

U.S. Department of the Interior  
Bureau of Land Management  
Little Snake Field Office  
455 Emerson Street  
Craig, CO 81625-1129

## ENVIRONMENTAL ASSESSMENT

**EA NUMBER:** DOI-BLM-CO-N010-2011-0130-EA

**CASEFILE/ALLOTMENT NUMBER:** 0501256/04002

**PROJECT NAME:** Renewal of the grazing lease on the Three Forks Allotment #04002

**LEGAL DESCRIPTION:** see allotment map, Attachment 1

**Three Forks Allotment #04002**

T10N R87W N ½ SW ¼, NE ¼ SE ¼, N ½ Sec. 6  
T10N R88W N ½ SE ¼, NE ¼ Sec. 1  
T11N R86W NW ¼ NW ¼ NW ¼ Sec. 5, Sec. 6  
T11N R87W all except E ½ W ½, E ½ Sec. 25 and  
N ½ NW ¼, NW ¼ SW ¼ Sec. 36  
T11N R89W S ½ Sec. 1, SE ¼ Sec. 2, Secs. 10-12,  
NW ¼, W ½ NE ¼, NE ¼ NE ¼, SE ¼ SW ¼, S ½  
SE ¼, NE ¼ SE ¼ Sec. 10, Sec. 15, N ½, SW ¼, W  
½ SE ¼ Sec. 14, E ½, NE ¼ SW ¼ Sec. 16  
T12N R86W Secs. 16-21, N ½, SW ¼ Sec. 28, N ½,  
SE ¼, N ½ SW ¼, SW ¼ SW ¼ Sec. 29, Sec. 30, W  
½, SE ¼ Sec. 31  
T12N R87W por. Secs. 13-17, NE ¼ NW ¼, NE ¼,  
SE ¼, SE ¼ SW ¼ Sec. 20, S ½, W ½ NW ¼, SE ¼  
NW ¼, S ½ NE ¼, NE ¼ NE ¼ Sec. 21, Secs. 22-  
28, W ½, SW ¼, S ½ NW ¼, NE ¼ NW ¼ Sec. 29,  
Secs. 31-36

33,166 acres private  
1,513 acres State Land Board  
10,317 acres BLM  
44,996 acres total

**APPLICANT:** Three Forks Ranch

**PLAN CONFORMANCE REVIEW:** The proposed action was reviewed for conformance (43 CFR 1610.5, BLM 1617.3) with the following plan:

Name of Plan: Little Snake Record of Decision and Resource Management Plan (RMP)

Date Approved: October, 2011

Results: The Proposed Action and all alternatives are consistent with the Little Snake Record of Decision and Resource Management Plan, Livestock Grazing Management goals to manage resources, vegetation, and watersheds to sustain a variety of uses, including livestock grazing, and to maintain the long-term health of the rangelands; provide for efficient management of livestock grazing allotments; and contribute to the stability and sustainability of the livestock industry.

Section/Page: 2.14 Livestock Grazing/RMP-41

**NEED FOR PROPOSED ACTION:** BLM lease #0501256, which authorizes livestock grazing on the Three Forks Allotment #04002 expires on February 28, 2012. This permit/lease 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 *Record of Decision and Resource Management Plan*. This Plan includes the *Colorado Public Land Health Standards* and the *Guidelines for Grazing Management*.

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.

**PUBLIC SCOPING PROCESS:** The BLM Little Snake Field Office sent out a Notice of Public Scoping on December 18, 2008 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were up for renewal in FY 2010. 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:** The Three Forks Allotment was created by the consolidation of thirteen smaller allotments in 1999. This consolidation occurred when the Three Forks Ranch purchased the base property of each of the thirteen allotments.

The Three Forks Allotment is located approximately 15 miles southeast of Slater, Colorado. Relative to much of the public lands managed by LSFO, it consists of mid to higher elevation big sagebrush, mountain sagebrush, mountain shrub, aspen, and lodgepole pine plant communities. Elevations range from 10,253 feet at the summit of Columbus Mountain to 6,800 feet along the Little Snake River.

The allotment is divided into 24 pastures. The pastures allow for rest-rotation and deferred-rotation management scenarios. The South Fork Little Snake River is partially fenced from livestock, with additional fencing planned. Much of the allotment was grazed season-long by sheep, cattle, and/or buffalo prior to the consolidation into a single allotment. Since then, the allotment has been grazed exclusively by cattle.

**DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:**

**Alternative A, Proposed Action**

Renew the grazing lease on the Three Forks Allotment #04002 for ten years, expiring February 28, 2022. The lease would be renewed as follows:

From:

Allotment Name and Number	Livestock Number and Kind	Dates		%PL	AUMs
		Begin	End		
Three Forks #04002	470 Cattle	05/15	10/31	100	2627

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

1. A grazing system will be developed and implemented by the 2004 grazing season which includes, at a minimum, the following performance standards:
  - A. Utilization limits will not be exceeded (50% on grasses, 40% on shrubs). This includes all users.
  - B. Grazing will be deferred until seed ripe one in four years.
  - C. To encourage willow growth and establishment, there will be no late summer use one in three years in these areas: Gold Blossom Creek, Tunnel Creek, South Fork Little Snake, Willow, and Cantling Creeks.
  - D. Rotate early spring use every other year. In the pastures where early use occurs, allow for regrowth for a minimum of 45 days between June 15 and August 15.

2. Only yearling cattle may be run until the grazing system is fully implemented.

To:

Allotment Name and Number	Livestock Number and Kind	Dates		%PL	AUMs
		Begin	End		
Three Forks #04002	470 Cattle	05/15	10/31	100	2627

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

1. A minimum of one pasture will be completely rested each year.
2. Any pastures used prior to June 15<sup>th</sup> may only be used in the same year after the first frost.

Deferred rotation and rest-rotation grazing would continue on the allotment with the minimum performance standards listed above.

The Special Term and Condition regarding utilization limits would be removed because it is addressed in the Common Terms and Conditions.

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

**Alternative B, No Action**

Renew the lease with the existing mandatory and special terms and conditions. The Standard and Common Terms and Conditions would also continue to apply.

**Alternative C, No Grazing**

The grazing lease would not be renewed, the base property preference would be severed, and the public lands within the Three Forks Allotment #04002 would be withdrawn from livestock grazing.

**AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES**

For the following resources and issues, those brought forward for analysis will be addressed below.

Resource/Issue	N/A or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Air Quality		X	
Areas of Critical Environmental Concern	X		
Cultural Resources			X
Environmental Justice			X
Flood Plains		X	
Fluid Minerals		X	
Forest Management	X		
Hydrology/Ground		X	
Hydrology/Surface		X	
Invasive/Non-Native Species			X
Lands with Wilderness Characteristics	X		
Native American Religious Concerns			X
Migratory Birds			X
Paleontology		X	
Prime and Unique Farmland		X	
Range Management			
Realty Authorizations		X	
Recreation/Transportation		X	
Socioeconomics			X
Soils			X
Solid Minerals		X	
T&E and Sensitive Animals			X
T&E and Sensitive Plants	X		
Upland Vegetation			X
Visual Resources		X	
Water Quality - Ground		X	
Water Quality - Surface			X
Wetlands/Riparian Zones			X
Wild and Scenic Rivers	X		
Wild Horse & Burro Management	X		
Wilderness Study Areas	X		
Wildlife - Aquatic			X
Wildlife - Terrestrial			X

## CULTURAL RESOURCES

Affected Environment: Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. Range improvements associated with the allotment (e.g. fences, spring improvements) are subject to compliance requirement under Section 106 and will undergo standard cultural resources inventory and evaluation procedures. During Section 106 review, a cultural resource assessment was completed for the Three Forks Allotment #04002 on September 21, 2011 by Ethan Morton, Little Snake Field Office Archaeologist (Morton 2011). 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 below. Copies of the cultural resource assessment are on file at the Little Snake Field Office.

The prehistoric and historic cultural context for northwestern Colorado has been described in several recent regional contexts. Reed and Metcalf's (1999) context for the Northern Colorado River Basin is applicable for the prehistoric context and historical contexts include overviews compiled by Frederic J. Athearn (1982) and Michael B. Husband (1984). A historical archaeology context has also been prepared for the state of Colorado by Church and others (2007).

Data developed here was taken from the cultural program project report files, site report files, and atlases kept at the Little Snake Field Office. Electronic files were also accessed at the Colorado Office of Archaeology and Historic Preservation through the on-line Compass database system. General Land Office (GLO) plats, patent records, and USGS 1:24,000 scale topographical maps were also reviewed for potential undocumented historic resources.

The table below is based on an analysis developed for the Three Forks Allotment #04002. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in the allotment.

Allotment Number (BLM acres)	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)
04002(10,317)	2,070	8,247	20%	0	105	20

\*Estimates of site densities are based on known inventory data. Estimates should be accepted as baseline figures which may be revised upwards or downwards based on future inventory findings.

