

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-N010-2010-0075-EA

CASEFILE/ALLOTMENT NUMBER: 0501070 (0504237)/04507, 04514, 04548

PROJECT NAME: Renewal of the grazing permit on the Upper Mud Springs #04507, Pole Gulch #04514, and North Great Divide #04548 Allotments.

LEGAL DESCRIPTION: see Allotment Maps, Attachments 1a through 1c

Upper Mud Springs Allotment #04507	T10N R91W all or part of Secs. 4-10, 15-18 1,216 acres BLM 657 acres BLM LU <u>2,859 acres private</u> 4,732 acres total
Pole Gulch Allotment #04514	T11N R91W all or part of Secs. 4-9, 17-21, 28 T11N R92W all or part of Secs. 1-3, 9-15, 20-36 T12N R91W parts of Secs. 31, 32 16,112 acres BLM 664 acres State Land Board <u>4,625 acres private</u> 21,401 acres total
North Great Divide Allotment #04548	T10N R92W all or part of Secs. 3-9, 17-19, 30, 31 T10N R93W all or part of Secs. 1-3, 10-16, 22, 24-27, 36 T11N R93W part of Secs. 33, 34 2,327 acres BLM 1,591 acres BLM LU 1,269 acres State Land Board <u>9,897 acres private</u> 15,084 acres total

APPLICANT: Permittee

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 objectives for this unit, which is to provide for the development of oil, gas, and forest resources. The Proposed Action would not conflict with the development of these resources.

A portion of the Proposed Action is located within Management Unit 3, Little Snake River. The Proposed Action is compatible with the management objectives for this unit, which is to improve soil and watershed values, increase forage production, and enhance livestock grazing. The Proposed Action would not conflict with the improvement and enhancement of these resources.

A portion of the Proposed Action is located within Management Unit 6, Northern Great Divide. The Proposed Action is compatible with the management objectives of this unit, which is to maintain and improve critical habitat for sage-grouse, mule deer, and pronghorn antelope. The Proposed Action would not conflict with the maintenance or improvement of these resources.

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

NEED FOR PROPOSED ACTION: BLM permit #0501070, which authorizes livestock grazing on the Upper Mud Springs #04507, Pole Gulch #04514, and North Great Divide #04548 Allotments, expired on February 28, 2009. The permit was extended with the existing terms and conditions until 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/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 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.

The Proposed Action includes range improvement projects, either new or upgrades to existing projects.

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

BACKGROUND:

Upper Mud Springs Allotment #04507

This allotment is located approximately fifteen miles south of Baggs, Wyoming. This allotment is characterized by low, rolling hills. Elevations range from just over 7,000 feet near the center of the allotment to just under 6,800 feet near the eastern boundary.

Until 1998, the allotment was all one pasture. In 1998, approximately 2.25 miles of fence was built to divide the allotment into two pastures. The East Pasture is primarily BLM land and includes the riparian area along Mud Springs Draw. The West Pasture is primarily deeded land with isolated parcels of BLM. Three reservoirs were built on the BLM and a well was drilled on the deeded land. There is an additional water well that also provides water in the West Pasture.

Since 2000, the allotment has been managed as a two pasture deferred rotation with each pasture receiving spring deferment every other year.

Pole Gulch Allotment #04514

This allotment is located approximately six miles south of Baggs, Wyoming. The allotment encompasses portions of Pole Gulch, East Pole Gulch, and Timberlake Creek. Elevations range from approximately 6,900 feet in the southerly portion to approximately 6,400 feet in the northerly portion.

This allotment is divided into four pastures, Pole Gulch, Timberlake, Quealy, and Crested. The

State Land Board parcel in the easterly portion of the allotment was used as a fifth pasture until 2000, when all grazing on the parcel was acquired by John Peroulis and Sons. In 1999, a temporary grazing system was established that utilized only the Timberlake and Pole Gulch pastures with a longer-term system to be implemented in 2002 when additional water was available. The prescribed rotation was/is as follows:

1999-2001

Timberlake Pasture	290 Cattle	5/15-6/10
Pole Gulch Pasture	290 Cattle	6/11-10/15
Crested Pasture	63 Cattle	5/10-6/12
	63 Cattle	10/16-11/2
Quealy Pasture	62 Cattle	5/10-6/12
	62 Cattle	10/16-11/2

2002

Timberlake Pasture	Rest	
Pole Gulch Pasture	290 Cattle	5/15-10/15
Crested Pasture	63 Cattle	5/10-6/12
	63 Cattle	10/16-11/2
Quealy Pasture	62 Cattle	5/10-6/12
	62 Cattle	10/16-11/2

North Great Divide Allotment #04548

This allotment is located approximately 1.5 miles north of Great Divide, Colorado. The allotment is bisected by Scandinavian Gulch. The topography is generally rolling with elevations ranging from 6,730 feet at the north boundary of the allotment to 7,320 feet at the south boundary.

The allotment is divided into three pastures, Great Divide, Vanishing, and Gold Camp. The Vanishing and Gold Camp pastures are grazed as a two-pasture rotation while the Great Divide Pasture is used for breeding of yearling heifers.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Proposed Action

Renew the grazing permit for the Upper Mud Springs #04507, Pole Gulch #04514, and North Great Divide #04548 Allotments for a period of ten years, expiring February 28, 2020. The permit would be renewed as follows:

From:

Allotment Name and Number	Livestock Number and Kind	Dates		%PL	AUMs
		Begin	End		
Upper Mud Springs #04507	125 Cattle	6/14	9/10	20	73
	125 Cattle	9/11	10/15	80	<u>115</u>
					Total 188

Pole Gulch #04514	125 Cattle	5/10	6/12	75	105
	290 Cattle	5/15	10/15	75	1,101
	125 Cattle	10/16	11/02	75	<u>55</u>
				Total	1,261
North Great Divide #04548	340 Cattle	5/17	10/27	22	403

The above permit is subject to the following Special Terms and Conditions:

1) The Upper Mud Springs Allotment (#04507), Pole Gulch Allotment (#04514), and North Great Divide Allotment (#04548) are subject to rotation grazing plans. The yearly grazing schedule is attached to the Proposed Decision letter (see Attachment 2).

2) The permittee is allowed five (5) days flexibility in pasture movements, including into and out of the allotment, as long as the specified grazing use is not exceeded.

3) All five (5) of the conservation measures will follow the stipulations as described in the Environmental Assessment (see Attachment 3).

To:

Allotment Name and Number	Livestock Number and Kind	Dates		%PL	AUMs
		Begin	End		
Upper Mud Springs #04507	125 Cattle	6/14	9/10	20	73
	125 Cattle	9/11	10/15	80	<u>115</u>
					Total 188
Pole Gulch #04514	125 Cattle	5/10	6/12	75	105
	290 Cattle	5/15	10/15	75	1,101
	125 Cattle	10/16	11/02	75	<u>55</u>
					Total 1,261
North Great Divide #04548	340 Cattle	5/17	10/27	22	403

The above permit would be subject to the following Special Terms and Conditions:

For clarity, the rotation will be specified here. It is the same system as under the previous permit.

1) Livestock will be grazed according to the following rotation:

Upper Mud Springs Allotment #04507

Even Years

West Pasture	125 Cattle	6/14	9/10	20	73
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East Pasture	125 Cattle	9/11	10/15	80	115
<i>Odd Years</i>					
East Pasture	125 Cattle	6/14	7/18	80	115
West Pasture	125 Cattle	7/19	10/15	20	73
<u>Pole Gulch Allotment #04514</u>					
<i>2011 through 2013</i>					
Timberlake Pasture	290 Cattle	5/15	6/10	75	193
Pole Gulch Pasture	290 Cattle	6/11	10/15	75	908
Crested Pasture	63 Cattle	5/10	6/12	75	53
	63 Cattle	10/16	11/2	75	28
Quealy Pasture	62 Cattle	5/10	6/12	75	52
	62 Cattle	10/16	11/2	75	28
<i>2014 (i.e. every fourth year)</i>					
Timberlake Pasture		Rest			
Pole Gulch Pasture	290 Cattle	5/15	10/15	75	1101
Crested Pasture	63 Cattle	5/10	6/12	75	53
	63 Cattle	10/16	11/2	75	28
Quealy Pasture	62 Cattle	5/10	6/12	75	52
	62 Cattle	10/16	11/2	75	28
<u>North Great Divide Allotment #04548</u>					
<i>Even Years</i>					
Great Divide Pasture	142 Cattle	5/17	10/27	22	168
Vanishing Pasture	198 Cattle	5/17	5/27	22	16
Gold Camp Pasture	198 Cattle	5/28	8/20	22	122
Vanishing Pasture	198 Cattle	8/11	10/27	22	97
<i>Odd Years</i>					
Great Divide Pasture	142 Cattle	5/17	10/27	22	168
Vanishing Pasture	198 Cattle	5/17	7/25	22	100
Gold Camp Pasture	198 Cattle	7/26	10/27	22	135

2) The permittee is allowed five (5) days flexibility in pasture movements, including into and out of the allotments, as long as the specified grazing use is not exceeded.

3) Up to 100 horses may be substituted for cattle subject to the following: a. Horse use may be made between the earliest turn out date in May through July 15th or after July 15th through the take out date, but not both in any one year; b. Horses may only be turned out on one allotment per year, with each allotment being used by horses every third year; c. Horses must follow the above rotations; d. Horse use must never exceed permitted AUMs for any pasture; and e. Horse use must be applied for annually.

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

Proposed Range Improvements:

Abandonment of Well and Construction of Pond

In the North Great Divide Allotment #04548, the Dry Gulch Well #3, project #206107, would be plugged and abandoned. This well has a total depth of 509 feet with the pump set at 480 feet. This well once produced 8 to 10 gallons per minute, but for the last several years has produced nothing despite several attempts at rehabilitation. Since the well is already deep for a water well, further drilling to find a new water table would be cost prohibitive. The existing windmill, pipe, troughs, and any other facilities or equipment would be removed.

