

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-N010-2010-0039 EA

CASEFILE/ALLOTMENT NUMBER: 0504186 / 04203

PROJECT NAME: Change in type of livestock authorized on the Deer Creek Road Allotment #04203.

LEGAL DESCRIPTION: see Allotment Map, Attachment #1

Deer Creek Road #04203

T4N R91W part of Sec. 8
T5N R91W part of Sec. 32

143 acres Private
54 acres BLM
197 acres Total

APPLICANT: Douglas M. Weeldreyer and Kay A. Weeldreyer and Sam C. Weeldreyer and Luke C. Weeldreyer (Weeldreyer et al.).

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

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

Date Approved: April 26, 1989

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

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

NEED FOR PROPOSED ACTION: Following the purchase of the base property associated with the Deer Creek Road Allotment #04203 Weeldreyer et al. applied for the transfer (DOI-BLM-CO-N010-2010-0040 CX) of the grazing preference with a change in class of livestock from horses to cattle.

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

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

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

PUBLIC SCOPING PROCESS: The project is posted on the 2010 NEPA log on the Little Snake Field Office web site.

BACKGROUND: The Deer Creek Road Allotment is located southwest of Hamilton, CO. The elevation within the allotment averages 6,500 feet. Its northwest boundary follows Morapos Creek. The public land within the allotment consists of fairly steep hills covered in a mix of sagebrush and oakbrush.

This allotment was originally part of the Lower Morapos Creek Allotment #04605 until a portion of the base property was sold in 1990. Once separated the allotment was a May sheep use allotment. In 1996 a change in season of use and class of livestock was proposed by the permittee and approved by the BLM. This resulted in the current terms and conditions authorizing horse use from June 1 to September 30.

Multiple permittees have held the grazing authorization on this allotment over the years. Lebs held the permit from 1990 until 2003. In 2003 CER CO-100-LS-06-063 was completed transferring the grazing permit to Joseph Toia. Toia held the permit from 2003 until 2009. CO-100-2006-042 DNA was completed in 2006 renewing the grazing permit for ten years to Joseph Toia. Winter of 2009 Weeldreyer et al. applied for a transfer of the permit with a change in class of livestock to cattle. The Weeldreyer's also hold the grazing permit on the adjacent Pome Allotment #04554 authorizing cattle use.

This allotment was assessed in 2003 and was determined to be meeting all land health standards.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

Issue a grazing permit on the Deer Creek Road Allotment #04203 to Weeldreyer et al. expiring February 28, 2016. The reissued grazing permit would include a change in class of livestock to include cattle use. The permit would be issued with the following terms and conditions.

From:

Allotment	Livestock	Dates		%PL	AUMs
<u>Name & Number</u>	<u>Number & Kind</u>	<u>Begin</u>	<u>End</u>		
Deer Creek Road #04203	4 Horses	06/01	09/30	34	5

No special terms and conditions.

To:

Allotment	Livestock	Dates		%PL	AUMs
<u>Name & Number</u>	<u>Number & Kind</u>	<u>Begin</u>	<u>End</u>		
Deer Creek Road #04203	4 Cattle	06/01	09/30	34	5

Special terms and conditions:

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

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

No Action

No change in class of livestock use would occur. Livestock would continue to graze the allotment as permitted in the existing authorization.

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 grazing would not cause regional air quality impairment under either of the alternatives. There are no existing roads on the allotment, so there would be limited vehicular access for livestock management activities and it would not result in releases of particulate matter (dust) emissions.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/8/2010

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences, all alternatives: Not applicable.

Mitigative Measures: Not applicable.

Name of specialist and date: Kimberly Miller, 1/11/2010

CULTURAL RESOURCES

Affected Environment: Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for the allotment on January 25, 2010 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 Little Snake Field Office archaeology files.

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

The table below is based on the allotment specific analysis developed for the allotment in this EA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in 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)
04426	0	197	0%	None	5.2	1.5

(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.)

No cultural resource inventories have been previously conducted within the allotment. General Land Office (GLO) Plats were reviewed and a trail was found in the 1881 T5N R91W sec. 32. On the 1909 T4N R91W sec. 8 there were roads noted.

