

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-N010-2009-0015-EA

CASEFILE/ALLOTMENT NUMBER: 0503676/04525, 0501017/04524

PROJECT NAME: Renewal of the grazing permit on the Earl Martin Allotment #04525 and consolidation into the Big Hole Gulch Allotment #04524.

LEGAL DESCRIPTION: See allotment maps, Attachments 1a-c

Earl Martin Allotment #04525 T10N R93W, por. Secs. 7, 18, and 19

554 acres BLM
2,123 acres private
2,677 acres total

Big Hole Gulch Allotment #04524 T10N R93W, por. Secs. 7, 18, 19, and 30
T10N R94W, por. Secs. 1-4, 9-15, and 24
T11N R94W, por. Secs. 26, 28, 33-36
T11N R93W, por. Secs. 29-31

1,795 acres BLM
1,788 acres BLM LU
638 acres SLB
11,627 acres private
15,848 acres total

APPLICANT: John Raftopoulos

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.

A portion of the Proposed Action is located within Management Unit 2, Northern Central. The Proposed Action is compatible with the management objective for this unit, which is to provide for the development of oil and gas resources. The Proposed Action would not conflict with the development of these resources.

NEED FOR PROPOSED ACTION: BLM permit #0503676, which authorizes livestock grazing on the Earl Martin Allotment #04525 expired on February 28, 2009. This permit 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 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 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 (permittee) must hold a grazing permit. The grazing permittee has a preference right to receive the permit if grazing is to continue. The land use plan allows grazing to continue. This EA 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 22, 2006 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were up for renewal in FY 2008. 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. There were no comments received specific to the renewal of this grazing permit.

BACKGROUND:

Earl Martin Allotment #04525

This allotment is located approximately 25 miles northwesterly of Craig, Colorado. It consists of rolling topography that is dominated almost entirely by sagebrush-grass plant communities. Elevations range from just over 7,000 feet in the central portion to approximately 6,700 feet along

the north and south peripheries of the allotment. The climate is semi-arid with precipitation averaging 12 inches per year. Snowfall averages 60 inches per year. Summers are warm and winters are cold with average an average summer maximum of 87°F and an average winter minimum of 2°F

The preference on the Earl Martin Allotment #04525 was transferred to John and Steve Raftopoulos in May of 2008. Prior to the transfer, the preference was held by Ethel Owens. During the two years that Ethel Owens held the permit, she desired to run sheep on the allotment. Since this allotment was permitted only for cattle, she fenced off all of the public lands within the allotment from the private lands. Fencing was added between 2006 and 2008 that divides the allotment into four pastures. None of the public lands on the allotment were grazed under her management. Prior to Ethel Owens, Earl Martin held the preference for many years. A water pipeline was approved by the BLM (see CO-100-2008-071 EA) and construction started in late 2008 to deliver upland water sources to each pasture. The pipeline will be completed in 2009. A small portion of the allotment (approximately 80 acres) was burned in the Mayberry Fire in August, 2008. The burned portion of the allotment will be rested from livestock grazing for a minimum of two years; however, this rest will be implemented through a full force and effect decision and will not be reflected in the terms and conditions of the grazing permit.

Big Hole Gulch Allotment #04524

The Big Hole Gulch Allotment is located approximately 25 miles northwesterly of Craig, Colorado. The allotment is characterized by rolling topography. The uplands are dominated by sagebrush-grass plant communities. Big Hole Gulch runs northerly-southerly and roughly bisects the allotment. Big Hole Gulch is an intermittent tributary of the Little Snake River and supports some riparian plant communities. Elevations range from approximately 6,900 feet along the easterly allotment boundary to approximately 6,300 feet where Big Hole Gulch exits the northerly allotment boundary. The climate is semi-arid with precipitation averaging 12 inches per year. Snowfall averages 60 inches per year. Summers are warm and winters are cold with average an average summer maximum of 87°F and an average winter minimum of 2°F.

The base property for the Big Hole Gulch Allotment #04524 was purchased by John and Steve Raftopoulos in May of 2000. Prior to this, the previous operator subleased spring and early summer cattle use to Raftopoulos, then grazed their own cattle for the remainder of the summer and into the fall. This allotment was essentially grazed season-long with little rotation of livestock for nearly a century. On the private lands, upon purchase by Raftopoulos, cross-fencing was added, large areas of decadent big sagebrush along either side of Big Hole Gulch were sprayed with 2,4-D and new ponds were added. The allotment was placed into a five-pasture deferred grazing system with use rotated among the five pastures in the spring and fall and the elimination of mid-summer use.

In 2003, a preference trade was made between Raftopoulos and Norma Evans, resulting in the addition of 1,033 acres of BLM land producing 112 AUMs of livestock forage to the Big Hole Gulch Allotment from the Alkali Springs Allotment. This trade also added 2,640 acres of private base property, added the SLB lease on Sec. 36, T11N R94W, and changed the %PL from 17% to 24% (see CO-100-LS-02-067 DNA).

