/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species present on the allotment. This standard does not apply.

Name of specialist and date: Hunter Seim 9/10/09

RIPARIAN SYSTEMS STANDARD: This allotment contains a very small amount of riparian vegetation where the Williams Fork briefly meanders into the northern boundary. While this area provides the only water source on public land within the allotment, it's position against the steep ridge and the presence of inaccessible private land to the north result in this area being difficult for livestock to access and there is far more accessible water on private land within the allotment. Given these circumstances, there would not be greater than 50% use by livestock within this limited riparian area and either alternative would meet this standard.

Name of specialist and date: Hunter Seim 9/14/09

WATER QUALITY STANDARD: Runoff waters from this allotment flow into the Williams Fork. The water quality of the Williams Fork is presently supporting classified uses. Permitting livestock grazing on this allotment is consistent with land uses throughout the Williams Fork watershed and would not result in changes to this circumstance. Either alternative would meet this standard.

Name of specialist and date: Hunter Seim 9/10/09

UPLAND SOILS STANDARD: The majority of soils on this allotment are thin, steep, and susceptible to erosion, but the allotment is well vegetated by a variety of grass, forb, and shrub species. The light stocking rate coupled with much of the allotment too steep to allow for extended grazing use would ensure that a healthy, vigorous plant community can continue to provide adequate canopy and root mass that is capable of holding the soils in place. Either alternative would meet this standard.

Name of specialist and date: Hunter Seim 9/14/09

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, the Colorado Division of Wildlife, Tim Hamilton.

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:

ATTACHMENT #2
DOI-BLM-N010-2009-0110-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.
- I) The terms and conditions of this lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.