Archaeological survey is required where animal concentrations and cultural resources are expected. In this allotment, 50 acres near a drainage fall within those areas and must have Class III archaeological survey performed. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within ten year period of the 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, all alternatives: The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gulying, and increased potential for unlawful collection and vandalism. Continued livestock use in these concentration areas may cause substantial ground disturbance and cause irreversible adverse effects to historic properties.

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

Environmental Consequences, Proposed Action: Although the number of AUM's remains the same for this permit renewal, it would allow for either horse or cattle use. This change would not result in new significant impacts to cultural resources due to the low AUMs and the small amount of BLM acreage in the allotment. Saltblock placement, which creates a concentration area, along roads or anywhere in the allotment would potentially impact historic properties if they are in proximity of the placement.

Mitigation Measures: None

Name of Specialist and date: Robyn Watkins Morris 1/25/2010

ENVIRONMENTAL JUSTICE

Affected Environment: The allotment is located in an area of isolated dwellings. Oil and gas development and ranching are the primary economic activities.

Environmental Consequences, all alternatives: The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of either alternative. Neither alternative would directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None

Name of specialist and date: Barb Blackstun 01/19/2010

FLOOD PLAINS

Affected Environment: There are no flood plains present on public lands within the Deer Creek Road Allotment.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/8/2010

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present in the affected area. Invasive annuals such as cheat grass and yellow alyssum occur in the allotment. Additionally, Dalmatian toadflax, hound's tongue and musk thistle are extensive on adjacent land parcels. Highway 13 and MCR 41 provide an avenue for weed introduction in the area. Invasive annual

weeds are typically established in disturbed and high traffic areas, whereas, biennial and perennial weeds are less common in occurrence. Cheat grass is on the Colorado List C of noxious weeds while Dalmatian toadflax and musk thistle are on the Colorado B list. The BLM Little Snake Field Office cooperates with Moffat County Pest Management program to employ the principals of Integrated Weed Management (IWM) to control noxious weeds on public lands.

Environmental Consequences, all alternatives: The impact of invasive or noxious weed establishment is very similar under either alternative. Vehicular access to public lands for dispersed recreation, hunting, grazing operations, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance from livestock concentration and human activities associated with grazing operations can also increase weed presence. The largest concern in the allotment would be for biennial and perennial noxious weeds to establish and not be detected. Once an infestation is detected it could be controlled with various IWM techniques. Land practices and land uses by the livestock operator and their weed control efforts and awareness would largely determine the identification and potential occurrence of weeds within the allotment.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/11/2010

MIGRATORY BIRDS

Affected Environment: The LSFO is located within two Bird Conservation Regions (Northern Rockies and Southern Rockies/Colorado Plateau). Several species on the USFWS's Birds of Conservation Concern (BCC) list for these regions occupy habitats within the LSFO.

Specific to the allotment, native plant communities are comprised of mixed mountain shrublands, sagebrush and perennial grass communities. Potential nesting habitat for three species on the BCC list, sage thrasher, Brewer's sparrow and sage sparrow exists on the allotment. There are no known active raptor nests located within the allotment, however several golden eagle and red-tailed hawks nests are located in the general area.

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 for the Deer Creek Road Allotment involves cattle or horse grazing from 6/01 to 9/30 and would coincide with migratory bird nesting season. Although this schedule encompasses much of the growing season, the allotment does receive some rest during the early spring and the stocking rate is relatively low. Terms and conditions which limit utilization levels to 50% on key grass species and to 40% on key browse species would prevent over-utilization (>60%) in any given area. The allotment would also be grazed in conjunction with private land, which would help to distribute livestock and reduce concentration on public lands. Due to the above measures, grazing would not alter habitat conditions to the extent that reproduction or foraging would be adversely impacted.

The vegetative community is in good condition, providing suitable habitat for migratory bird species. These conditions would continue under the grazing system described in the Proposed Action. The addition of cattle grazing would be neutral as horses and cattle have similar diets. Overall, the Proposed Action would be compatible with maintaining local migratory bird populations.