To replace the water that was once produced by the well, a water retention development would be constructed in an ephemeral drainage where a portion of seasonal water flow can be stored for use by livestock and wildlife. Construction of this development would entail mechanical clearing of brush, core trenching of the dam site, and the construction of an earthen dam and water retention pit by dozer. The dam would not exceed 15 feet in height from the bottom of the embankment to the bottom of the spillway and the development would retain between 0.2 and 0.5 acre-feet. The spillway would have a minimum of 4-foot freeboard to direct any spillage towards the embankment. The dam would be constructed in an area having a high clay substratum to take advantage of the properties of clays that make it more conducive to embankment construction. The pit would be lined with bentonite to improve water retention. The proposed pond would involve a direct surface disturbance of a *maximum* of 2 acres for construction, but more typically, total direct surface disturbance would be 1 acre or less, see Attachment 3.

Pond Construction Stipulations

1. Access to and from the site will be on existing roads or trails. Where cross-country travel is mandatory, the same tracks will be used in and out. While traveling, the dozer blade will be kept up.
2. Top soil will be stockpiled and used to cover the disturbed area to the greatest extent possible.
3. Noxious weeds will be controlled by the permittee on any area disturbed as a result of these projects. Any spraying of weeds will need to be cleared through BLM prior to spraying.
4. No hazardous materials/hazardous waste or trash shall be disposed of on public lands. If a release does occur, it shall be reported to the Little Snake Field Office immediately at 970-826-5000.
5. Any surface disturbance will be reseeded with native species adapted to the area.
6. No construction may occur between March 1 and June 30 to prevent disruption of nesting sage grouse.

Fence Reconstruction

In the Pole Gulch Allotment #04514, an existing fence, the Mud Spring Draw Sec. 4 Allotment Fence #201214, would be removed and replaced with a four strand, high tensile fence. The fence would be built to BLM specifications, see Attachment 4. All posts and wire of the existing fence would be removed, the fence line would be brushbeat for up to 15 feet on either side, and the new fence would be constructed in the same location as the old fence. The reconstructed fence would be fitted with visibility markers to reduce the potential of wildlife collisions.

No Action Alternative

This alternative would maintain the existing permit. No new range improvements would be constructed.

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 does not meet the requirements of the Federal Land Policy and Management Act of 1976. When the RMP was approved, it was determined that livestock grazing was an appropriate use of this land. Eliminating grazing is not analyzed because no new issues or concerns have been identified that would require this action.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: There are five federal Class I areas within 100 kilometers of the Little Snake Resource Management Area boundary, all of which occur in Colorado. There are no federal Class I areas in Utah or Wyoming within 100 km of the LS RMA boundary. There are no special designation air sheds or non-attainment areas nearby that would be affected by either alternative.

Environmental Consequences, both alternatives: Activities associated with grazing that may affect air quality, namely dust and exhaust from ranch operation vehicles as well as dust from livestock hoof action, fall below EPA emission standards for the six criteria pollutants of concern (sulfur dioxide, nitrogen oxide, ground-level ozone, carbon monoxide, particulate matter [both PM_{2.5} and PM₁₀], and lead). Furthermore, ranch operation and livestock activities are not a significant source of these pollutant emissions that do occur in Moffat County. Impacts to air

quality caused by either alternative are therefore considered negligible.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 5/13/10

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences, both alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 5/4/10

CULTURAL RESOURCES

Affected Environment: Grazing authorizations are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for each allotment on May 27th and 28th, 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 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. 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)
04507	52	4680	1%	0	125	37
04514	242	21159	1.1%	16	568	170
04548	280	14804	1.8%	4	393	118

*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.

Two cultural resource inventories were conducted on the Upper Mud Springs Allotment #04507, resulting in the complete coverage inventory of 52 acres and the recording of one cultural resource. The one resource is a prehistoric open camp that is not eligible to the National Register of Historic Places. There are no cultural areas noted on the historic GLO plats within this allotment.

Twenty-three cultural resource inventories were conducted within the Pole Gulch Allotment #04514, resulting in the complete coverage of 242 acres and the recording of 49 cultural resources. Eleven were isolated finds, thirteen prehistoric open camps, seven historic roads, two prehistoric open architectural, three prehistoric open lithic, two historic mining sites, five historic ditches, five paleontological, and one without information. Several cultural resources were identified on historic maps within the allotment. On the 1881 GLO plat for T11N R92W, there is a stage road in Section 36. On the 1881 GLO plat for T11N R91W, there is an old military road in Sections 8 and 18. In sections 5, 16, and 22 of the same plat is the “Old Road to White River Agency.” On the 1905 GLO plat for T11N R92W, there is a wagon road in Sections 1, 11, 15, 21, and 29.

Fourteen cultural resource inventories were conducted in the North Great Divide Allotment #04548, resulting in the complete coverage of 280 acres and recording of 12 cultural resources. These resources consist of four isolated finds, one historic building, one prehistoric open lithic site, and six prehistoric open camps. The GLO plats show one item of cultural interest. The 1881 GLO plat for T10N R93W, there is a stage road and a stage station in the NW ¼ of Section 36.

Based on available data, a high potential for historic properties occurs in the Upper Mud Springs Allotment #04507, a medium potential for the Pole Gulch Allotment 04514, and a low potential exists for historic properties in the North Great Divide Allotment #04507. 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.

1. The proposed spring development and pond construction will require a Class III cultural resource clearance prior to building.
2. In the Pole Gulch Allotment #04514, approximately 250 acres must be surveyed around the

Pole Gulch riparian area.

3. In the Upper Mud Springs Allotment #04507, approximately 100 acres must be surveyed around Mud Spring Gulch riparian area.

4. The following sites were revisited and analyzed to determine impacts in 2000-2002. All were recommended to be revisited within 8 years to determine grazing impacts and must be revisited at this time. They include 5MF4117, 5MF4119, 5MF4118, 5MF551, 5MF567, 5MF6350, 5MF4116, 5MF4115, 5MF4113, and 5MF6445.

5. 5MF4113-this site was revisited in 2000 and it was stated there was one stain that must be mitigated. This site needs to be revisited and mitigated if the feature still exists.

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

Environmental Consequences, 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, 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.

There are areas where grazing impacts to cultural resources have been noted and other areas should be surveyed to ensure cultural resources are not being impacted. 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.

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

Mitigation Measures: None

Name of specialist and date: Robyn Watkins Morris 6/2/10

ENVIRONMENTAL JUSTICE

Affected Environment: The proposed action would be located in an area of isolated dwellings. Oil and gas development and ranching are the primary economic activities.

Environmental Consequences: The proposed action would not directly affect the social, cultural or economic well-being and health of Native American, minority or low-income

populations. The project area is remote and relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of the proposed action.

Mitigative Measures: None

Name of specialist and date: Barb Blackstun 05/17/10

FLOOD PLAINS

Affected Environment: There are 100-year floodplains present within the Pole Gulch Allotment. Flooding is the temporary inundation of an area caused by overflowing streams or by runoff from adjacent slopes. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Frequency is expressed as none, very rare, rare, occasional, frequent, and very frequent. Within the allotment, Timberlake Creek and E. Pole Gulch rarely floods (chance of flooding is 5-50% in any year). Pole Gulch and the upper reaches of Gledhill Draw occasionally floods (chance of flooding is 1 -5% in any year).

Environmental Consequences, both alternatives: Neither alternative includes development in floodplains. No threat to human safety, life, welfare and property will result from implementing either of the alternatives.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 5/13/10

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present in the affected area. Invasive annuals such as cheat grass, halogeton and yellow alyssum occur in or near the allotment. Additionally, white top and Canada thistle are found on nearby land parcels. Invasive annual weeds are typically established in disturbed and high traffic areas, whereas, biennial and perennial weeds are less common in occurrence. Cheat grass and halogeton are on the Colorado List C of noxious weeds while Canada thistle and white top are on List B. 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, both alternatives: The effect of livestock grazing on invasive or noxious weed establishment is 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.

Environmental Consequences, Proposed Action: The range improvement projects included in this alternative provide increased opportunities for noxious or invasive weed establishment. This potential is highest during the construction phase and the period of time following (1-2 yrs). Presence of annual weeds including cheat grass and alyssum is likely to increase. Existing healthy vegetation would be able to compete with these weeds. The inclusion of noxious weed control in the pond construction stipulations would mitigate any infestations that establish as a result of project construction. Awareness and inspection for weed presence by the permittee in the project areas would be imperative to controlling invasive or noxious weeds.

Mitigative Measures: None

Name of specialist and date: Christina Rhyne 5/10/10

MIGRATORY BIRDS

Affected Environment: Plant communities within the three allotments are comprised primarily of sagebrush stands with an understory of grasses and forbs. Snowberry, serviceberry and bitterbrush are also present on the Upper Mud Springs Allotment. A variety of migratory birds may utilize this habitat during the nesting period (May through July) or during spring and fall migrations. The area contains potential nesting and/or foraging habitat for the following USFWS 2008 Birds of Conservation Concern within this BCR: Brewer's sparrow, sage sparrow, sage thrasher, loggerhead shrike, golden eagle, and ferruginous hawk.

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 impacts bird species due to changes in vegetation such as species composition, height or cover. The grazing system described in the Proposed Action would incorporate rotation, deferment and/or rest within the three allotments. This grazing system would allow for ample growing season rest and adequate plant recovery periods. The addition of horse grazing would result in periodically wider distribution across the allotments as horses often move farther away from water than cattle. This would not adversely impact the health of the vegetative community. The Proposed Action would be compatible with maintaining healthy migratory bird habitats.

