

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-N010-2009-0028-EA

CASEFILE/ALLOTMENT NUMBER: 0501043 / 04617

PROJECT NAME: Renewal of the grazing permit on the Thornburgh Monument #04617

LEGAL DESCRIPTION: See Allotment Map, Attachment #1.

Thornburgh Monument #04617

T3N, R92W parts of Secs. 17, 20-23, 26-30

1,450 acres BLM

2,785 acres Private

15 acres State DOW

4,250 acres Total

APPLICANT: Davidson Yellow Jacket Ranch, Ltd.

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

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

Date Approved: April 26, 1989

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

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

The allotment under the Proposed Action is located within Management Unit 1, Eastern Yampa River. The Proposed Action is compatible with the management objectives for this unit. Management objectives of the Eastern Yampa River Management Unit are to realize the potential for development of coal, oil, and gas resources. The Proposed Action would not

conflict with these objectives.

NEED FOR PROPOSED ACTION: BLM permit #0501043 held by Davidson Yellow Jacket Ranch, Ltd., which authorizes livestock grazing on the Thornburgh Monument Allotment #04617, expires on February 28, 2010. 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: This allotment is located southwest of Hamilton, CO and can be accessed by traveling from MCR 45 (Yellow Jacket Pass) into Rio Blanco County. The allotment boundary includes the historic Thornburgh Battle site on private land. The BLM land within the allotment is primarily on steep cliff sides, foothills and draws along Thornburgh Mountain. Elevation within the allotment ranges from 6,600 feet along Milk Creek in the bottom to just over 8,000 feet at the highest point. The private land in the bottoms is improved hayfields while the public land changes slowly into sagebrush/grass foothills, cliff faces and oak brush ridges. Runoff from the public land parcels drains primarily into Milk Creek. Because of the topography much of the BLM receives only minimal use by livestock.

The current permittee has held the grazing authorization on the allotment since 1987 with a name change occurring in 1996. Prior to this time the base property for the allotment was owned by Lewis Livingston who purchased the property from Wheeler and Phillips in 1955. Over this

period of time, sheep and cattle have been authorized to graze the allotment at the current active 117 AUMs. Within the authorization, current actual use consists of turning cow/calf pairs out in the allotment early in the spring on the way to higher elevation forest permits, no use during the summer haying season, then trailing back and gathering in the allotment during the fall.

The grazing permit was renewed in 1998 for a ten year period. It was reviewed under EA CO-016-98-012 with no changes or recommendations made. It was deduced that the allotment should be meeting health standards at that time and the EA resulted in a Finding of No Significant Impact.

An allotment visit on 7/24/2008 by an interdisciplinary team found the allotment to be meeting all Land Health Standards. Signs of cattle use were found in the area but utilization by grazing livestock was light.

No actual use, utilization, ESI, or trend data is available for this allotment.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

Renew the grazing permit on the Thornburgh Allotment # 04617 for a period of ten years, expiring February 28, 2019. The permit would be reissued with a change in dates and modification of class of livestock as shown below:

From:

Allotment Name & Number	Livestock Number & Kind		Dates		%PL	AUMs
			From	To		
Thornburgh Monument	37	Sheep	04/15	11/30	100	56
04617	12	Cattle	06/01	11/01	100	<u>61</u>
					Total	117

To:

Allotment Name & Number	Livestock Number & Kind		Dates		%PL	AUMs
			From	To		
Thornburgh Monument	34	Cattle	05/01	06/30	100	68
04617	33	Cattle	09/01	10/15	100	<u>49</u>
					Total	117

Special Terms and Conditions:

Cattle and/or sheep are authorized to graze this allotment so long as total AUMs are not exceeded.

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

No Action Alternative

No changes in the existing grazing permit would occur. The permit would be reissued with the same Terms and Conditions.

Allotment Name & Number	Livestock		Dates		%PL	AUMs
	Number & Kind		From	To		
Thornburgh Monument	37	Sheep	04/15	11/30	100	56
04617	12	Cattle	06/01	11/01	100	<u>61</u>
Total						117

Alternatives Considered but not Analyzed:

No Grazing Alternative

No livestock grazing would take place under this alternative.

This alternative is eliminated from detailed study because it is not a realistic, implementable alternative nor does it meet the requirements of the Federal Land Policy and Management Act of 1976. When the Little Snake Field Office 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 Thornburgh Monument Allotment is not within any special designation air sheds or non-attainment areas.