Environmental Consequences, No Action Alternative: Under the current grazing system, the allotment was found to be meeting all land health standards and providing suitable habitat for a variety of migratory bird species. Habitat conditions would remain unchanged under this alternative.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/15/2010

NATIVE AMERICAN RELIGIOUS CONCERNS

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

Name of specialist and date: Robyn Watkins Morris 1/25/2010

PRIME & UNIQUE FARMLANDS

Affected Environment: There are no Prime and Unique Farmlands present on the BLM land within the Deer Creek Road Allotment.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/11/2010

T&E AND SENSITIVE ANIMALS

Affected Environment: The allotment provides habitat for greater sage grouse and Columbian sharp-tailed grouse, both BLM sensitive species. There are no leks located in the vicinity of the allotment for either species. The area is on the fringe of greater sage grouse habitat and any use by this species is likely incidental. The allotment is also on the fringe of sharp-tailed habitat, but sagebrush and mixed mountain shrublands still provide winter habitat for this species.

Environmental Consequences, Proposed Action: Livestock grazing can indirectly impact grouse by altering habitat components such as species composition, height or cover. The proposed action would permit grazing by cattle or horses from 6/01 to 9/30. Although this schedule encompasses much of the growing season, the allotment does receive some rest during the early spring. Terms and conditions which limit utilization levels to 50% on key grass species and to 40% on key browse species would help to prevent over-utilization (>60%) in any given area. The allotment would also be grazed in conjunction with private land, which should help to distribute livestock and reduce concentration on public lands. Due to the above measures, grazing would not be expected to alter current habitat conditions.

The addition of cattle grazing would be neutral as horses and cattle have similar diets. Neither class of livestock focus on shrubs, which are an important component of grouse winter habitat.

Environmental Consequences, No Action Alternative: Under the current system the allotment is meeting all land health standards and providing suitable habitat for Columbian sharp-tailed grouse. Habitat conditions would remain unchanged under this alternative.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/19/2010

T&E AND SENSITIVE PLANTS

Affected Environment: There are no federally listed threatened or endangered or BLM sensitive plant species present on the Deer Creek Road Allotment #04203.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 1/12/2010

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no hazardous wastes present on the allotment.

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

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/8/2010

WATER QUALITY - GROUND

Affected Environment: The rocks near the surface are Eocene Brown's Park formation and Cretaceous Lance formation.

Environmental Consequences, all alternatives: Livestock grazing would not affect groundwater resources under either alternative.

Mitigative Measures: None

Name of specialist and date: Marty O'Mara 1/20/2010

WATER QUALITY - SURFACE

Affected Environment: Any surface runoff from Deer Creek Road Allotment flows into Morapos Creek, a perennial tributary of the Williams Fork River. Water quality standards must support Aquatic Cold Life 1, Recreation P, and Agriculture beneficial uses. Morapos Creek, including all wetlands and tributaries from its source to the confluence with the Williams Fork River, meet or exceed water quality standards.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Emily Spencer 1/11/2010

WETLANDS/RIPARIAN ZONES

Affected Environment: There are no wetlands or riparian areas on public lands within this allotment.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/8/2010

WILD & SCENIC RIVERS

Affected Environment: Not present

Environmental Consequences, all alternatives: Not applicable

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 1/11/2010

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not Present

Environmental Consequences, all alternatives: Not Applicable

Mitigative Measures: None

Name of specialist and date: Kimberly Miller 1/11/2010

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: Table 1 below describes the soils included within the Deer Creek Road 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 Deer Creek Road Allotment #4203

Soil Map Unit (MU) & Soil Name (Acres in Allot.)	Map Unit Setting	Description
MU 66 Evanot loam, 1 to 12% slopes (59 acres)	<u>Elevation:</u> 6,200' - 7,200' <u>Mean annual precipitation:</u> 13-15" <u>Ecological Site:</u> Deep Loam	These soils are well drained with moderately slow permeability. Available water capacity is high and the soils are typically 60 in. deep.
MU 145 Pagoda clay loam, 1 to 12% slopes (50 acres)	<u>Elevation:</u> 6,400' - 7,200' <u>Mean annual precipitation:</u> 16-18" <u>Ecological Site:</u> Deep Clay Loam	These soils are well drained with slow permeability. Available water capacity is high and they are typically 60 in. deep.
MU 113 Kemmerer-Yamo complex, 5 to 30% slopes (44 acres)	<u>Elevation:</u> 6,100' - 7,200' <u>Mean annual precipitation:</u> 11-13" <u>Ecological Site:</u> Clayey Slopes	These soils are well drained, have a very slow permeability rate and low available water capacity. The runoff class is very high and typical depth is 26 in.
MU 206 Ustorthents, frigid-Borolls complex 25 to 75% slopes (14 acres)	<u>Elevation:</u> 7,000' - 8,500' <u>Mean annual precipitation:</u> 16-20" <u>Ecological Site:</u> Unknown	These soils are well drained with moderate to moderately slow permeability. Available water capacity is very low to low and runoff is high to very high. Typical soil depth ranges from 32 – 34 in.