The proposed pond and fence reconstruction would have minimal impacts to migratory birds. Nesting attempts may be disrupted and some nests may be accidentally destroyed if the pond or the fence were constructed during the breeding season (May – July). As this would only impact a small area of habitat, potential for impacts would remain low. Once brush beating the fence line and constructing the pond are completed, there would be no further potential to interfere materially with nest substrate. An additional water source would improve livestock distribution on the North Great Divide Allotment. Habitat in the immediate vicinity of the ponds would be degraded by livestock congregation; however, this should not affect the productivity of the

surrounding habitat.

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

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 6/25/10

NATIVE AMERICAN RELIGIOUS CONCERNS

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

Name of specialist and date: Robyn Watkins Morris 6/2/10

PRIME & UNIQUE FARMLANDS

Affected Environment: The following soil mapping units that occur in allotments listed under the Proposed Action and No Action Alternative conditionally qualify as prime farmland:

- 10- Battlement fine sandy loam, 0 to 3% slopes: 131 acres, prime farmland if irrigated
- 11-Battlement silt loam, saline, 0 to 3% slopes: 42 acres, prime farmland if irrigated and reclaimed of excess salts and sodium
- 161 – Rock River sandy loam, 0 to 3% slopes: 45 acres, prime farmland if irrigated
- 223 – Youngston loam, well drained, 0 to 3% slopes: 69 acres, prime farmland if irrigated

In addition, there are approximately 7,360 acres of farmland of statewide importance. Generally, farmlands of statewide importance include those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce as high a yield as prime farmlands if conditions are favorable.

Environmental Consequences, both alternatives: There would be no adverse impacts as none of these soils on public lands are or would become irrigated or otherwise manipulated so as to create conditions favorable to create prime farmland within the allotments.

Name of specialist and date: Emily Spencer 5/11/10

T&E AND SENSITIVE ANIMALS

Affected Environment: There are no federally listed or proposed species that inhabit or derive important benefit from habitats in the general area. Critical habitat for the razorback sucker, Colorado pikeminnow, bonytail chub, and humpback chub occurs downstream from the three allotments.

All three allotments provide important habitat for greater sage-grouse, a BLM sensitive species and a candidate for listing under the Endangered Species Act. The allotments are located within a greater sage-grouse 'core' area and provide nesting, brood rearing and winter habitat for this species. There are three active leks within the Upper Great Divide Allotment and one in the Pole Gulch Allotment. There are also several active leks near the border of all three allotments, making the entirety of each allotment potential nesting habitat for this species. Several riparian areas, including Mud Springs Draw and Timberlake Creek are utilized for brood rearing. Winter habitat is located in the Pole Gulch and North Great Divide Allotments. Approximately 435 acres of dense sagebrush was brush beat in the North Great Divide Allotment in 2000.

The allotments also provide habitat for three other BLM sensitive species: Columbian sharp-tailed grouse, ferruginous hawk, and Brewer's sparrow. The area is on the western fringe of sharp-tailed habitat, but sagebrush and mixed mountain shrublands in the Upper Mud Springs allotment still provides some winter habitat for this species. There are no sharp-tailed grouse leks in or near any of the three allotments.

Colorado provides both winter and summer habitat for ferruginous hawks. Habitat for this hawk consists of open grasslands or shrublands. Nests are usually constructed in trees or rock outcrops and prey consists of small mammals, such as ground squirrels or cottontail rabbits. Several ferruginous hawk nests have been identified in the vicinity of the three allotments.

Brewer's sparrows are a summer resident in Colorado and nest in sagebrush stands. Nests are constructed in sagebrush and other shrubs in denser patches of shrubs. This species would likely be nesting either on or in the vicinity of the three allotments from mid-May through mid-July.

The Upper Mud Springs Allotment was meeting Land Health Standards when assessed in 2003 and adequate cover for nest concealment in the form of new growth and residual cover was present during allotment visits in May and June of 2010. Riparian habitats were also found to be in good condition and providing suitable brood rearing habitat for sage-grouse.

The Pole Gulch Allotment was found to be meeting Land Health Standards when it was assessed in 2003. Out of the four areas assessed, sage-grouse habitat was rated at 'good' at three stops and 'fair' at one stop. Adequate cover for nest concealment in the form of new growth and residual cover was present during allotment visits in May and June of 2010. Riparian habitats were also found to be in good condition and providing suitable brood rearing habitat for sage-grouse.

The North Great Divide Allotment was found to be meeting Land Health Standards when it was

assessed it 2003. Out of the four assessed, sage-grouse habitat was rated at ‘good’ at three stops and ‘fair’ at one stop. The fair rating was due to lower than expected grass cover in older, decadent stands of sagebrush. Adequate cover for nest concealment in the form of new growth and residual cover was present during allotment visits in May and June of 2010.

Environmental Consequences, Proposed Action:

Big river fish

Livestock grazing and the proposed fences and vegetation treatments would have “No Effect” to razorback sucker, Colorado pikeminnow, bonytail chub, or humpback chub. Impacts to these fish would be from small water depletions caused by water developments.

In July 2008, BLM prepared a Programmatic Biological Assessment (PBA) that addresses water depleting activities in the Colorado River Basin. In response to BLM’s PBA, the FWS issued a Programmatic Biological Opinion (PBO), #ES/GJ-6-CO-08-F-0010, on February 25, 2009, which determined that water depletions from the Colorado River Basin resulting from BLM actions described in the PBO are not likely to jeopardize the continued existence of the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker or result in the destruction or adverse modification of their critical habitat. The PBO addresses internal and external BLM projects including impoundments, diversions, water wells, pipelines and spring developments. The FWS determined that projects that fit under the umbrella of the PBA would avoid the likelihood of jeopardy and/or adverse modification of critical habitat for depletion impacts to the Upper Colorado River Basin if they deplete relatively small amounts of water (less than 100 AF) and BLM makes a one-time contribution to the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program) in the amount equal to the average annual acre-feet depleted by each project. The PBO instructed BLM to make an annual payment to the National Fish and Wildlife Foundation (NFWF) to cover all BLM authorized actions that result in water depletions.

The water project addressed in this EA will be entered into the LSFO’s water depletion log which will be submitted to the Colorado State Office at the end of the Fiscal Year. The CSO is responsible for paying depletion fees based on the annual statewide total.

Environmental Consequences, both alternatives:

Greater sage-grouse

The season of livestock use coincides with sage-grouse nesting on several pastures. Grazing during the nesting season has some potential to result in trampling of nests or disturbance of nesting females. Since the stocking rate is relatively low, the risk of nest destruction would be relatively low. Livestock grazing can also influence grouse indirectly by altering habitat components, primarily herbaceous cover. Both residual and new growth herbaceous cover are important for sage-grouse nest concealment.

Upper Mud Springs Allotment

In even years, the East Pasture would receive rest though out the entire growing season and not be grazed until September. New herbaceous growth for nest concealment would not be impacted and since the pasture would have been used early in the previous year, there would be no decreases in residual grasses for the nesting season. In odd years, the East Pasture would receive growing season rest until mid-June and would overlap with the latter part of grouse nesting season. Opportunity for new growth for nest concealment would not be impacted; however, residual grasses may be slightly decreased due to fall grazing in the previous year.

Pole Gulch Allotment

Since grazing in the Crested, Quealy, and Timberlake Pastures would be short in duration, each pasture would receive ample growing rest, allowing for plant recovery. There would be approximately one month to a few weeks of opportunity for new growth for nest concealment before livestock arrive on the allotments. Grasses would have ample opportunity for growth after spring grazing to promote residual grasses for the subsequent nesting season. Fall grazing on the Crested and Quealy Pastures would result in a decrease of this residual grass cover, however, this would be relatively minor since grazing would only be permitted for two weeks and the stocking rate is compatible with forage productivity. Resting the Timberlake Pasture every four years would provide ample herbaceous cover for nesting sage-grouse.

The Pole Gulch Pasture has a longer season of use (~4 months for three years and ~5 months every fourth year) than the other pastures in the allotment. For the first three years, grazing would only overlap the nesting season for approximately 2 to 3 weeks and many broods would have hatched by this time. There would be approximately 4 to 8 weeks for understory to develop before livestock arrive on the allotment. Since livestock wouldn't leave the allotment until mid-October, there would be no opportunity for re-growth after grazing. The stocking rate would allow for adequate residual cover to remain after fall grazing.

North Great Divide Allotment

In even years when the Vanishing Pasture is grazed during both the spring and the fall, both residual grasses and new growth would be subjected to grazing. In odd years, any growth after livestock were removed would be available as residual cover for the subsequent nesting season. The Gold Camp pasture would be grazed early in even years and late in odd years. This would result in more residual cover in some years and more new growth in others. The Great Divide Pasture has a longer season of use (~5 months) but has a lower stocking rate.

Overall, the proposed grazing regime for the three allotments would be compatible with maintaining high quality greater sage-grouse habitat. The grazing regimes incorporate rest, rotation and deferment, and promote healthy vegetative communities. The addition of horse grazing would result in periodically wider distribution across the allotments as horses often move farther away from water than cattle. This would not adversely impact the health of the vegetative community, providing the grazing system described in the Proposed Action continues to be followed.

Water development: The proposed pond would have minimal impacts to grouse species. Nesting attempts may be disrupted and some nests may be accidentally destroyed if the pond is constructed during the breeding season. Construction would not occur from March 1 to June 30 which would prevent disruption of nesting and breeding activities. Once construction of the water developments is complete, there would be no further potential to interfere materially with nest substrate. The additional water source would serve to improve upland and riparian vegetation conditions by increasing grazing distribution within the allotment and, in turn, improving grouse habitat. Habitat in the immediate vicinity of the ponds would be degraded by livestock congregation; however, this would not affect the productivity of the surrounding habitat.

Fencing: Fences have potential to result in mortality of individual grouse as a result of collisions with wires which have low visibility. Fences near leks may pose a greater risk to grouse species. When building new fences or re-aligning old fences, the inclusion of visibility markers would increase fence visibility and prevent collisions. Fences can also provide new perch sites for raptor species, some of which prey on grouse.