In August, 2008, the Mayberry Fire burned 1,677 acres of BLM and 4,221 acres of private land within the allotment. The burned portion of the allotment will be rested from livestock grazing for a minimum of two years; however, this rest will be implemented through a full force and effect decision and will not be reflected in the terms and conditions of the grazing permit.

MONITORING DATA:

Earl Martin Allotment #04525

Actual use- Preference is 55 AUMs. From 1999 through 2004, the full 55 AUMs were used. Between 2005 and 2007, there was no use on public lands, although Ethel Owens fenced off all of the private lands within the allotment and grazed sheep during this time. In 2008, five AUMs were used by John Raftopoulos during the fall.

Utilization- Utilization has not been read since 1993. During that year, 56 AUMs of grazing use were made and the use recorded on two sites in late July of that year was 5% and 13%.

Ecological Site Inventory- There is no ESI data available.

Trend- There is no trend data available.

Big Hole Gulch Allotment #04524

Actual use- Between 1999 and 2002, preference was 209 AUMs. During that time, average actual use was 167 AUMs, or 80% of preference. Since the addition of public lands from the Alkali Springs Allotment in 2003, preference has been 321 AUMs. Average actual use between 2003 and 2008 is 298 AUMs, or 93% of the total preference.

Utilization- During the current term of the permit, utilization was read in 2001 and 2005. Utilization read in late July of 2004 averaged 38% across four sites. Utilization read in early September of 2005 averaged 43% across four sites.

Ecological Site Inventory- There is no ESI data available.

Trend- Five permanent photopoints were established on the allotment in 2000. Initial photographs were taken in August 2001 and then retaken in July 2005. When Raftopoulos purchased the base property for the allotment in 2000, much of the private land along Big Hole Gulch was sprayed with 2,4-D to eliminate older, decadent stands of big sagebrush. Most of the photographs show the decrease in shrub density along with an increase in grass density. Untreated sagebrush showed decreased vigor in 2005, likely due to prolonged drought.

Most of the photopoint locations were burned over by the Mayberry Fire in 2008.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES: Renew the grazing permit #0503676 on the Earl Martin Allotment #04525, combine the allotment with the Big Hole Gulch Allotment #04524, and incorporate the permit into permit #0501017 which has an expiration date of February 28, 2011. This renewal would entail the reissuance of permit #0501017 with the following modification to the Big Hole Gulch Allotment #04524. Since permit #0501017 covers numerous other allotments that are not the subject of this EA, the expiration date of the reissued permit would remain the same.

From:

Permit #0503676

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
Earl Martin #04525	61 Cattle	05/01	10/31	9	33
	21 Cattle	05/01	10/31	17	<u>22</u>
Total					55

No Special Terms and Conditions.

Portion of permit #0501017

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
Big Hole Gulch #04524	126 Cattle	03/15	01/31	24	321

The following Special Terms and Conditions on permit #0501017 apply specifically to the Big Hole Gulch Allotment #04524:

- 1) Allotment #04524 must follow specific grazing systems that were identified and approved in EA CO-100-LS-00-007.
- 2) Full implementation of the grazing system identified in EA CO-100-LS-00-007 for allotment #04524 is not possible until 2002 or until the remaining pasture fences are constructed.

The above-referenced specific grazing system is as follows:

400-450 cows will be spread throughout all five pastures of the allotment from April 1 to May 5. At the end of April, all cows that have not calved will be removed from the allotment (typically 50-100). From May 5-15, cattle will be gathered, branded, and turned out into the first pasture of a five pasture deferred rotation grazing system. Cattle will spend 15-18 days in each pasture except the furthest south pasture which will be 4-7 days. Cattle will be out of the allotment by July 10-15. One pasture will be deferred from May 15 to August 1 each year. The pasture use sequence will be changed each year so that the same pastures are not used at the same time during the growing season each year. 300-350 cows will return to the allotment in August and September and start in

the pasture that was deferred and then move through the other pastures in the same sequence as the May/June rotation or spread throughout the allotment.

To:

Permit #0501017 would be reissued with the following changes:

The Earl Martin Allotment #04525 would be combined with the Big Hole Gulch Allotment #04524 to form a new, larger Big Hole Gulch Allotment. As a result, all of the pastures within the former Earl Martin Allotment would be incorporated into the rotation on the existing Big Hole Gulch Allotment. The four pastures on the Earl Martin Allotment, along with the two southeasterly pasture of the Big Hole Gulch Allotment would be used in the summer and early fall (7/15 to 10/1). The remaining eight pastures would be used in the spring (4/1 to 6/15). The division between the spring and summer use areas is shown on Attachment 1c. Grazing between 3/15 and 4/1 and 10/1 to 1/31 would only be on pastures rested between 4/1 and 10/31 and would utilize AUMs not otherwise used during the grazing year. The combining of allotments would also result in a change in percent public land (%PL) as shown below.

New %PL calculation for Big Hole Gulch:

	Acres	ac/AUM	AUMs
BLM	4,137	11	376
SLB	638	7.3	88
Private	13,750	10	<u>1,375</u>
			$\Sigma = 1,839$

376 BLM AUMs/1,839 Total AUMs = 20%

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		Begin	End		
Big Hole Gulch #04524	177 Cattle	03/15	01/31	20	376

The following Special Terms and Conditions would be added to permit #0501017 and apply specifically to the Big Hole Gulch Allotment #04524. These Special Terms and Conditions would supersede existing Special Terms and Conditions that apply to this allotment.