Environmental Consequences, both alternatives: Renewing the permit to graze cattle on this allotment would not cause regional air quality impairment under either of the alternatives. Some localized dust may result from driving on unpaved roads, but this would be negligible compared to dust generated from all vehicle uses in the vicinity.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 3/9/09

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not Present

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 2/17/09

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 for #04617 allotment by Robyn Watkins Morris, 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 GLO maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis developed for the allotment in this EA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in 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)
4617	83	4167 (4250)	1%	1	112	33

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

Three cultural resource inventories have occurred within the allotment resulting in the complete coverage inventory of 83 acres and the recording of three historic isolated finds and one large historic battlefield-the Battle of Milk Creek. The historic GLO plat, as early as the 1898 plat, shows the Daughter of the American Revolution monument that was originally placed on the site. The road is also shown on the north side of the river on that map, but does not appear to cross BLM land.

Based on available data, a high potential for historic properties occurs in this area due to its relation to the historic Battle of Milk Creek battle site.

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, both alternatives: The direct impacts that occur where livestock concentrate during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, 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. Due to the steepness of the BLM lands within this allotment cultural resources are unlikely to be impacted.

Mitigation Measures: None

Name of Specialist and date: Robyn Watkins Morris 2/20/09

ENVIRONMENTAL JUSTICE

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

Environmental Consequences, both alternatives: The allotment 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 2/18/09

FLOOD PLAINS

Affected Environment: No large floodplain areas are present on the public lands within the Thornburgh Monument Allotment.

Environmental Consequences, both alternatives: There would be no adverse impact to floodplains adjacent to BLM land or outside of the allotment with implementation of either alternative.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 3/9/09

INVASIVE, NONNATIVE SPECIES

Affected Environment: Within this allotment, and surrounding allotments, noxious weeds and other undesirable weed species are present in the overall plant communities. The occurrence of whitetop and hound's tongue is a problem in isolated areas of the Axial Basin, located north of the allotment. In cooperation with the State of Colorado, the permittee/lessees, Moffat County, Rio Blanco County, and the BLM have implemented an integrated weed management program for that area. Invasive species present within the allotment boundary include cheatgrass, Canada thistle, common mullein and musk thistle. These species are at an acceptable level within the vegetation community.

Environmental Consequences, both alternatives: Grazing within the terms and conditions under either alternative would have neutral to no impacts. Surface disturbance from livestock concentration or human activities associated with grazing operations could increase weed presence. Management practices, land uses by the permittee and their weed control efforts would largely determine the identification and potential occurrence of weeds within the allotment.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 3/9/09

MIGRATORY BIRDS

Affected Environment: The Thornburgh Monument Allotment has many documented golden eagle and raptor nests located throughout. The Thornburgh Monument Allotment also provide Brewer's sparrow and sage sparrow nesting habitat. All three species are listed on the USFWS 2002 Birds of Conservation Concern List.

Environmental Consequences, both alternatives: Livestock grazing would not have any negative impacts to nesting habitats for any of these species. The proposed changes to the permit would reduce utilization during the nesting season. It is possible for nest trampling to occur for sage sparrow and Brewer's sparrow. This potential is reduced by the changes in season of use proposed under this alternative. Chance of take occurring is low.

Mitigative Measures: None

Name of specialist and date: Gail Martinez 2/23/09

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 5, 2008. The letter listed the FY08 and FY09 projects that the BLM would notify them on and projects that would not require notification. A followup

phone call was performed on June 16, 2008. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris 2/20/09

PRIME & UNIQUE FARMLANDS

Affected Environment: There are no Prime and Unique Farmlands present on the public land within the Thornburgh Monument Allotment.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 3/9/09

T&E AND SENSITIVE ANIMALS

Affected Environment: There are no threatened or endangered species or habitat for such species within this allotment. This allotment does contain habitat for greater sage-grouse, a BLM special status species. The eastern 1/3 of this allotment is greater sage-grouse winter range and greater sage-grouse brood rearing habitat.

Environmental Consequences, Proposed Action: The Proposed Action would not have any adverse impacts on threatened or endangered species or habitat for such species. The Proposed Action would result in changes to the existing grazing permit. These changes would likely be beneficial to greater sage-grouse. The proposed changes would not have adverse impacts on breeding habitat but would reduce the amount of use by livestock during the sage-grouse nesting season. This would reduce that potential for nest destruction by trampling and would lead to improved nesting habitat within this grazing allotment.

Environmental Consequences, No Action: The No Action Alternative would not have adverse impacts on any threatened or endangered species or habitats for such species. This alternative would not reduce livestock utilization during the sage-grouse nesting season and is less likely to improve nesting success within this allotment. The livestock use period would include the sage-grouse nesting season leading to potential for increased trampling and decreased nesting cover during this time.