Columbian sharp-tailed grouse

The allotments are on the western fringe of sharp-tailed habitat and provide limited habitat for this species. A portion of the Upper Mud Springs Allotment is classified as winter habitat. Sharp-tailed grouse utilize areas where shrubs and other vegetation protrude through the snow in the winter months. Livestock are rotated between two pastures, so no pasture is grazed during the entire growing season. This grazing system allows for adequate plant recovery and would maintain healthy sagebrush and mountain shrub ecosystems. The proposed grazing system would be compatible with sharp-tailed grouse habitat requirements.

Ferruginous hawk

Either alternative would have minimal impacts to ferruginous hawks. Grazing systems that promote healthy vegetative communities and provide suitable habitat for prey species would maintain ferruginous hawk habitat. Currently, the allotments have a good mosaic of seral stages in sagebrush habitats. This gives prey species enough cover and forage to maintain populations, and provides hawks with enough open areas to successfully hunt. One effect is impacts to nest trees. Often, there are limited trees in sagebrush habitats and cattle usually congregate in the shade around these trees. This may eliminate the few suitable nest trees or disturb actively nesting hawks.

Brewer's sparrow

Grazing can directly impact Brewer's sparrows by trampling nests, or indirectly affect this species by changing components of habitat. Grazing may cause an increase in weed infestations, primarily cheatgrass, which would degrade sparrow habitat. Cheatgrass is present in the allotments. These infestations are localized, and are not degrading large areas of habitat. Additionally, the presence of livestock, can increase the abundance of brown headed cowbirds, increasing the chance for nest parasitism by this species.

Grazing systems that promote healthy sagebrush communities should be compatible with maintaining Brewer's sparrow habitat. The proposed grazing schedule incorporates rotation, rest and deferment and would help maintain healthy ecosystems. Sagebrush stands in the three allotments exist in several seral stages. There are many areas of dense, taller shrubs that would provide potential nesting habitat for this species. Overall, sagebrush habitats on the three allotments are in good condition and this is expected to continue under both the Proposed Action and the No Action Alternative.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 7/1/10

T&E AND SENSITIVE PLANTS

Affected Environment: There are no federally listed threatened or endangered or BLM sensitive plant species present on any of the three allotments.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Hunter Seim 6/15/10

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no hazardous wastes present on any of the three 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 6/15/10

WATER QUALITY - GROUND

Affected Environment: There can be water flowing through near-surface and over surface exposures of the Wasatch formation.

Environmental Consequences, both alternatives: Surface disturbance such as livestock grazing and associated activities would have no affect to ground water quality.

Mitigative Measures: None

Name of specialist and date: Marty O'Mara 5/4/10

WATER QUALITY - SURFACE

Affected Environment: Surface runoff from the Upper Mud Springs Allotment flows primarily into Mud Spring Draw, a tributary to Fourmile Creek. Runoff from the Pole Gulch Allotment flows into Pole Gulch, East Pole Gulch, and Timberlake Creek, all of which are also tributary to Fourmile Creek. Runoff from the North Great Divide Allotment flows into Dry Gulch or Scandinavian Gulch, both of which are tributary to the Little Snake River.

Water quality for all tributaries of the Little Snake River below its confluence with Fourmile Creek is use protected and must support Aquatic Life Warm 2, Recreation N, and Agricultural uses. There are no water quality impairments or suspected water quality issues for waters influenced by any of these allotments.

Environmental Consequences, both alternatives: Surface waters present within the allotments are currently supporting classified uses. Permitting livestock grazing under either alternative is consistent with land uses throughout the watershed and would not result in changes to water quality. The proposed grazing intensity would not compromise soil stability and vegetation community health given the relatively good condition of the vegetation within the allotments.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 5/13/10

WETLANDS/RIPARIAN ZONES

Affected Environment: Riparian resources within each allotment are described below:

Pole Gulch Allotment

Condition Assessment	Wetlands/Springs (acres)	Streams (miles)
Proper Functioning Condition	2.6	Timberlake Creek: 1.3 Pole Gulch: 0.9
Functioning At Risk – condition improving	0.8	Timberlake Creek: 1 Pole Gulch: 0.9
Functioning At Risk – no trend in condition	1.2	Timberlake Creek: 1.6 Pole Gulch: 2.8
Non-Riparian		Pole Gulch: 2.6 (reaches 9,10,11)
Not Assessed	9 springs (no acres calculated)	

TOTAL	4.6	Timberlake Creek: 3.9 Pole Gulch: 7.2
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Upper Mud Springs Allotment

Mud Springs Draw is the main stream that bisects the east end of the allotment. There are few lentic (wetland/spring) areas within the allotment.

Condition Assessment	Wetlands/Springs (acres)	Streams (miles)
Proper Functioning Condition	0.1	1.7
Functioning At Risk – condition improving	0	0.2
Functioning At Risk – no trend in condition	0.1	0.6
Not Assessed	4 springs (no acres calculated)	0
TOTAL	0.1	2.5

North Great Divide Allotment

There are no lotic riparian areas occur on public lands in this allotment. Three springs are present, but not assessed in one of the small, unnamed pastures to the northwest of the main part of the allotment.

Environmental Consequences, both alternatives:

Pole Gulch Allotment

Most of the riparian resources within the allotment occur in the Pole Gulch and Timberlake pastures. Proposed livestock use of the Pole Gulch Pasture would occur spring through fall annually at a stocking rate of between approximately 15 ac/AUM (odd years) and 18 ac/AUM (even years). Proposed livestock use of the Timberlake pasture would occur in the spring for approximately one month for three consecutive years at a stocking rate of approximately 15 ac/AUM and the rested completely during the fourth year. Using the Timberlake Pasture first in the spring for three years, and rest in the fourth year, would give upland and riparian vegetation in the Pole Gulch pasture an additional 40 days to grow prior to turning livestock into the pasture. It would give the riparian area, and in average to good years, the uplands of Timberlake pasture, an opportunity to regrow when this pasture is grazed first. It would also allow the Timberlake pasture to be rested once in four years. The grazing system would prevent the summer long concentration of cattle along Timberlake Creek and Pole Gulch drainage. The proposed grazing schedule is the same as in years past and allows for growth and reproduction of riparian vegetation each year with little to no expected impacts to riparian system form and function.

Upper Mud Springs Allotment

Proposed livestock use of the East Pasture would occur for just over 30 days during late fall in even years and late summer/early fall in odd years at a stocking rate of approximately 6ac/AUM. The proposed grazing schedule is the same as in years past and allows for growth and

reproduction of riparian vegetation each year with little to no impacts to riparian system form and function.

North Great Divide Allotment

Three of the five springs are located in a separate unnamed pasture northwest of the Great Divide Pasture and, if used, would be used as part of this pasture rotation schedule. Proposed livestock use of the Great Divide Pasture (where most of the springs BLM lands occur within the allotment) would occur annually from late spring to mid-fall at a stocking rate of approximately 36 ac/AUM. This rate of use is relatively light and should not adversely impact any existing riparian vegetation near springs, particularly with improved water distribution between private and public lands. The proposed pond construction, while not considered a (naturally occurring) riparian area, would facilitate improved livestock distribution by providing a reliable water source in that part of the allotment. The proposed action would have little to no impact on the few riparian resources in this allotment.

Allowing for some horse use in place of cattle would not result in an increase in use of riparian areas, since horses use the range more widely than cattle as part of their grazing behavior and don't tend to concentrate in riparian areas as cattle might (particularly in the summer). Overall, the sharing of available forage between cattle and horses would not adversely affect the health and productivity of riparian areas.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 6/25/10

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 5/4/10

WSAs, WILDERNESS CHARACTERISTICS

Affected Environment: Not present.

Environmental Consequences, all alternatives: None

Mitigative Measures: None

Name of specialist and date: Gina Robison 5/4/10

NON-CRITICAL ELEMENTS

SOILS

Affected Environment: The table below describes the major soil groups included within the Upper Mud Springs, Pole Gulch, and North Great Divide Allotments. Land capability classification for all non-irrigated soil types listed states that the soils within the allotments are suitable for grazing, though many require careful management. The main hazard for all of these soils is erosion unless close-growing plant cover is maintained.

Soil Summary for the Upper Mud Springs (#04507), Pole Gulch (#04514), and North Great Divide (#04548) Allotments

Soil Map Unit (MU) & Soil Name (Acres in Allot.)	Map Unit Setting	Description
MU 107 Ironsprings-Maysprings-Gretdivid complex, 10 to 20% slopes Upper Mud Springs: 480 acres	<u>Elevation:</u> 6,800 to 7,300 feet <u>Mean annual precipitation:</u> 13 to 15” <u>Ecological Site:</u> Sandyland	These hillslope soils are well drained to somewhat excessively drained with moderate to moderately rapid permeability and medium runoff potential. Available water capacity is low and the soil profile is typically up to 60 inches deep.
MU 130 Maysprings coarse sandy loam, 3 to 12 % slopes Upper Mud Springs: 490 acres Pole Gulch: 665 acres N. Great Divide: 882 acres	<u>Elevation:</u> 6,200 to 7,300 feet <u>Mean annual precipitation:</u> 11 to 13” <u>Ecological Site:</u> Rolling Loam	These toeslope soils are well drained with moderate permeability and medium runoff potential. Available water capacity is low and the soil profile is typically 18 to 60 inches deep.
MU 131 Maysprings-Gretdivid complex, 10 to 20% slopes Upper Mud Springs: 1470 acres Pole Gulch: 3239 acres N. Great Divide: 1246 acres	<u>Elevation:</u> 6,200 to 7,200 feet <u>Mean annual precipitation:</u> 11 to 13” <u>Ecological Site:</u> Sandyland	These soils are well to somewhat excessively drained with moderate permeability and medium runoff potential. Available water capacity is low and the soil profile is typically up to 60 inches deep.
MU 15 Berlake-Taffom-Gretdivid complex, 10 to 20% slopes Upper Mud Springs: 569 acres N. Great Divide: 3906 acres	<u>Elevation:</u> 6,200 to 7,300 feet <u>Mean annual precipitation:</u> 13 to 15” <u>Ecological Site:</u> Deep Loam/Rolling Loam/ Sandyland	These soils are well drained with moderate permeability and medium runoff potential. Available water capacity is low to moderate and the soil profile is typically up to 60 inches deep.
MU 162	<u>Elevation:</u> 6,200 to 7,200 feet	These soils are well drained with moderate permeability and medium