- 1) At least two spring pastures will be rested between 4/1 and 6/15 each year. Each pasture will be rested during this time one year in three.
- 2) At least one summer pasture will be rested between 7/15 and 10/1. Each pasture will be rested during this time one year in three.
- 3) Pastures used prior to 4/1 or after 10/1 will be those that are otherwise rested during the grazing year.

4) To accommodate trailing into the allotment, the Big Hole Butte pasture may be used up to one week during the spring each year, even if this pasture is otherwise rested.

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

No Action Alternative

This alternative would maintain the existing permits. The two allotments would remain separate and be managed under the same terms and conditions as the previous permits. Under this alternative, the authorizations would still be combined.

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. Vehicular access on existing roads for livestock management activities would result in minimal releases of particulate matter (dust) emissions, but this would be minor and not affect the overall air quality of the area.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 3/16/09

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 1/9/09

CULTURAL RESOURCES

Affected Environment: Grazing permit renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed on allotments #04524 and #04525 by Robyn Watkins Morris, Little Snake Field Office (LSFO) Archaeologist on January 12, 2009. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the LSFO archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from GLO maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis. 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)
04524	1038	14810(15848)	6%	2	420	126
04525	149	2528(2677)	5%	0	71	20

*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.

Eleven cultural resource inventories were conducted within allotment #04525 resulting in the complete coverage of 149 acres and the recording of one cultural resource. The one resource is an historic isolated glass bottle. The General Land Office plats were checked for T10N R93W. Nothing was found on the 1881 map and a named road “Maybell to Baggs road” was on the 1904 map.

Twenty-seven cultural resource inventories were conducted within allotment #04524 resulting in the complete coverage of 1038 acres and thirty cultural resources. Nineteen of those resources are isolated prehistoric finds such as flakes, projectile point, knives, and one *mano*. Two are prehistoric open lithic sites and three are prehistoric open camps. Two of these resources are historic homesteads and one is an historic water control. The historic 1904 General Land Office plats that cover the allotment show historic unnamed roads and the Thornburgh Wagon Road.

Based on available data, a high potential for historic properties occurs in both allotments given their proximity to historic settlement and roads. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within the period of the permit.

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

Environmental Consequences, Proposed Action: 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, gulying, 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.

Combining these allotments and requiring a pasture rotation/rest system would maintain or improve vegetation cover. Vegetation cover encourages stable soils and protects cultural resource from degradation. There is potential for increased damage to cultural resources on allotment #04525 due to the earlier use dates when soils are at a time of higher moisture and lower shear strength.

Placing salt blocks along roads or anywhere in the allotment would potentially impact historic properties. Additional monitoring of known historic properties would continue to determine if livestock impacts are occurring to these properties.

Environmental Consequences, No Action: If the allotments remain divided and continue to be used as in the past, there may be continued degradation of cultural resources due to a lack of resting pastures and improved vegetation.

Mitigative Measures: Range improvements associated with the allotments (e.g. fences,

spring improvements) are subject to compliance requirements under Section 106 and will undergo standard cultural resources inventory and evaluation procedures. There are no improvements are proposed at this time.

Standard Stipulations for cultural resources are included in the Standard Terms and Conditions, Attachment 2.

1. Survey portion of historic road on BLM land in Sec. 7, T10N R93W.
2. Roads used by permittee must be surveyed to ensure salt blocks are being placed off of eligible sites.
3. Site monitoring plans, other mitigation plans, will be developed and provided to the Colorado State Historic Preservation Officer in accordance with the Protocol (1998) and subsequent programmatic agreements regarding grazing permit renewals.

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

Name of specialist and date: Robyn Watkins Morris 1/15/08

ENVIRONMENTAL JUSTICE

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

Environmental Consequences, all alternatives: The allotments are 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: Mike Andrews 1/9/09

FLOOD PLAINS

Affected Environment: Most floodplains within both allotments are located on private lands. Floodplains are associated with the ephemeral washes, draws, and gulches and their tributaries. Despite the ephemeral nature of the drainages, these floodplains are providing greater plant diversity and higher production than adjacent upland communities and are adequately dissipating energy during high stream flows. The most significant floodplains located on public land are associated with Big Hole Gulch in Sec. 11 (reach 4) and Sec. 24 (reach 5) T10N R94W.

In 1995, Reach 4 of Big Hole Gulch had lost access to its floodplain due to an increasingly entrenching channel without access to a floodplain. Since that time, management of livestock changed and a follow-up visit in 2003 showed improving conditions with more collection of sediment resulting in the restoration of a floodplain. Observations indicate that current management is resulting in an upward trend.

Reach 5 is at proper functioning condition and, as such, has a channel that is not entrenched and has sufficient access to the floodplain. Current livestock management is maintaining this condition.

None of these floodplains have developments associated with them except for fences, ponds, and unimproved roads.

Environmental Consequences, all alternatives: No threat to human safety, life, welfare, or property would result from the selection of either alternative.