Mitigative Measures: None

Name of specialist and date: Gail E. Martinez 2/27/09

T&E AND SENSITIVE PLANTS

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

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 2/19/09

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no hazardous materials present on the Thornburgh Monument Allotment.

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

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 2/17/09

WATER QUALITY - GROUND

Affected Environment: The allotment contains surficial deposits of Quaternary alluvium overlaying Upper Cretaceous Williams Fork Formation rocks.

Environmental Consequences, both alternatives: Livestock grazing, being surficial in nature, would lead to no subsequent impact on groundwater aquifers in the underlying Williams Fork formation. Grazing activity would not impact groundwater bearing aquifers in the subsurface. A continuation of livestock grazing will not increase any runoff that would impact subsurface useable groundwater bearing aquifers.

Mitigative Measures: None

Name of specialist and date: Marilyn D. Wegweiser 03/09/09

WATER QUALITY - SURFACE

Affected Environment: Most of the public land within the allotment is on steep brushy

slopes and hillsides. There are no perennial water bodies or riparian systems on public lands within the allotment. There are numerous small ephemeral drainages on public land within the allotment. Drainage from these parcels flows into Milk Creek. Milk Creek needs to have water quality that will support Aquatic Life Warm 1, Recreation 1b, Water Supply and Agriculture. This segment of the lower Yampa River and Milk Creek and its tributaries were assessed in 2001 and 2002 and were found to be fully supporting these designated uses.

Environmental Consequences, both alternatives: Grazing use of the allotment would not impair water quality under either of the alternatives. Water quality would continue to support the present classified uses.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 3/9/09

WETLANDS/RIPARIAN ZONES

Affected Environment: No riparian systems are present on public lands within the Thornburgh Monument Allotment.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 3/9/09

WILD & SCENIC RIVERS

Affected Environment: Not Present

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 2/17/09

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not Present

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 2/17/09

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: The table below (Table 1) describes the primary soils of the public lands in the Thornburgh Monument Allotment. Surface soil characteristics are stable with good vegetative canopy to protect from accelerated erosion. There is no evidence of accelerated erosion in the form of rills, gullies, pedestalling, flow patterns, or compaction.

Table 1. Soil Summary for the Thornburgh Monument Allotment #04617

Soil Map Unit (MU) & Soil Name (Acres in Allot.)	Map Unit Setting	Description
MU 91 Torriorthents-Rock outcrop complex (660 acres)	<u>Elevation:</u> 5,100'-7,500' <u>Mean annual precipitation:</u> 8-18" <u>Range Site:</u> Stony foothills	This map unit is in extremely rough and eroded areas on mountains, hills, ridges, and canyonsides. Slopes range from 15-65% up to 35-90%. These soils are very shallow to moderately deep and are well drained and somewhat excessively drained. They formed in residuum and colluviums derived from sandstone, shale, limestone, and siltstone. Permeability is moderate and available water capacity is very low. Effective rooting depth is 10-20". Runoff is very rapid and the hazard of water erosion is high. The soil profile of this unit is highly variable.
MU 57 Owen Creek Jerry Burnette loams (291 acres)	<u>Elevation:</u> 7,200'-8,600' <u>Mean annual precipitation:</u> 18-22" <u>Range Site:</u> Brushy Loam	This map unit is on hillcrests, ridges, and mountainsides. Slopes range from 5-35%. This soil unit is deep to moderately deep and well drained. It formed in residuum derived dominantly from shale that has thin lenses of interbedded sandstone. Permeability of the soil is slow to moderate. Available water capacity ranges from high to low. Effective rooting depth is 20-40" in some areas and up to 60" or more in others. Runoff is rapid to medium and the hazard of water erosion is moderate to high.
MU 5 Badland (196 acres)	<u>Elevation:</u> 5,200'-7,300' <u>Mean annual precipitation:</u> 8-18" <u>Range Site:</u> None	This map unit is on rolling to very steep, nearly barren mountainsides, low hills, ridgetops and canyonsides. Slope is 10-65%. This soil is very shallow and exhibits no significant soil characteristics. The soil material consists of residuum derived dominantly from highly calcareous and gypsiferous shale and bentonite. Permeability is very slow and available water capacity is very low. Effective rooting depth is 0-10". Runoff is very rapid and hazard of water erosion is very high.
MU 31 Dollard silty clay loam	<u>Elevation:</u> 5,800'-6,800' <u>Mean annual precipitation:</u> 14-16"	This moderately deep, well drained soil is on foothills and ridges. Slopes range from 15-40%. It formed in clayey residuum derived dominantly from shale. Permeability is slow and available