Data taken from *Soil Survey of Moffat County Area, Colorado (2004)*.

Environmental Consequences, all alternatives: Potential soil compaction and depleted soil cover are the most likely impacts to be incurred as a result of livestock grazing. These effects would occur on areas of concentrated use under either alternative. The majority of the slopes within the allotment would be accessible by livestock. The affected land within the allotment has adequate plant and litter cover to reduce or eliminate 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. At the proposed stocking rate, and with the proportion of private land within the allotment, grazing use would sustain the plant community providing protection from soil erosion and maintaining stable soil characteristics.

Environmental Consequences, Proposed Action: Grazing preferences of cattle and horses are similar in type of forage selected. Grazing methods and habits are different between the species. Soils within the allotment are sufficiently stable to support the grazing of both classes of livestock. This alternative would result in neutral to positive benefits to the soil resource in the allotment.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/12/2010

UPLAND VEGETATION

Affected Environment: The plant community within the allotment is comprised of upland shrub species and perennial grasses. Shrub species include Wyoming big sagebrush, snowberry, Gambel's oak, winterfat and serviceberry. Grasses and forbs within the allotment include western wheatgrass, needle and thread, squirreltail, prairie junegrass, cheatgrass, arrowleaf balsamroot, wild onion, sego lily, lupine, broom snakeweed, cactus, death camas, and owl clover. This composition is appropriate for the site and overall density of dominant species is high. The upland vegetation is contributing to desired objectives.

Environmental Consequences, Proposed Action: This allotment is stable and has maintained production, diversity, and vigor in conjunction with authorized livestock grazing. Under this alternative changing the class of livestock to allow use by horses and/or cattle the effects would be neutral. Diet selection between cattle and horses is primarily the same focusing on herbaceous perennial grasses with little utilization of browse forage. Equine foraging does clip forage lower on the plant in comparison to cattle and horses may tend to be more selective or repeat grazers. Horses have upper and lower incisors which enable them to graze plants closer to the soil level, whereas a cow grabbing a plant with the tongue is not able to graze plants that are about two inches or shorter in height. Additionally, horses may be more active grazers covering larger areas while cattle may be more sedentary in their grazing movement.

Environmental Consequences, No Action: The allotment is currently meeting land health standards under livestock grazing use and maintaining sustainable vegetative communities. This alternative would have a neutral effect on the allotment.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 1/12/2010

WILDLIFE, AQUATIC

Affected Environment: The Deer Creek Road Allotment does not provide habitat for aquatic wildlife species.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/15/2010

WILDLIFE, TERRESTRIAL

Affected Environment: Native plant communities on the Deer Creek Road Allotment are comprised of mixed mountain shrublands, sagebrush and perennial grass communities. These communities typically provide habitat for big game species as well as small mammals, reptiles and birds. The allotment provides important habitat for wintering big game species. The allotment is currently in good condition, providing suitable habitat for terrestrial wildlife species.

Environmental Consequences, all alternatives: The addition of cattle grazing to the allotment would likely be neutral. Both classes of livestock focus on grasses and would overlap the diet of big game species, primarily elk. Mule deer focus more on forbs and shrubs and would not compete as much with livestock for available forage. Overall, the proposed grazing regimes are expected to be compatible with maintaining suitable habitat for a variety of wildlife species. The allotment is in good condition under the current grazing regime, and these conditions would likely continue under both the Proposed Action and the No Action Alternative.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 1/19/2010

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	EMO 1/20/10		
Forest Management	CR 1/12/10		
Hydrology/Ground		EMO 1/20/10	
Hydrology/Surface		ES 1/11/10	
Paleontology		EMO1/20/10	
Range Management		CR 1/8/10	
Realty Authorizations		BSB 01/19/10	
Recreation/Travel Mgmt		KMM, 1/11/10	
Socio-Economics		BSB 01/19/10	
Solid Minerals		JAM 1/11/10	
Visual Resources		KMM, 1/11/10	
Wild Horse & Burro Mgmt	CR 1/8/10		