Under either alternative, livestock would continue to impact floodplains by grazing and trampling. The impacts of grazing would differ depending upon the season and length of use.

Spring use would occur on the floodplain along Reach 4 of Big Hole Gulch. Spring use would result in comparatively less use on floodplains as the palatability of actively growing upland species is higher and livestock would not be as attracted to the more productive floodplain areas. Alternatively, livestock presence on the wetter soils that exist during the spring would increase soil compaction and shearing of banks, which would encourage stream entrenchment and potential loss of floodplain access. Limiting the time that livestock are present during the spring, as well as providing periodic deferment during this period would greatly minimize these impacts.

Summer and fall use would occur on Reach 5 of Big Hole Gulch. Livestock use on more productive floodplain areas during this period is generally higher as perennial grasses on the uplands have completed their growth and are cured. Any water that may have collected in the intermittent drainages either naturally or within stock ponds (though all of these are on private land) also attracts livestock and would cause them to linger in these areas. This can result in disproportionately higher grazing use and can suppress plant vigor and abundance and cause stream entrenchment and loss of floodplain access. Floodplain soils during this time of year would be generally drier and more resistant to compaction from hoof action.

Limiting the timing of grazing under the No Action Alternative has already resulted in improvement to the riparian conditions of Reach 4 and the maintenance of proper functioning conditions on Reach 5. The Proposed Action would maintain limited use and periodic rest that has maintained and encouraged a healthy riparian system and continued floodplain access and development along Big Hole Gulch.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 3/19/09

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present on the allotments. Invasive annuals such as cheatgrass, blue mustard, and yellow alyssum commonly occur within and in the vicinity of the allotments and are occupying disturbed areas such as those caused by oil and gas development. Invasive annual weeds are typically established on disturbed and high traffic areas, whereas, biennial and perennial noxious weeds are less common in occurrence, but will invade intact native plant communities. Cheatgrass is on the Colorado List C of noxious weeds. Colorado List B noxious weeds that are present within the allotment include Canada thistle, musk thistle, and bull thistle. Other Colorado List B noxious weeds that are present in the vicinity and could potentially become established within the allotment includes Russian knapweed, spotted knapweed, leafy spurge, whitetop, perennial pepperweed (tall whitetop), dalmatian toadflax, yellow toadflax, and other biennial thistles.

Environmental Consequences, all alternatives: The potential of increased invasive and/or noxious weed establishment is very similar under either of the alternatives. Vehicular access to public lands 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. Rotational grazing practices that limit growing season use, ensure good distribution, and limit utilization of desirable species would 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 use practices by the livestock operator and their weed control efforts would largely determine the identification and potential occurrence of weeds within the allotment. BLM promotes the principles of Integrated Pest Management to control noxious weeds on public lands.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 3/16/09

MIGRATORY BIRDS

Affected Environment: Both allotments are dominated by sagebrush-grass communities. Sagebrush ecosystems typically provide nesting habitat for a large array of migratory birds during the breeding season. Two sagebrush obligate species, sage sparrow and Brewer's sparrow, are listed on the USFWS's Bird of Conservation Concern List. Additional birds that may nest in the area include the vesper sparrow and sage thrasher.

Environmental Consequences, Proposed Action: While livestock grazing can directly

impact reproductive success of migratory songbirds by trampling of nests, it is more likely that it indirectly influences reproductive success due to changes in vegetation such as species composition, height or cover. The Proposed Action would allow grazing within the allotment from 3/15 to 1/31. Growing season rest would be achieved by rotating pasture use and timing from year to year. At least two pastures would receive rest during most of the growing season each year. Spring rest and rotation would help to maintain quality nesting habitat for migratory bird species.

Fall grazing would be allowed throughout the entire allotment. Fall use of the allotment would likely result in a decrease in the amount of residual cover available during the early portions of the subsequent breeding season. Residual cover can be important for nest concealment for many bird species. Fall grazing would be dispersed throughout the allotment and this may help reduce the amount of residual cover removed in any given area. The proposed grazing regime is compatible with maintaining local migratory bird populations. The Proposed Action would have little influence on the abundance or distribution of breeding migratory birds at a landscape level.

Environmental Consequences, No Action Alternative: Under this alternative, the two allotments would not be combined and the Earl Martin Allotment could potentially be grazed throughout the growing season. This type of grazing regime would be more likely to degrade migratory bird habitat than the regime described under the Proposed Action.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/14/09

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council, 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 1/15/08

PRIME & UNIQUE FARMLANDS

Affected Environment: There are no Prime and Unique Farmlands present within either allotment.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 3/16/09

T&E AND SENSITIVE ANIMALS

Affected Environment: Both allotments provide habitat for greater sage grouse, a BLM sensitive species. Both allotments contain winter, nesting, and brood rearing habitat. Brood rearing habitat is primarily located along Big Hole Gulch. One lek is located on BLM lands within the Earl Martin Allotment and several more leks are located on private land within the Big Hole Gulch Allotment. In Colorado, 52% of sage-grouse nests are within two miles of an active lek and 80% of nests are within four miles of an active lek (CCP 2008). All BLM managed lands within both allotments are within four miles of an active lek, and thus potentially provide important nesting habitat for greater sage grouse.