<p>Rock River sandy loam, 3 to 12% slopes</p> <p>Pole Gulch: 4795 acres</p>	<p><u>Mean annual precipitation:</u> 11 to 13”</p> <p><u>Ecological Site:</u> Rolling Loam</p>	<p>runoff potential. Available water capacity is moderate and the soil profile is typically up to 60 inches deep.</p>
<p>MU 173</p> <p>Ryark-Powderwash complex, 2 to 15% slopes</p> <p>Pole Gulch: 1164 acres</p>	<p><u>Elevation:</u> 6,100 to 6,800 feet</p> <p><u>Mean annual precipitation:</u> 11 to 13”</p> <p><u>Ecological Site:</u> Rolling Loam</p>	<p>These bench/hillslope soils are well to somewhat excessively drained with very slow to moderately rapid permeability and low to high runoff potential. Available water capacity is low and the soil profile is typically up to 38 to 60 inches deep.</p>
<p>MU 174</p> <p>Ryark-Maybell complex, 1 to 12% slopes</p> <p>Pole Gulch: 1365 acres</p>	<p><u>Elevation:</u> 6,100 to 6,700 feet</p> <p><u>Mean annual precipitation:</u> 11 to 13”</p> <p><u>Ecological Site:</u> Rolling Loam/Sandhill</p>	<p>These plateau soils are somewhat excessively to excessively drained with moderately rapid to rapid permeability and very low to low runoff potential. Available water capacity is low and the soil profile is typically up to 60 inches deep.</p>
<p>MU 183</p> <p>Styers-Ironsprings-Maysprings complex, 10 to 20% slopes</p> <p>N. Great Divide: 895 acres</p>	<p><u>Elevation:</u> 6,200 to 7,300 feet</p> <p><u>Mean annual precipitation:</u> 13 to 15”</p> <p><u>Ecological Site:</u> Claypan/Sandyland</p>	<p>These backslope/footslope soils are well to somewhat excessively drained with very slow to moderately rapid permeability and low to very high runoff potential. Available water capacity is low and the soil profile is typically 35 to 60 inches deep.</p>
<p>MU 184</p> <p>Styers-Pinelli-Taffom complex, 10 to 25% slopes</p> <p>Upper Mud Springs: 604 acres N. Great Divide: 1000 acres</p>	<p><u>Elevation:</u> 6,200 to 7,300 feet</p> <p><u>Mean annual precipitation:</u> 11 to 13”</p> <p><u>Ecological Site:</u> Claypan/Clayey Foothills/Rolling Loam</p>	<p>These hill soils are well drained with very slow to moderate permeability and medium to very high runoff potential. Available water capacity is low to high and the soil profile is typically 28 to 60 inches deep.</p>
<p>MU 185</p> <p>Taffom sandy loam, 3 to 15% slopes</p> <p>Upper Mud Springs: 471 acres Pole Gulch: 1786 acres N. Great Divide: 2258 acres</p>	<p><u>Elevation:</u> 6,700 to 7,000 feet</p> <p><u>Mean annual precipitation:</u> 11 to 13”</p> <p><u>Ecological Site:</u> Rolling Loam</p>	<p>These hillslope soils are well drained with moderate permeability and medium runoff potential. Available water capacity is moderate and the soil profile is typically up to 60 inches deep.</p>
<p>MU 199</p> <p>Torriorthents-Torripsamments complex, 12 to 40% slopes</p> <p>Pole Gulch: 1431 acres</p>	<p><u>Elevation:</u> 6,000 to 7,200 feet</p> <p><u>Mean annual precipitation:</u> 9 to 13”</p> <p><u>Ecological Site:</u> none given</p>	<p>These hillslope soils are well to excessively drained with moderately slow to rapid permeability and high runoff potential. Available water capacity is very slow and the soil profile is typically 19 to 30 inches deep.</p>

<p>MU 200</p> <p>Tresano sandy loam, 3 to 12% Slopes</p> <p>Pole Gulch: 1382 acres</p>	<p><u>Elevation:</u> 6,000 to 7,000 feet</p> <p><u>Mean annual precipitation:</u> 9 to 11”</p> <p><u>Ecological Site:</u> Loamy 7-10” PPT</p>	<p>These plateau soils are well drained with moderate permeability and medium runoff potential. Available water capacity is moderate and the soil profile is typically up to 60 inches deep.</p>
<p>MU 77</p> <p>Forelle loam, 3 to 12% slopes</p> <p>Pole Gulch: 1154 acres</p> <p>N. Great Divide: 956 acres</p>	<p><u>Elevation:</u> 6,200 to 7,200 feet</p> <p><u>Mean annual precipitation:</u> 11 to 13”</p> <p><u>Ecological Site:</u> Rolling Loam</p>	<p>These bench soils are well drained with moderate permeability and medium runoff potential. Available water capacity is high and the soil profile is typically up to 60 inches deep.</p>
<p>MU 87</p> <p>Grethead-Taffom-Abor complex, 10 to 30% slopes</p> <p>Pole Gulch: 700 acres</p> <p>N. Great Divide: 835 acres</p>	<p><u>Elevation:</u> 6,400 to 6,700 feet</p> <p><u>Mean annual precipitation:</u> 13 to 15”</p> <p><u>Ecological Site:</u> Claypan/Rolling Loam/Sandyland</p>	<p>These hill/footslope soils are well to somewhat excessively drained with very slow to moderate permeability and high to very high runoff potential. Available water capacity is low to moderate and the soil profile is typically 35 to 60 inches deep.</p>

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

Soils in the Upper Mud Springs Allotment are very stable and native vegetative cover and vigor is good. Soils in part of the North Great Divide Allotment show evidence of moderate movement of surface litter and moderate pedestalling and surface runoff patterns. Vegetative canopy/cover is adequate overall to protect from erosion. Another portion of the North Great Divide Allotment exhibits rills and pedestalling and gullies that are actively eroding. Slight wind and water erosion, terracing, and/or evidence of pedestalling are present in the Pole Gulch Allotment; however, vegetation canopy and cover are adequate to protect from accelerated erosion. Biological soil crusts are present where appropriate and intact in all allotments.

Environmental Consequences, Proposed Action: The majority of the soils within the allotments can generally be described as sandy loams and are the least susceptible to disturbance and wind/water erosion when wet or moist (late fall/early spring). The proposed grazing periods between pastures and allotments rotate season of use so that no one area or pasture receives the same impacts annually. The proposed pond construction in the North Great Divide Allotment would improve the livestock distribution problem that may have contributed to the erosion problems. Given the overall good condition of the vegetation within the allotments and the stocking rate, the proposed action would maintain sufficient plant cover to both protect the soil surface from wind and water erosion and allow the plant community to continue to produce litter in sufficient amounts to maintain litter and sustain appropriate water permeability.

Environmental Consequences, No Action: The majority of the impacts to soils would be similar. The exceptions would be that no new ground disturbance would occur as a result of construction of a new pond in the North Great Divide Allotment, although less than optimal distribution of livestock as a result would allow for uneven use of forage within the pasture.

Mitigative Measures: None

Name of specialist and date: Emily Spencer 6/28/10

PALEONTOLOGY

Affected Environment: The geologic formation at the surface of the proposed water retention containment is the Tertiary Age formation, Wasatch Formation, Cathedral Bluffs Tongue (Twc), a variegated claystone, mudstone and sandstone formation. This formation has been classified a Class II formation for the potential for occurrence of scientifically significant fossils. Scientifically significant fossils are occasionally found within this formation (Armstrong & Wolney, 1989).

Environmental Consequences, Proposed Action: The potential for discovery of significant fossils on these allotments is considered to be moderate. If any such fossils are located here where the proposed water and fence developments are located, construction activities could damage the fossils and the information that could have been gained from them would be lost. The significance of this impact would depend upon the significance of the fossil. Ceasing operations and notifying the Field Office Manager immediately upon discovery of a fossil during construction activities as required would effectively mitigate this impact. An assessment of the significance would be made and a plan to retrieve the fossil or the information from the fossil would be developed.

The proposed action could also constitute a beneficial impact to paleontological resources by increasing the chances for discovery of scientifically significant fossils.

Environmental Consequences, No Action: None

Mitigative Measures: None

Name of specialist and date: Marty O'Mara 5/6/10

UPLAND VEGETATION

Affected Environment:

Upper Mud Springs Allotment #04507

Ecological sites on the allotment are predominantly claypan, deep loam, rolling loam, and sandy land. Vegetation on the allotment is primarily sagebrush/grass communities. Dominant shrubs include Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), basin big sagebrush (*A. tridentata tridentata*), and green rabbitbrush (*Chrysothamnus viscidiflorus*). Other shrubs present include serviceberry (*Amelanchier alnifolia*), snowberry (*Symphoricarpos albus*), and antelope bitterbrush (*Purshia tridentata*). Grasses include needle-and-thread (*Stipa comata*), prairie junegrass (*Koeleria pyramidata*), Indian ricegrass (*Oryzopsis hymenoides*), western

wheatgrass (*Agropyron smithii*), squirreltail (*Sitanion hystrix*), native bluegrasses (*Poa* spp.), and cheatgrass (*Bromus tectorum*). Part of the allotment was plowed and reseeded to crested wheatgrass (*Agropyron cristatum*) many years ago.

Pole Gulch Allotment #04514

Ecological sites are predominantly rolling loam, clayey foothills, sandy land, sandy foothills, loamy 9-11, and sandy 9-11.