CUMULATIVE IMPACTS SUMMARY: This allotment and the surrounding area have historically been grazed by livestock including sheep, horses and cattle. Adjacent to the allotment are maintained and unmaintained roads. These roads are used regularly by local residents and ranchers as well by as the primary recreation users in the area, hunters. Wildlife populations in the area are high, especially for deer and elk that compete with livestock for

available forage throughout the area. Additionally, there is an oil field in the area near this allotment. The primary impacts from all of these activities are most immediately seen in the presence of roads, cultivation on private lands, and weed presence. The Proposed Action to continue grazing on this allotment is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The Deer Creek Road Allotment provides habitat for a variety of wildlife species. Elk and mule deer utilize this area for winter habitat. Several raptor nests, including golden eagle and red-tailed hawk, exist in the vicinity of the allotment. Overall, vegetative communities within the allotment are in good condition, providing suitable habitat for terrestrial wildlife species. Shrub cover is adequate to provide winter habitat for browsing species. This standard is met and habitat conditions would remain unchanged under either alternative.

Name of specialist and date: Desa Ausmus 1/19/2010

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD: The allotment provides habitat for two BLM sensitive species, greater sage grouse and Columbian sharp-tailed grouse. Sagebrush and grass communities on the allotment are in good condition, providing suitable habitat for both grouse species. Overall, native vegetation on the allotment is appropriate and healthy and the allotment is meeting this standard. Either alternative would meet this standard.

Name of specialist and date: Desa Ausmus 1/19/2010

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: The public land parcel on the Deer Creek Road Allotment supports a diverse plant community that is appropriate for the site. Density and production of key species are high and they are providing adequate resilience from human activities. This standard is currently being met. The Proposed Action including a change in class of livestock to include cattle use would continue to meet this standard. The No Action Alternative would also continue to meet this standard.

Name of specialist and date: Christina Rhyne 1/8/2010

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant) STANDARD: There are no federally threatened or endangered or BLM sensitive plant species present on the Deer Creek Road Allotment #04203. This standard does not apply.

Name of specialist and date: Hunter Seim 1/12/2010

RIPARIAN SYSTEMS STANDARD: There are no riparian areas present on the Deer Creek Road Allotment #04203. This standard does not apply.

Name of specialist and date: Christina Rhyne 1/8/2010

WATER QUALITY STANDARD: Runoff waters from this allotment flow into Morapos Creek. All stream segments are supporting the classified uses and no stream segments are considered to be impaired. No increase in sediments and nutrients are anticipated that would result in runoff waters from the project area, as number of AUMs remains the same. Either alternative would meet this standard.

Name of specialist and date: Emily Spencer 1/11/2010

UPLAND SOILS STANDARD: The soils in this allotment are stable and are supporting a plant community which is providing good cover to ensure soil stability. Grazing use under both alternatives would allow the plant community to continue to provide adequate cover and organic material production necessary to maintain the continued stability of the soils. Either alternative would meet this standard.