The allotment does not provide habitat for any federally listed threatened or endangered species.

Environmental Consequences, Proposed Action: Cattle grazing can influence sage-grouse reproductive success either directly by trampling nests or indirectly by altering habitat components such as species composition, height, or cover. This alternative would combine the two allotments and allow grazing from 3/15 to 1/31. Growing season rest would be achieved by rotating pasture use and timing from year to year. At least two pastures would receive rest during most of the growing season each year. This grazing regime would help to maintain healthy sagebrush communities and provide suitable habitat for greater sage grouse.

Fall use of the allotment would likely result in a decrease in the amount of residual cover available during the early portions of the subsequent breeding season. Residual cover is an important component of greater sage grouse nesting habitat. Fall grazing would be dispersed throughout the allotment and this would help reduce the amount of residual cover removed in any given area. BLM lands would also be grazed in conjunction with private lands, reducing the chance of concentration on public lands within the allotment.

Reaches 4 and 5 of Big Hole Gulch are located within the Big Hole Gulch Allotment and are utilized by greater sage grouse as brood rearing habitat. Changes in livestock management in 2000 are improving both reaches. Improved health of wet meadows would ensure adequate brood rearing habitats for sage grouse.

Data from a formal Land Health Assessment show that greater sage grouse habitat in the Big Hole Gulch allotment is in good condition, providing suitable and productive habitat for this species. Unfortunately, fires in the area have reduced the amount of nesting and winter habitat available to greater sage grouse. Although burned areas will be re-seeded with grasses, forbs and sagebrush, it will likely take 15+ years before sagebrush would be at a height to begin to provide suitable nesting habitat. Resting the burned area from grazing through at least two growing seasons would help to re-establish native grasses and forbs and reduce the chance of high weed infestations.

Overall, the proposed grazing regime is compatible with maintaining suitable nesting and brood-rearing habitat for greater sage grouse. Use in pastures deferred or rested prior to 10/1 would ensure that adequate residual forage is available going into the winter.

Environmental Consequences, No Action: Under this alternative, the two allotments would not be combined and the Earl Martin Allotment could potentially be grazed throughout the growing season. This type of grazing regime would be more likely to degrade greater sage grouse habitat than the regime described under the Proposed Action.

Literature Cited: Colorado Greater Sage-grouse Steering Committee. 2008. Colorado greater sage-grouse conservation plan. Colorado Division of Wildlife, Denver, Colorado, USA.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/14/09

T&E AND SENSITIVE PLANTS

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

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/6/09

WASTES, HAZARDOUS OR SOLID

Affected Environment: Hazardous materials related to oil and gas production may be present on both allotments.

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 1/12/09

WATER QUALITY - GROUND

Affected Environment: Surface sediments consist of Eocene aged Wasatch Formation units covered by Quaternary alluvium.

Environmental Consequences, all alternatives: The limited number of grazing use proposed and the maintenance of existing level of use on this grazing permit would have no discernable impact on subsurface aquifers containing potable groundwater. No surface activity is proposed under either alternative that would change any subsurface groundwater chemistry.

Mitigative Measures: None

Name of specialist and date: Marilyn D. Wegweiser 1/5/09

WATER QUALITY - SURFACE

Affected Environment: Drainage from the majority of the Big Hole Gulch Allotment and the southern half of the Earl Martin Allotment flows into Big Hole Gulch. Drainage from the northeasterly portion of the Big Hole Gulch Allotment and the northern half of the Earl Martin Allotment flows into Scandinavian Gulch. Big Hole Gulch and Scandinavian Gulch are intermittent tributaries to the Little Snake River. Tributary waters to this segment of the Little Snake need to have water quality that can support Aquatic Life Cold 2, Recreation 2, and Agriculture under Colorado's use designations as of February 20, 2002. In the segment of the Little Snake that contains the confluence of both of these drainages, the designated classified uses of Aquatic Life Cold 1, Recreation 1a, Water Supply, and Agriculture are to be maintained. No use impairment problems are present and water quality is sufficient to support these uses. The Little Snake River tributary stream segments are designated use protected.

Environmental Consequences, Proposed Action: A high degree of control over livestock rotations is provided by the numerous pastures and upland water sources on both allotments. The management of both allotments would not allow for extended use by livestock in any one area, particularly along Big Hole Gulch. Ensuring regular rest for each pasture and limiting spring use would ensure that both upland and riparian plant communities are able to provide the plant abundance, species diversity, and soil cover necessary to protect the local watershed. Nutrient levels would remain the same under this alternative and the water quality of Big Hole and Scandinavian Gulches would not change.