(138 acres)	<u>Range Site:</u> Clayey Foothills	water capacity is slow. The soil is calcareous throughout. Effective rooting depth is 20-40". Runoff is rapid.
MU 65 Pinelli clay loam (117 acres)	<u>Elevation:</u> 6,500'-7,000' <u>Mean annual precipitation:</u> 15-18" <u>Range Site:</u> Clayey Foothills	This deep, well drained soil is on fans and terraces along intermittent drainageways. It formed in mixed alluvium derived dominantly from shale. Permeability is moderately slow and available water capacity is high. Effective rooting depth is 60" or more. Runoff is medium to rapid and the hazard of water erosion is moderate to high.

Data from *Soil Survey of Rio Blanco County Area Colorado (May, 1982)*. Soil units in the allotment consisting of less than 20 acres not included.

Environmental Consequences, both alternatives: Soil compaction and depleted soil cover are the most likely impacts to be incurred as a result of livestock grazing. These effects could occur on areas of concentrated use under either alternative. The affected land within the allotment has adequate plant and litter cover to reduce or eliminate this associated soil erosion. No loss or gain of biological soil crusts would occur as a result of implementing either of the alternatives.

The utilization objective for perennial herbaceous forage is 50%. At this level, vegetative canopy cover would remain adequate to protect soil stability. Utilization levels that exceed the objective could lead to accelerated soil erosion due to increased loss of canopy cover and litter. Many of the steeper slopes and erosive soils on the public land within the allotment receive little grazing as a result of the topography and would receive little to no impact under either alternative.

Environmental Consequences, Proposed Action: The change in dates and modification to class of livestock would have beneficial to neutral effects on the soil resources in the allotment. Delaying the entry date allows more time for soils to dry and stabilizing plant growth to begin before livestock can access the allotment in the spring.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 3/18/09

UPLAND VEGETATION

Affected Environment: The vegetation within the allotment consists of brush communities including stands of Wyoming big sagebrush, rubber rabbitbrush, silver sagebrush, Gambel's oak, serviceberry, and Utah juniper. Throughout the allotment perennial grasses include basin wildrye, Sandberg bluegrass, western wheatgrass, crested wheatgrass, needle-and-thread, Timothy grass, smooth brome, cheatgrass and Japanese brome. An assortment of forbs are present including arrowleaf balsamroot, lupine, western yarrow, a variety of asters, curlycup gumweed, salsify, Canada thistle and Scotch thistle. Plant production and vigor within the allotment are very high.

Environmental Consequences, Proposed Action: Most of the public land in the allotment

receives minimal livestock use due to steep topography and brush cover. The split season of use allows for plants to be rested at the end of the growing season and while seeds are maturing before livestock return in the fall when the plants are dormant. Current vegetation vigor, production and diversity support the ability of the allotment to be grazed by either cattle or sheep. The Proposed Action would have neutral to beneficial results on the allotment.

Environmental Consequences, No Action: This alternative would allow for season long use in the allotment by both sheep and cattle at low numbers. Currently, permittee management does not utilize the entire season however the option would exist under this alternative. Season long grazing puts continuous pressure on a growing plant and can prevent it from storing reserves or producing seeds and reducing plant vigor. The no action alternative would not provide the beneficial results for the upland vegetation and would likely result in a continuation of current management within the authorized use period.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 2/13/08

WILDLIFE, AQUATIC

Affected Environment: Milk Creek flows across private land within the allotment and supports aquatic invertebrates, amphibians, and reptiles. Although no inventory data are available, these waterways may also support fish populations. Habitat in this allotment is fair to poor for aquatic wildlife. Milk Creek does not flow across public land in the Thornburgh Monument Allotment.

Environmental Consequences, both alternatives: Potential impacts from livestock grazing include trampling of individuals or nests/eggs, water displacement, sedimentation and nitrification and removal or degradation of shading vegetation. The impacts of grazing on aquatic populations would be at an acceptable level under either alternative.

Mitigative Measures: None.

Name of specialist and date: Gail E. Martinez 2/27/09

WILDLIFE, TERRESTRIAL

Affected Environment: The Thornburgh Monument Allotment provides year round habitat for black bear, mountain lion, elk, and mule deer. A variety of small mammals, reptiles and song birds can be found within this allotment at various times of the year.

Environmental Consequences, Proposed Action: The Proposed Action would ensure that wildlife habitats remain capable of supporting healthy productive wildlife populations. Big game animals would not be directly impacted by livestock grazing. During this use period ground nesting songbirds using this allotment could have nests destroyed by livestock. This is unlikely

to occur frequently and would not have a negative impact on any species population.