Name of specialist and date: Christina Rhyne 1/12/2010

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

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

SIGNATURE OF PREPARER: /s/ Christina Rhyne

DATE SIGNED: 02/17/10

SIGNATURE OF ENVIRONMENTAL REVIEWER: /s/ Barb Blackstun

DATE SIGNED: 02/18/10

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: Mark Lowrey

DATE SIGNED: 02/19/10

Allotment #4203 Deer Creek Road

T4/5N R91W

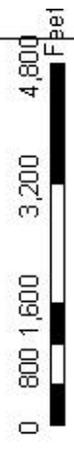
Allotment Boundaries

- Township/Range

Surface Management Status

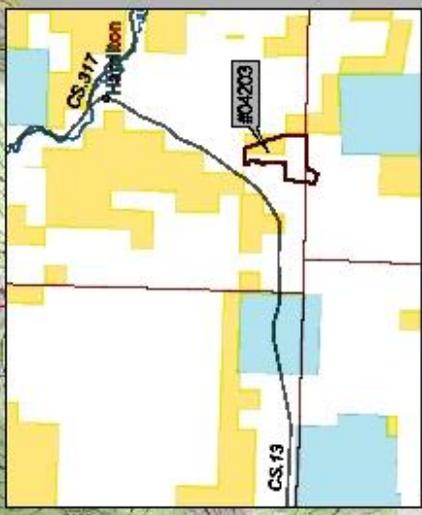
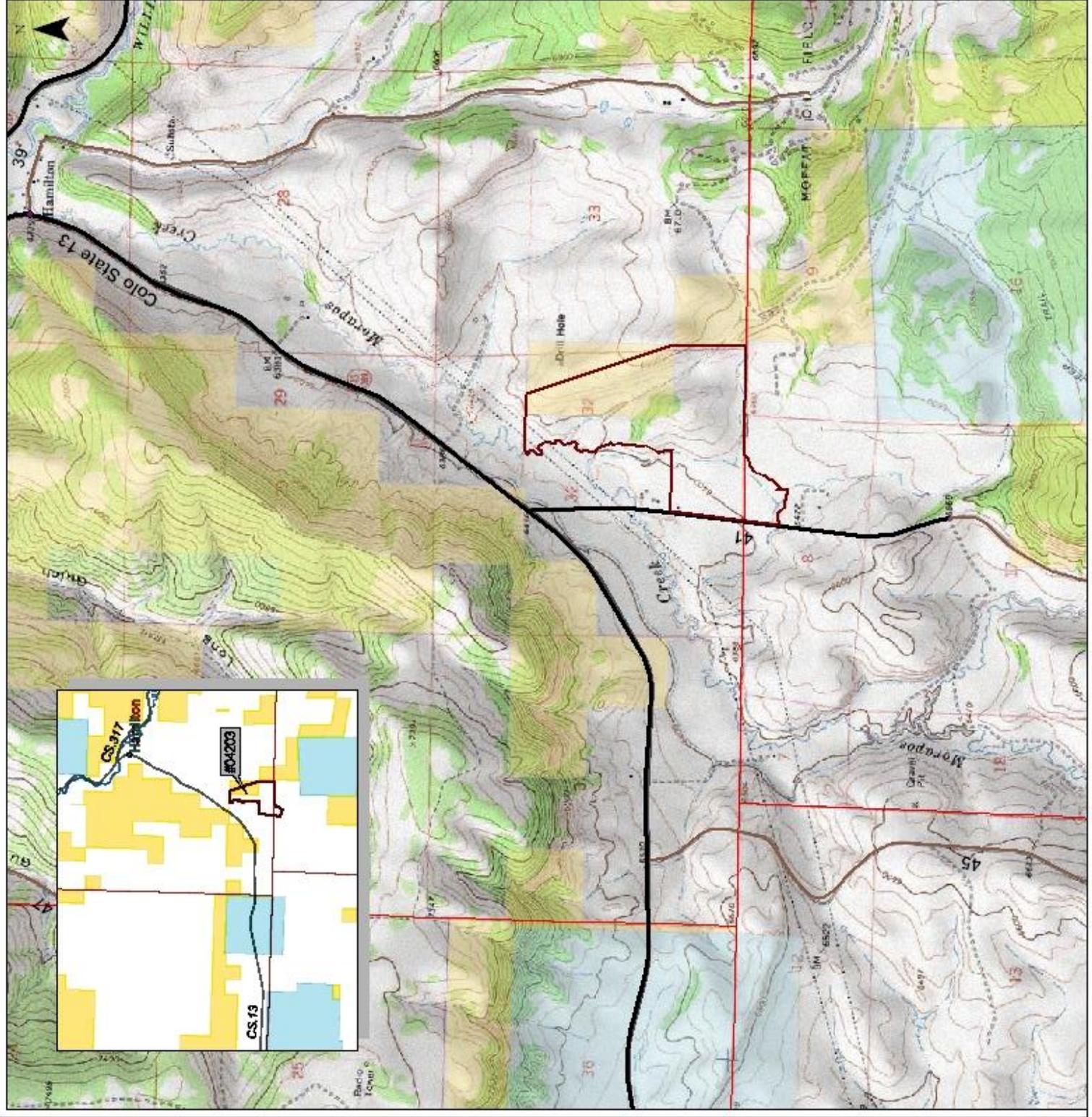
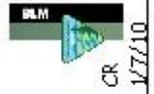
- Private
- State Land Board
- US BLM

Private	143 acres
BLM	54 acres
Total	197 acres



1:29,548

Monument Butte
Hamilton



ATTACHMENT #2
DOI-BLM-CO-N010-2010-0039-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 permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.