Environmental Consequences, No Action: Big Hole Gulch would continue to be grazed under a highly-specific grazing system, but the Earl Martin Allotment could be grazed continuously throughout the growing season. Although unlikely, if this allotment were to be grazed continuously season-long, even at a relatively light stocking rate, declines in perennial grass abundance and cover would occur, opening niches for annual weeds and decreasing the ability of the plant community to protect the watershed from increased sediment loads. Nutrient levels would remain the same under this alternative and the water quality of Big Hole and

Scandinavian Gulches would not change.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 3/16/09

WETLANDS/RIPARIAN ZONES

Affected Environment: Big Hole Gulch crosses through the central portion of the Big Hole Gulch Allotment. This intermittent drainage typically flows at peak in early May. Smaller flows can also occur throughout the summer due to localized rain events. Within the Big Hole Gulch allotment, the majority of the drainage is on private land, but two short reaches, 4 and 5, are located on public land.

Reach 4 is approximately 0.4 miles in length. It was non-functioning in 1995 due to an increasingly entrenching channel without access to a floodplain. Since that time, management of livestock changed and currently there are improving conditions with more collection of sediment resulting in the restoration of a floodplain. While no formal assessment has been made since 1995, observations indicate that current management is resulting in an upward trend.

Reach 5 is approximately 0.8 miles in length. It was at proper functioning condition in 1995. Subsequent changes in livestock management are maintaining this condition.

Environmental Consequences, all alternatives: Under either alternative, livestock would continue to impact riparian vegetation and soils by grazing and trampling. The impacts of grazing would differ depending upon the season and length of use.

Spring use would occur on Reach 4. Spring use would result in lighter utilization of riparian plants as the palatability of actively growing upland species is higher and livestock would not be as attracted to riparian vegetation. Alternatively, livestock presence on the wetter soils that exist during the spring would increase soil compaction and shearing of banks, which would encourage stream entrenchment and suppress riparian vegetation. Limiting the time that livestock are present during the spring, as well as providing periodic deferment during this period would greatly minimize these impacts.

Summer and fall use would occur on Reach 5. Livestock use on riparian areas during this period is generally higher as perennial grasses on the uplands have completed their growth and are cured. Any water that may have collected in the intermittent drainage either naturally or within stock ponds (though all of these are on private land) also attracts livestock and would cause them to linger in these areas. This can result in heavier grazing use on riparian plants that can suppress their vigor and abundance. Riparian soils during this time of year would be generally drier and more resistant to compaction from hoof action.

Limiting the timing of grazing under the No Action Alternative has already resulted in improvement to the riparian conditions of Reach 4 and the maintenance of proper functioning conditions on Reach 5. The Proposed Action would maintain limited use and periodic rest that has maintained and encouraged a healthy riparian system along Big Hole Gulch.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 3/16/09

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 1/9/09

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 1/9/09

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: The most widespread upland soils on both allotments are the Maysprings coarse sandy loam, 3-12 percent slopes and the Maysprings-Gretdivid Complex, 10-20 percent slopes. Both of these soils are well to excessively drained with medium runoff, moderate permeability, and are nonsaline. Ecological sites supported by both soils are Rolling Loam and Sandyland, respectively. The bottom lands along Big Hole Gulch are mostly the Cowestglen sandy loam, 0-3 percent slopes. This soil is well drained with very low runoff, moderately rapid permeability, and is very slightly saline.

Other soils present on the allotments are the Maybell sand, 3-12 percent slopes; Torriorthents-Torripsamments, 12-40 percent slopes; Pinelli loam, dry, 3-8 percent slopes; Renstsac-Moyerson complex, 25-65 percent slopes; Rock River sandy loam, 3-12 percent slopes; Berlake sandy

loam, 3-12 percent slopes; and Pinelli loam, 3-15 percent slopes.

Mosses are the most observable biological soil crust and these are found below the edge of the brush canopy, where trampling effects are lessened and sunlight is available. Cyanobacteria is present in the open spaces between shrubs where forage and litter cover are not abundant and are also present on the less productive soils in the allotments.

Environmental Consequences, all alternatives: Soil compaction and depleted soil cover are the most obvious impacts incurred as a result of livestock grazing. This would occur on areas receiving concentrated livestock use (such as around water sources) under either alternative, but the majority of the affected lands within the allotments would have adequate plant and litter cover. Ensuring utilization of forage species is 50% or less (across all users) would sustain the ground cover necessary to protect the soil surface. Because overall forage allocation is not increasing or decreasing, there would not be a loss or gain of biological soil crusts as a result of implementing either of the alternatives. There would be no substantial difference to the impacts on the soil resource on the Big Hole Gulch Allotment under either alternative.

Environmental Consequences, Proposed Action: Requiring seasonal deferments and dividing the pastures into seasonal areas of use would ensure that the plant community in any one pasture is allowed sufficient recovery from grazing impacts so soil cover, litter accumulation, and healthy root systems are maintained. Early spring use of uplands, when soils are moist from snowmelt, would increase the potential for soil compaction. Rest of two spring pastures each year would minimize this potential. Use occurring earlier than 4/1 or later than 10/1 would not be subject to requirements of pasture rest, however, use during these periods would be relatively limited due to poor forage availability during these times as well as the need to allow for AUMs to be available during the remainder of the grazing season. This would minimize the potential for all but minimal use during these periods and the resulting impacts to soils would be minimal.