Environmental Consequences, No Action: Under this alternative, the same grazing system that has been in use for the past 10 years would remain in place. This system has not had a negative impact to wildlife habitats. Wildlife habitats within these allotments are currently meeting standards for rangeland health. It is expected that this would continue.

Mitigative Measures: None.

Name of specialist and date: Gail E. Martinez 2/27/09

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

<i>Non-Critical Element</i>	<i>NA or Not Present</i>	<i>Applicable or Present, No Impact</i>	<i>Applicable & Present and Brought Forward for Analysis</i>
Fluid Minerals	MDW 2/20/09		
Forest Management		CR 2/13/09	
Hydrology/Ground		MDW 03/9/09	
Hydrology/Surface		CR 3/9/09	
Paleontology		MDW 02/20/09	
Range Management		CR 2/13/09	
Realty Authorizations		LM 2/18/09	
Recreation/Travel Mgmt		GMR 2/17/09	
Socio-Economics		LM 2/18/09	
Solid Minerals		JAM 2/20/09	
Visual Resources		GMR 2/17/09	
Wild Horse & Burro Mgmt	CR 2/13/09		

CUMULATIVE IMPACTS SUMMARY: This allotment and surrounding areas have historically been grazed by livestock including sheep and cattle. Numerous maintained and unmaintained roads exist throughout the area, including the allotment. These roads are used regularly by local residents and ranchers as well as by 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 these allotments is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The Thornburgh Monument Allotment is meeting this standard. Implementation of either alternative would not

result in diminished animal production, diversity, or resilience. This standard would continue to be met under either the Proposed Action or the No Action Alternative.

Name of specialist and date: Gail E. Martinez 2/27/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal)

STANDARD: There are no threatened or endangered animal species or habitats for such species present within the Thornburgh Monument Allotment. This allotment does provide brood rearing and winter range habitat for greater sage-grouse, a BLM special status species. The Proposed Action would remove livestock from the allotment and decrease utilization during the nesting season. This would benefit greater sage-grouse by relieving trampling pressure and increasing forage cover during nesting season. The No Action Alternative would not provide any benefits to this species. This standard is currently being met and would continue to be met under either alternative.

Name of specialist and date: Gail E. Martinez 2/27/09

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: This standard is currently being met and would continue to be met in the future under the Proposed Action or No Action Alternatives. The dominant and key plant species are appropriate and as expected within the allotment. The vegetation is productive and vigorous exhibiting more than adequate resilience from human activities. Some non-native or noxious weeds are present in the allotment, primarily on private land, but are within an acceptable level.

Name of specialist and date: Christina Rhyne 2/13/09

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

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

Name of specialist and date: Hunter Seim 2/19/09

RIPARIAN SYSTEMS STANDARD: No riparian systems occur on the public lands in the Thornburgh Monument Allotment. This standard does not apply.

Name of specialist and date: Christina Rhyne 3/9/09

WATER QUALITY STANDARD: The water quality standard for healthy rangelands would be met with implementation of either the Proposed Action or No Action Alternatives. Runoff from snowmelt and summer storms drains from the allotment into stream segments that are presently supporting classified uses. No stream segments are listed as impaired.

Name of specialist and date: Christina Rhyne 3/9/09

UPLAND SOILS STANDARD: This standard is currently being met within the Thornburgh

Monument Allotment. Upland soils are stable and have good vegetative cover. There is very little visual evidence of soil movement and surface litter is accumulating in place. No visual evidence of rills, pedestals, or flow patterns is present. Proposed levels of grazing would maintain sufficient residual forage for upland soil health to be maintained. This standard would be met with the implementation of either the Proposed Action or No Action Alternatives.

Name of specialist and date: Christina Rhyne, 3/18/09

PERSONS/AGENCIES CONSULTED: Uintah and Ouray Tribal Council, Colorado Native American Commission, Colorado State Historic Preservation Office, Davidson Yellow Jacket Ranch, Ltd. (Charles and Carolyn Davidson).

MITIGATION MEASURES: None

ATTACHMENTS: Attachment 1, Allotment Map
Attachment 2, Standard and Common Terms and Conditions

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

Finding of No Significant Impact

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

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

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

**ATTACHMENT #2
DOI-BLM-CO-N010-2009-0028-EA
TERMS AND CONDITIONS**

Standard Terms and Conditions

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

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

Common Terms and Conditions

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed-free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.
- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of

human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

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

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

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.

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