Vegetation on the allotment is dominated by sagebrush/grass communities on the uplands. Shrubs found on the area are Wyoming big sagebrush, basin big sagebrush, and green rabbitbrush. Grasses include needle-and-thread, western wheatgrass, Junegrass, Indian ricegrass, squirreltail, native bluegrasses, and cheatgrass.

Approximately 907 acres of the allotment were plowed and seeded to crested wheatgrass.

North Great Divide Allotment #04548

Ecological sites on the allotment are predominantly deep loam, rolling loam, and sandy land. Vegetation on the allotment is primarily sagebrush/grass communities. Big sagebrush and green rabbitbrush are the dominant shrubs. Needle-and-thread, wheatgrasses, squirreltail, prairie junegrass, native bluegrasses, and cheatgrass are present in varying amounts on these sites.

The vegetation on the three allotments has evolved during the past century under the influence of grazing by livestock. The proposed action would improve key forage species. A review of utilization monitoring data collected on the (1) Upper Mud Springs allotment #4507 and (2) Pole Gulch allotment #4514, indicate that key forage plants were over-utilized at times by a combination of the amount of specified livestock grazing permitted on these allotments together with wildlife use.

Environmental Consequences, Proposed Action:

Upper Mud Springs Allotment #04507

The grazing system would give upland and riparian vegetation an additional chance to grow prior to livestock grazing the area. It would give the riparian area, and in average to good years, the uplands in the East Pasture, an opportunity to regrow when this pasture is grazed first. It would also allow the riparian pasture to be deferred two of every three years. The grazing system would prevent the summer long concentration of cattle along Mud Springs Draw.

Pole Gulch Allotment #04514

Using the Timberlake Pasture first in the spring for three years, and rest in the fourth year, would give upland and riparian vegetation in the Pole Gulch pasture an additional 40 days to grow prior to turning livestock into the pasture. It would give the riparian area, and in average to good years, the uplands of Timberlake pasture, an opportunity to regrow when this pasture is grazed first. It would also allow the Timberlake pasture to be rested once in four years. The grazing system would prevent the summer long concentration of cattle along Timberlake and Pole Gulch

drainage.

Reconstruction of old fence would involve brush-beating along the existing fence line. This impact would be minimal within the greater landscape and would allow for greater efficacy of the wildlife-friendly aspects of high-tensile fence design.

North Great Divide Allotment #04548

The grazing system would incorporate two of the three pastures in a rotation grazing system whereby one of the pastures would have an opportunity to grow in the spring/early summer before being used. In many years, the pasture used the last half of the summer would have an opportunity for grasses to set seed before being grazed.

The proposed shutting-in of the water well and pond construction would result in localized disturbance to native vegetation. In the short term, the existing pioneer/early seral community that exists in the concentration area around the well would be further disturbed by vehicles and equipment used to shut in the well and to remove the windmill and associated materials. The construction of the proposed pond would result in complete removal of approximately 0.1 acre of native vegetation. The resulting water source would also concentrate animals, both livestock and wildlife, for another two to three acres around it, resulting in a perpetual pioneer/early seral plant community. Overall the proposed action would effectively shift the existing concentration area from one place to another. By completing this proposed removal of an ineffective water source and replacing it with one that is more reliable, the original intent of providing upland water would foster improved livestock distribution, reduced concentration in riparian areas along Dry Gulch, and better overall use of upland forage species.

All allotments

Allowing for a portion of cattle use to be used by horses would not result in increased use of forage species or shifts to different forage species. It would, however, result in fewer areas of concentrated use, particularly in uplands, in pastures that receive periodic horse use as horses would range more widely than cattle as part of their grazing behavior. Conversely, horses would have a greater impact on individual plants as the mechanics of their grazing results in more of a pulling action on plants rather than the “chomping” action of cattle. Overall, the periodic sharing of available forage between cattle and horses would not adversely affect the health and productivity of the plant community as long as the rotations and appropriate stocking rates are followed.

Environmental Consequences, No Action: The majority of the impacts to upland vegetation would be similar. The exceptions would be that no new disturbance would occur as a result of construction of a new pond in the North Great Divide Allotment, although less than optimal distribution of livestock as a result would allow for uneven use of forage within the pasture. Horses would not be allowed to share forage with cattle, resulting in fewer instances of individual plant damage due to the mechanics of horse foraging.

Mitigative Measures: None

Name of specialist and date: Hunter Seim 6/18/10

WILDLIFE, AQUATIC

Affected Environment: Streams, springs and ponds and the associated riparian vegetation provide potential habitat for small amphibians and other aquatic wildlife. The allotments do not provide habitat for fish species.

Environmental Consequences, both alternatives: The grazing system described in either alternative would incorporate rest, deferment and rotation; allowing for ample growing season rest for riparian areas. This would prevent riparian degradation and minimize any potential impacts to aquatic wildlife. Habitats are in good condition, providing suitable and productive habitat for aquatic wildlife. These conditions would be expected to continue under the either alternative.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 6/30/10

WILDLIFE, TERRESTRIAL

Affected Environment: Plant communities within the three allotments are comprised primarily of sagebrush stands with an understory of grasses and forbs. Snowberry, serviceberry and bitterbrush are also present on the Upper Mud Springs Allotment.

A variety of wildlife habitats and their associated species occur in the general area. Common species such as coyotes, cottontail rabbits and ground squirrels likely use these habitats. The allotments provide winter habitat for elk, mule deer and pronghorn, however, very little of this habitat is classified as 'critical' winter habitat. There are several golden eagle and red-tailed hawks located in the vicinity of the three allotments.

Environmental Consequences, both alternatives: The grazing system described in both alternatives incorporates rest, deferment and rotation; which allows for ample growing season rest and adequate plant recovery periods. The vegetative community in the area exhibits appropriate diversity, vigor, and reproductive capacity. These conditions would continue under the grazing system described in both alternatives. The addition of horse grazing would result in periodically wider distribution across the allotments as horses often move farther away from water than cattle. Both horses and cattle overlap diets with big game species, primarily elk. Since the stocking rate on the allotments would not change, increased competition for forage resources between horses and big game is not expected. Grazing in this area is not negatively influencing elk since elk populations have not fallen below DOW's desired herd objectives. The proposed grazing regime would not influence raptor populations. Livestock grazing may affect raptor populations if changes in vegetation are substantial enough to elicit considerable changes in the populations of the small mammal prey base. Overall, both alternatives would be

compatible with maintaining healthy habitat for terrestrial wildlife species.

Water development: The proposed pond would have minimal impacts to wildlife species. Additional water sources would improve upland and riparian vegetation conditions by evenly distributing grazing throughout the allotments and, in turn, improving wildlife habitat. Habitat in the immediate vicinity of the ponds would be degraded by livestock congregation; however, this would not affect the productivity of the surrounding habitat. The water developments would also provide additional water sources for wildlife species.

Fencing: Fences have potential to result in mortality of big game species as elk, mule deer and antelope can become entangled in fence wires during crossing. Replacing the old fence with high tensile wire would reduce entanglement risks since high tensile more wildlife friendly than other types of fencing.

Mitigative Measures: None

Name of specialist and date: Desa Ausmus 6/30/10

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 5/6/10	
Forest Management	JHS 6/4/10		
Hydrology/Ground		EMO 5/6/10	
Hydrology/Surface		ELS 6/25/10	
Paleontology			EMO 5/6/10
Range Management		JHS 6/4/10	
Realty Authorizations		BSB 5/17/10	
Recreation/Travel Mgmt		GMR 5/4/10	
Socio-Economics		BSB 5/17/10	
Solid Minerals		JAM 5/6/10	
Visual Resources		GMR 5/4/10	
Wild Horse & Burro Mgmt	JHS 6/4/10		

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. These roads are used regularly by local residents and ranchers as well as the primary recreation users in the area, hunters. Wildlife populations in the area are high, especially for deer and elk that compete with livestock for available forage throughout the area. The primary impacts from all of these activities are most immediately seen in the presence of

roads, cultivation on private lands, and weed presence. The Proposed Action to continue grazing on this allotment is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The three allotments provide habitat for a variety of wildlife species. Elk, mule deer, and pronghorn utilize this area for winter habitat. Overall, vegetative communities within the allotments 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 the both alternatives.

Name of specialist and date: Desa Ausmus 6/30/10

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD: The allotments provide habitat for greater sage-grouse, a BLM sensitive species and a candidate for listing under the Endangered Species Act. The allotments provide habitat for three additional BLM sensitive species: Columbian sharp-tailed grouse, ferruginous hawk, and Brewer's sparrow. Sagebrush and grass communities on the allotments are in good condition, providing suitable habitat for all four species. This standard would continue to be met under the Proposed Action and the No Action Alternative.

Name of specialist and date: Desa Ausmus 6/30/10

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: All three allotments contain plant communities that are vigorous, diverse, and providing adequate cover, forage, and nutrient cycling. Invasive species are at a minimum and communities have the components in place to be resilient to disturbances such as grazing and fire. While past season-long grazing practices and excessive stocking rates led to declines in community health in the past, the grazing systems that were implemented in 1999, along with reductions in stocking rate and vegetative treatments, have allowed plant communities to heal and exhibit the indicators of a healthy system. The addition of the option to intermix horses within the same rotations would not preclude the current communities from continuing to meet this standard. The No Action Alternative, which led to the improvements in community health that are currently seen, would also meet this standard.

Name of specialist and date: Hunter Seim 1/18/10

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

Name of specialist and date: Hunter Seim 6/18/10

RIPARIAN SYSTEMS STANDARD: All riparian resources within the allotments are

currently meeting standards public land health standard for riparian systems. This would not change under the Proposed Action. Allowing for horse use in place of some cattle would not result in an increase in use of riparian areas under the prescribed management. The No Action Alternative would also meet this standard, since riparian system standards are currently being met under existing management.