Environmental Consequences, No Action: Although unlikely, the lack of specific rest or rotation requirements could result in continuous season-long use throughout the Earl Martin Allotment. Without periodic spring deferment and rotation of use throughout the grazing season, continual defoliation of forage species, especially without the opportunity for regrowth, can cause declines in the vigor and abundance of perennial species that can reduce the amount of foliar and litter cover the soil receives. This would lead to increased erosion of soil by wind and water.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 3/16/09

UPLAND VEGETATION

Affected Environment: Both allotments are dominated by sagebrush-grass plant communities. Dominant plants present include Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), basin big sagebrush (*A. tridentata tridentata*), Hood's phlox (*Phlox hoodii*), needle-and-thread grass (*Stipa comata*), Indian ricegrass (*Oryzopsis hymenoides*), western wheatgrass (*Agropyron smithii*), squirreltail (*Sitanion hystrix*), prairie junegrass (*Koeleria pyramidata*), and blue grama (*Bouteloua gracilis*). Vigor, abundance, and diversity are good throughout.

In August, 2008, the Mayberry Fire burned 1,677 acres of public land within the Big Hole Gulch Allotment and 51 acres of public land within the Earl Martin Allotment. Currently, the Northwest, Southwest, and Southeast pastures of the Bighole Gulch Allotment and the E ½ Sec. 7 T10N R93W in the Earl Martin Allotment are closed to livestock grazing until at least the spring of 2011. This large fire burned hot and fast, resulting in complete combustion of very large areas with islands of unburned or singed vegetation within the fire perimeter. Portions of the burned public lands will be seeded (broadcast) with western wheatgrass, basin wildrye, and western yarrow. A few areas will also be seeded with Wyoming big sagebrush. Seeding will focus on areas that are highly susceptible to cheatgrass establishment, such as south facing slopes and areas that were completely burned. Based on the recovery of the Divide Fire of 2006, a fire that burned in similar range sites and was not seeded, recovery is expected to be rapid with needle-and-thread establishing naturally with high vigor and density.

Environmental Consequences, Proposed Action: The largest change in management under this alternative would be the change in season of use on public lands within the Earl Martin Allotment. While this allotment has historically been used growing season long (from May 1 through October 31), this alternative would allow for use during more of the dormant season and much earlier in the spring. The Earl Martin Allotment would be incorporated into a deferred rotation grazing system that is designed to ensure that every pasture is fully rested from livestock grazing during critical growth phases. Spring rest, particularly on pastures grazed the previous fall would reduce big sagebrush densities and increase grasses and forbs.

Under this alternative, each pasture used in the spring would receive deferment between April 1 and June 15 once every three years. This would ensure that each pasture would not receive impacts from livestock use on a periodic basis which would ensure that forage species would be able to complete spring growth up to seed set without any grazing pressure from livestock. Pastures that are used during this period could be used for up to 2.5 months, but utilization limits of 50% of perennial grass species would ensure that the utilized pastures are not grazed at levels that would be detrimental to forage species over the long term. These pastures also would not typically receive use during the summer and early fall months, allowing for summer regrowth as precipitation allows and no use during the critical fall green up stage.

Pastures used during the summer through early fall period (July 15 through October 1) would also be rotated so that each pasture would be completely deferred during this period one year in

three. These pastures typically would not be grazed during the spring of any year and only used right at or shortly after seed-ripe.

The rest that is being implemented on the burned areas of both allotments, coupled with seeding, will result in many areas that were dominated by shrubs being dominated by grasses and forbs. Once these pastures are opened to grazing use again (likely in 2011), the proposed action would help maintain a good abundance of perennial grasses and allow for succession to proceed.

Environmental Consequences, No Action: Both allotments would remain separate, although they could still be managed in conjunction with each other. Since the Earl Martin Allotment has no specific guidelines relative to rotation, rest, or deferment, the allotment could be grazed continuously each season. This type of grazing, assuming a proper stocking rate, would encourage patchy forb and grass distribution possibly resulting in increases in annual grasses such as cheatgrass and an overall increase in bare ground. This would also necessitate a heavy reliance on fencing and water to ensure adequate distribution of forage use.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/26/08

WILDLIFE, AQUATIC

Affected Environment: There is no habitat that can support fish within either allotment. Big Hole Gulch, ponds, and springs within the allotments provide potential habitat for amphibian species and aquatic insects. Habitat is marginal due to fluctuating water levels in these aquatic systems.

Environmental Consequences, Proposed Action: Riparian systems within the Big Hole Gulch allotment have improved since 2000 when pasture rest and rotation were implemented. Under the Proposed Action, the Earl Martin allotment would be incorporated into this grazing regime. This grazing regime would not adversely impact habitat for aquatic wildlife species.

Environmental Consequences, No Action Alternative: Under this alternative, the two allotments would not be combined and the Earl Martin Allotment could potentially be grazed throughout the growing season and into the fall without proper rest and rotation. This type of grazing regime would cause degradation of riparian systems and impact habitat for aquatic wildlife species.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/14/09

WILDLIFE, TERRESTRIAL

Affected Environment: Both allotments are dominated by sagebrush-grass plant communities. Sagebrush ecosystems typically provide habitat for big game species as well as small mammals, reptiles, and birds. The allotments provide important habitat for wintering big game species. The allotments contain overall winter habitat for mule deer, elk, and antelope.

Environmental Consequences, Proposed Action: Growing season rest would be achieved by rotating pasture use and timing from year to year. Fall grazing would be allowed throughout the entire allotment. This grazing schedule would allow for ample growing season rest and adequate plant recovery periods. The proposed grazing regime is compatible with maintaining suitable terrestrial wildlife habitat.

Environmental Consequences, No Action: Under this alternative, the two allotments would not be combined and the Earl Martin Allotment could potentially be grazed throughout the growing season. This type of grazing regime would result in degraded wildlife habitat, particularly if adequate livestock distribution is not maintained.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/14/09

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		MDW 1/5/09	
Forest Management	JHS 1/12/09		
Hydrology/Ground		MDW 1/5/09	
Hydrology/Surface			
Paleontology		MDW 1/5/09	
Range Management		JHS 1/12/09	
Realty Authorizations		MAA 1/9/09	
Recreation/Travel Mgmt		GMR 1/9/09	
Socio-Economics		MAA 1/9/09	
Solid Minerals		JAM 1/12/09	
Visual Resources		GMR 1/9/09	
Wild Horse & Burro Mgmt	KM 1/26/09		

CUMULATIVE IMPACTS SUMMARY: These allotments 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. There is natural gas development on private and public lands in the vicinity. 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: Both allotments provide habitat for a variety of wildlife species. The Proposed Action introduces growing season rest and pasture rotations to the Earl Martin Allotment and maintains them on the Big Hole Gulch Allotment. This would sustain viable plant communities and continue to provide productive habitat for terrestrial wildlife. The Proposed Action and No Action alternatives would meet this standard on the Big Hole Gulch Allotment. The No Action alternative would not meet this standard on the Earl Martin Allotment as it would allow for continuous season-long grazing without any pasture rotations.

Name of specialist and date: Desa Ausmus 1/14/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD: The rotation and built in rest and deferments would ensure that adequate residual vegetation is left each year. The allotment provides habitat greater sage grouse, a BLM sensitive species. On a landscape scale, this standard for greater sage grouse is currently being met and would continue to be met under both alternatives.

Name of specialist and date: Desa Ausmus 1/14/09

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: The proposed action requires periodic rest for each pasture at critical growth phases, spring and early fall, every three years. This would ensure that perennial grasses, forbs, and shrubs would not be grazed continuously through the growing season and not grazed the same way every year. The proposed action would meet this standard.

The No Action Alternative would ensure that this standard is met on the Big Hole Gulch Allotment. Both allotments are currently meeting this standard, but there have been various rotational grazing systems and/or rest in the past few years. Currently, the Big Hole Gulch Allotment is under a prescribed management plan, and this has resulted in the maintenance of the diversity, abundance, and vigor of native species necessary to achieve this standard, but the Earl Martin Allotment could potentially be grazed season long without any rotation or seasonal

deferment. While both allotments are currently meeting this standard, this alternative would be met on the Big Hole Gulch Allotment; it would not be met on the Earl Martin Allotment due to the lack of prescribed periodic deferment during critical growth phases.

Name of specialist and date: Hunter Seim 1/26/08

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

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

Name of specialist and date: Hunter Seim 1/6/09

RIPARIAN SYSTEMS STANDARD: The riparian areas along Big Hole Gulch would be used during the spring when they generally are used less by livestock. They would also not receive grazing use during the hotter portion of the growing season when upland plants are less palatable, but be allowed to regrow for the remainder of the growing season. All upland pastures are well served by water developments, lessening any need for livestock to disproportionately depend on water sources in riparian areas. The Proposed Action would meet this standard.

The No Action Alternative would also meet this standard as existing management on the Big Hole Gulch Allotment has maintained and improved riparian conditions along Big Hole Gulch. There are no riparian resources on public lands within the Earl Martin Allotment.

Name of specialist and date: Hunter Seim 3/16/09

WATER QUALITY STANDARD: Runoff waters from snowmelt and rain flows into the Little Snake River which is presently supporting classified uses. No stream segments or tributaries are listed as having impaired water quality. Both alternatives would meet this standard.

Name of specialist and date: Hunter Seim 3/16/09

UPLAND SOILS STANDARD: Upland soils have very slight erosion with no indications of accelerated erosion. The slight movement of soil particles and surface litter is appropriate on the moderate slopes. The native plant community is providing good cover with a diverse mix of shrubs, grasses, and forbs. Grazing under either alternative would maintain sufficient residual forage for upland soil health to be maintained. The upland soil standard for healthy rangelands would be met with the implementation of either alternative.

Name of specialist and date: Hunter Seim 3/16/09

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, John Raftopoulos.

ATTACHMENTS: 1a, Earl Martin Allotment #04525
1b, Big Hole Gulch Allotment #04524
1c, New Big Hole Gulch Allotment #04524
2, Standard and Common Terms and Conditions

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

Finding of No Significant Impact

Environmental Assessment DOI-BLM-CO-N010-2009-0015-EA, 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-CO-N010-2009-0015-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.