Name of specialist and date: Emily Spencer 6/28/10

WATER QUALITY STANDARD: The Proposed Action would meet this standard. Permitting livestock grazing as proposed is consistent with land uses throughout the watershed and would not result in changes to water quality. Surface waters present within the allotments are currently supporting classified uses and there are no water quality impairments or suspected water quality issues for waters influenced by the project area considered in the Proposed Action. The No Action Alternative would also meet this standard, since water quality standards are being met under current management.

Name of specialist and date: Emily Spencer 6/21/10

UPLAND SOILS STANDARD: This standard would be met under the Proposed Action. Given the good condition of the vegetation within the allotments and the proposed stocking rates, the Proposed Action would maintain sufficient plant cover to both protect the soil surface from wind and water erosion and allow the plant community to continue to produce litter is sufficient amounts to maintain litter and sustain appropriate water permeability. The No Action Alternative would also meet this standard, since upland soil standards are being met under current management.

Name of specialist and date: Emily Spencer 6/28/10

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

ATTACHMENTS: Attachment 1a, Map of the Upper Mud Springs Allotment #04507
Attachment 1b, Map of the Pole Gulch Allotment #04514
Attachment 1c, Map of the North Great Divide Allotment #04548
Attachment 2, Standard and Common Terms and Conditions
Attachment 3, Pond Construction Diagram
Attachment 4, High Tensile Fence Construction Diagram

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

Finding of No Significant Impact

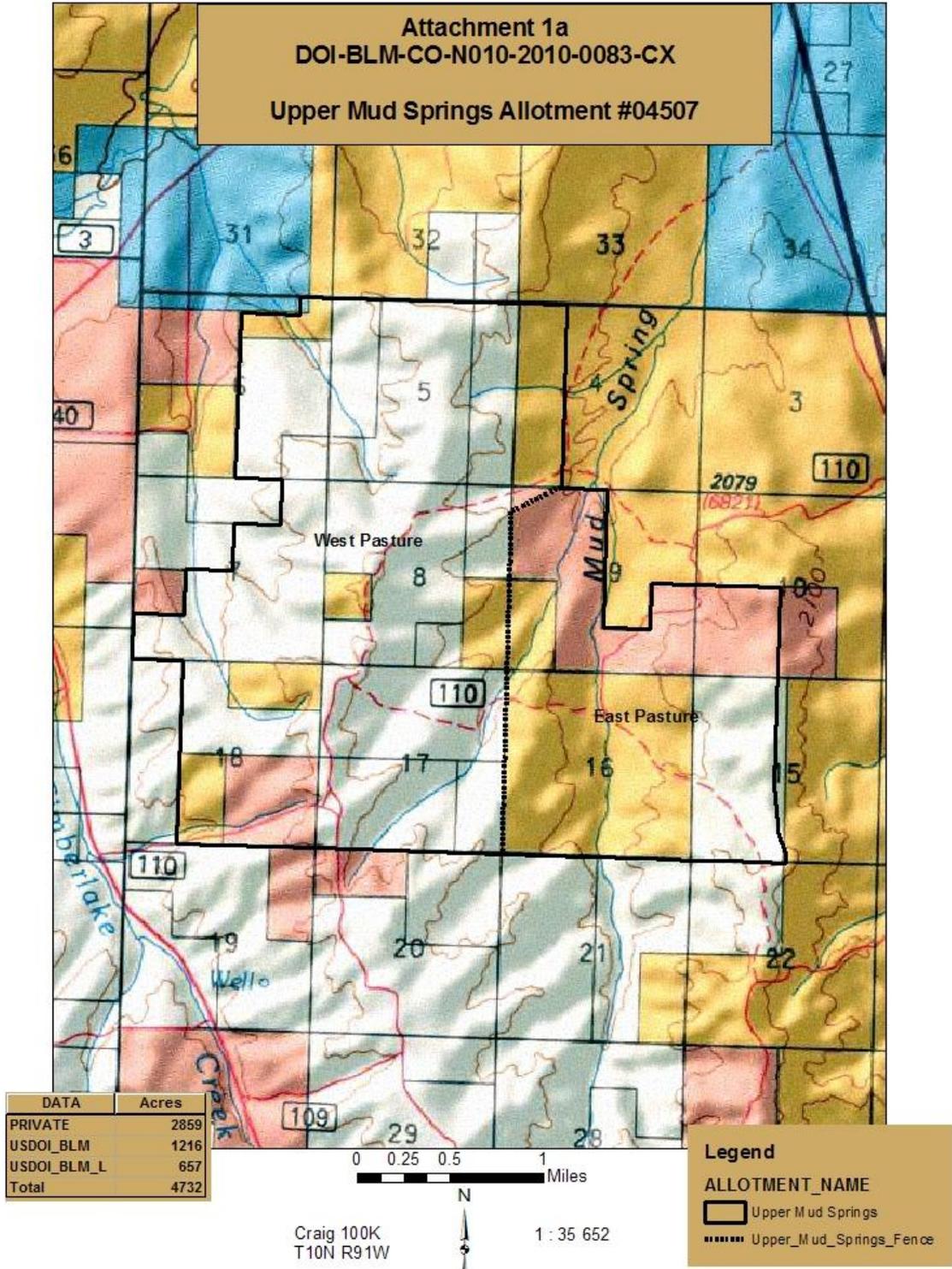
The environmental assessment, analyzing the environmental effects of the proposed action, has been reviewed. With the implementation of the attached mitigation measures there is a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary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

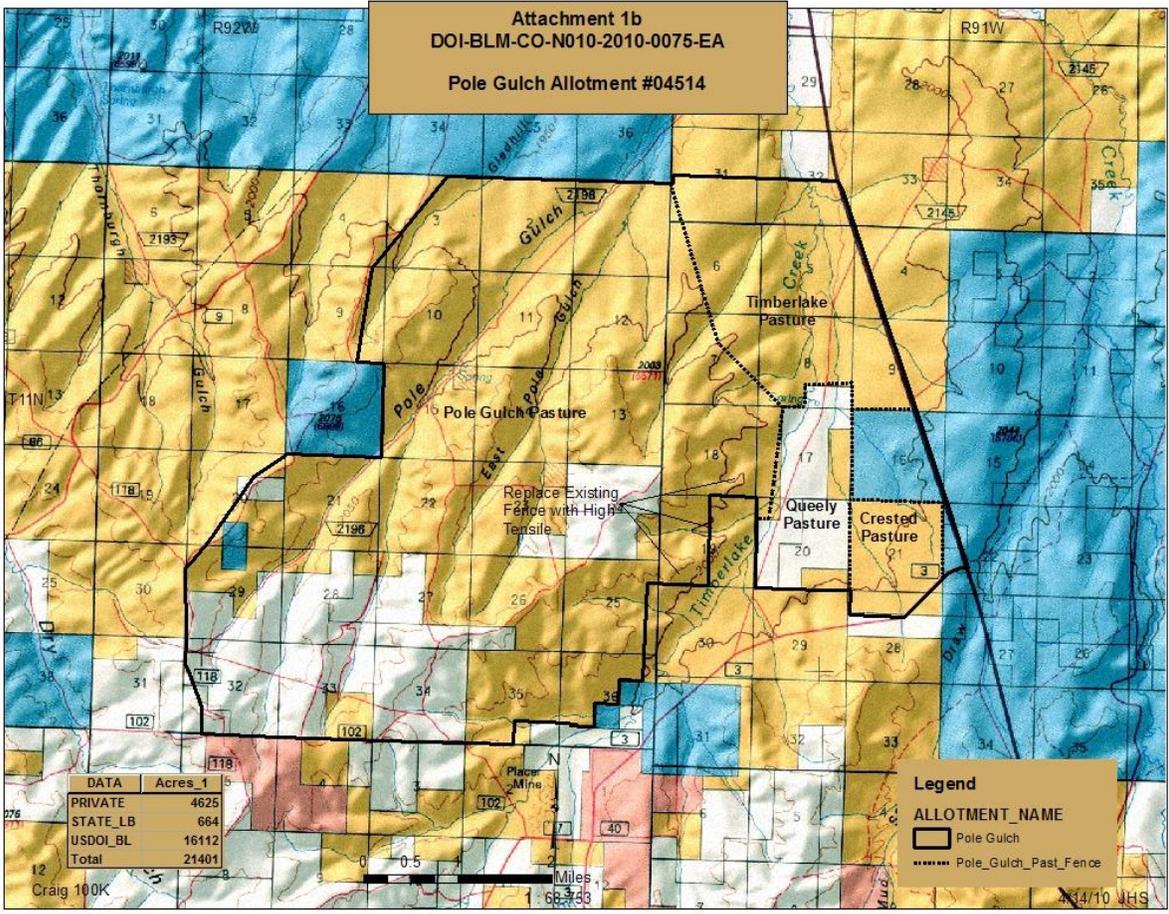
SIGNATURE OF AUTHORIZED OFFICIAL:

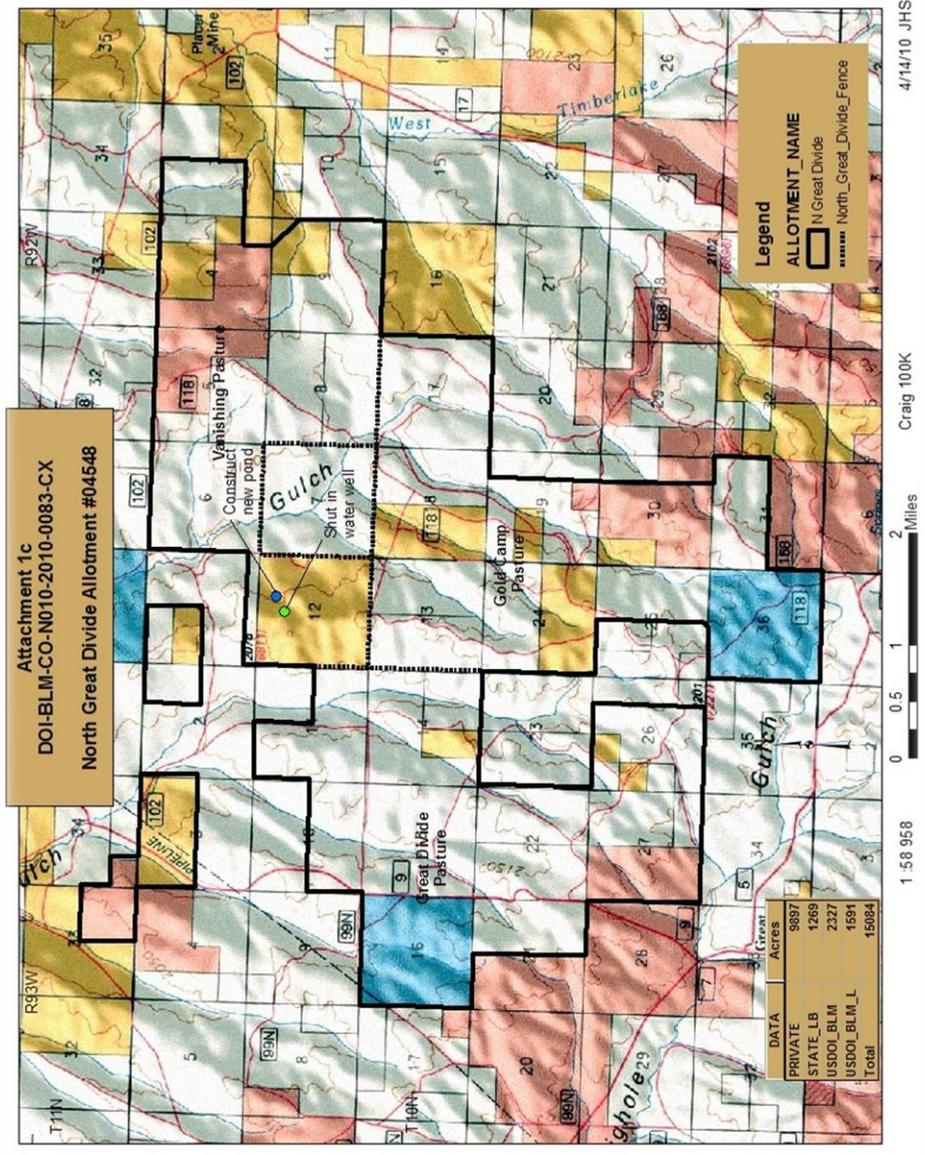
DATE SIGNED:

Attachment 1a
DOI-BLM-CO-N010-2010-0083-CX
Upper Mud Springs Allotment #04507



4/14/10 JHS





ATTACHMENT #2
DOI-BLM-N010-2010-0075-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.

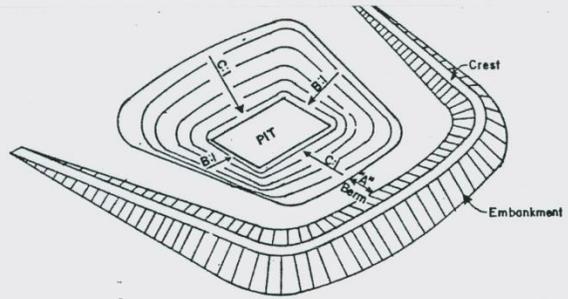
The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered 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.

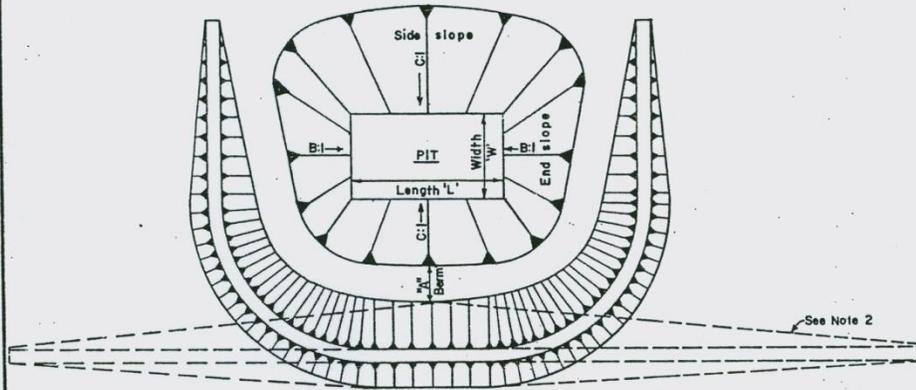
If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding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

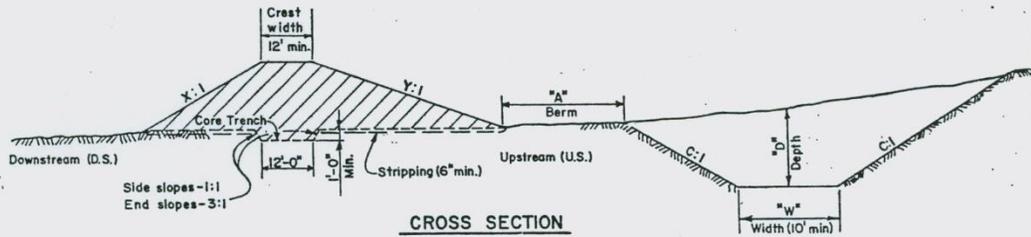
Attachment 3
DOI-BLM-N010-2010-0075-EA



PERSPECTIVE VIEW



PLAN



CROSS SECTION

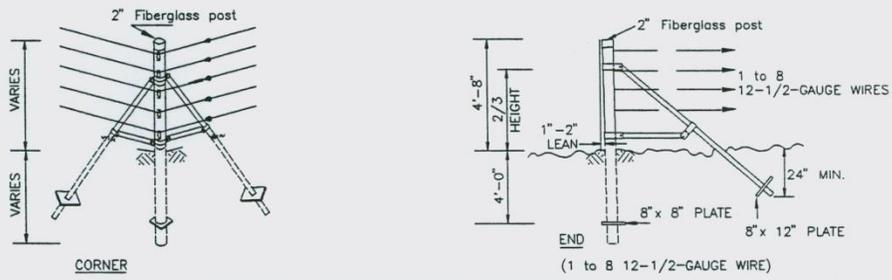
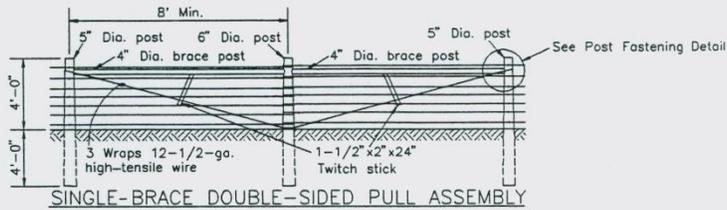
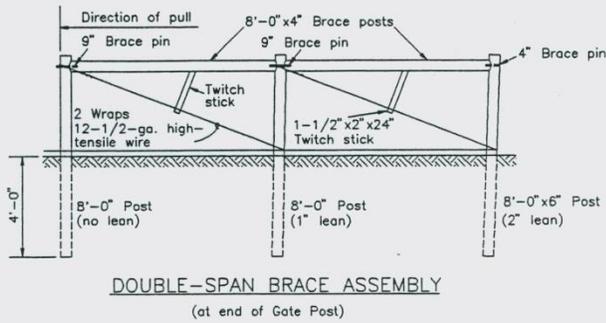
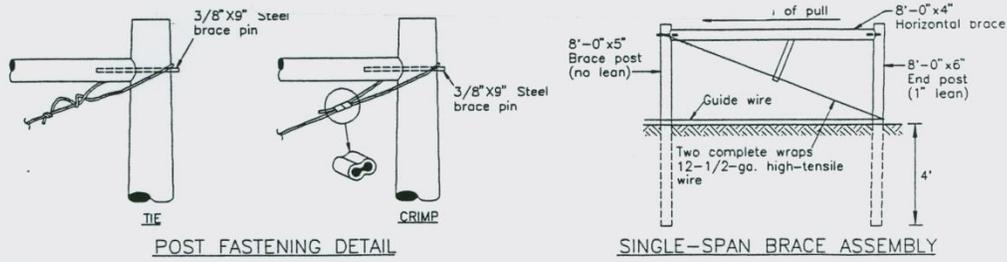
NOTES:

1. Pit & embankment slopes & dimensions shall be as shown on the Work Summary Chart.
2. Embankment may be "U" or "L" shape or straight line. Construct as indicated on the Work Summary Chart.

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT DIVISION OF ENGINEERING SYSTEMS DENVER SERVICE CENTER	
TYPICAL WATER RETENTION PIT	
DESIGNED	<i>Donald C. Volz</i>
REVIEWED	<i>[Signature]</i>
APPROVED	<i>Richard L. Enger</i>
DRAWN J.D. Sedillo	SCALE NONE
DATE MARCH 9, 1984	SHEET OF
DRAWING NO. 02294-1	

ALWAYS THINK SAFETY

Attachment 4
DOI-BLM-N010-2010-0075-EA



ALTERNATE SYSTEM BRACE ASSEMBLIES

NOTE:

1. Single-span brace assembly may be used on systems of 4 wires or less.
2. For alternate system:
 - a. Dimensions apply to both 2-inch diameter end and corner posts.
 - b. To avoid scuffing of brace with line wires, it may be necessary to secure line wires to brace.

ALWAYS THINK SAFETY

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT DIVISION OF TECHNICAL SERVICES SERVICE CENTER	
HIGH-TENSILE WIRE FENCES	
DESIGNED	by others
REVIEWED	<i>[Signature]</i>
APPROVED	<i>[Signature]</i>
DRAWN	S. Ashton
SCALE	NONE
DATE	June 3, 1991
SHEET	OF
DRAWING NO. 02834-3	