Eight cultural resource studies were conducted within the allotment resulting in the total survey coverage of 2,070 acres at a Class III level. This is approximately 20% of the BLM administered lands within the allotment. The majority of the acres were surveyed for a proposed land exchange between BLM and Sagewood Ranches (Prince-Mahoney 2006). This study resulted in the discovery of two historic resources. Both of the historic resources were determined not eligible for the National Register of Historic Places. One isolated prehistoric find was also

identified within the allotment. The isolate is recommended as not eligible for the National Register.

Eighteen potential unrecorded historic resources were identified on the 1882, 1921, 1922 and 1930 GLO plats. A number of these resources were depicted in areas previously inventoried by the land exchange study (Prince-Mahoney 2006) calling into question the quality of that study. Potential historic resources include roads, fence-lines, ranches, a survey marker, and an irrigation ditch.

Based on the available data (site density) there are approximately 105 cultural resources on BLM administered land with the allotment. The majority of these resources are likely historic and related to early homesteading and ranching in the region. It is likely that approximately 20 of these resources will be eligible for the National Register.

Subsequent cultural resource inventory will be conducted in areas where livestock concentrate within ten years of issuance of the lease. This subsequent inventory will consist of approximately 1,358 acres and will also involve the evaluation of the potential historic resources identified on the GLO plats. If archaeological or historic sites potentially eligible for the National Register are identified 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 State Historic Preservation Officer.

Letters were sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Utes Tribal Council, and the Colorado Commission of Indian Affairs in the spring of 2011 discussing upcoming range permits the BLM would be working on in FY10 and FY11. Letters were followed up with phone calls. No comments were received (Letters on file at the Little Snake Field Office, Craig, Colorado).

Environmental Consequences, Alternatives A and B: 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 (Broadhead 2001, Osbourn et al. 1987). Indirect impacts include soil erosion, gullying, 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. Placement of mineral supplements, which can create concentration areas, would potentially impact historic properties if they are in proximity of the placement.

Continued livestock management under these two alternatives is appropriate, as long as new discoveries of cultural resources are properly mitigated if grazing impacts are occurring. If archaeological or historic sites potentially eligible for the National Register are identified during the subsequent field inventory, BLM will field visit these properties and assess the livestock grazing impacts. Any mitigation will be identified and implemented in consultation with the Colorado State Historic Preservation Officer. The livestock impacts will be assessed within the ten-year period of the lease.

Environmental Consequences, Alternative C: While a no grazing alternative alleviates potential damage from livestock activities, cultural resources are constantly being subjected to site formation processes or events after creation (Binford 1981, Schiffer 1987). These processes can be both cultural and natural and take place in an instant or over thousands of years. Cultural processes include any activities directly or indirectly caused by humans. Natural processes include chemical, physical, and biological processes of the natural environment that impinge and or modify cultural materials. Archaeological sites or historic properties which are determined eligible for the National Register and are threatened may have to be mitigated. Any mitigation will be identified and implemented in consultation with the Colorado State Historic Preservation Officer.

#### References:

Athearn, Frederic J.

1982 *An Isolated Empire: A History of Northwest Colorado*. Bureau of Land Management-COLORADO. Cultural Resource Series No. 2, Second Edition. Denver.

Binford, Lewis R.

1981 Behavioral archaeology and the "Pompeii Premise". *Journal of Anthropological Research* 37(3):195-208.

Broadhead, Wade

2001 Brief Synopsis of Experiments Concerning Effects of Grazing on Archaeological Sites. Ms. on file, Bureau of Land Management, Gunnison Field Office, Gunnison, Colorado.

Church, Minette C., Steven G. Baker, Bonnie J. Clark, Richard f. Carrillo, Jonathan C. Horn, Carl D. Spath, David R. Guilfoyle, and E. Steve Cassells

2007 *Colorado History: A Context for Historical Archaeology*. Colorado Council of Professional Archaeologists, Denver.

Husband, Michael B.

1984 *Plateau Country Historic Context*. Office of Archaeology and Historic Preservation, State Historic Preservation Office, Denver.

Morton, Ethan

2011 EA input for the Grazing Lease Renewal on the Three Forks Allotment #04002. DOI-BLM-CO-N010-2011-0130-EA. EA on file. BLM-LSFO 10.55.2011. Craig Colorado.

Prince-Mahoney, Jenni

2006 *A Cultural Resource Inventory Of 10 Parcels (1830 Acres) For The Sagewood Ranches Inc. Craig BLM Land Exchange Near Columbus Mountain, Colorado (96-48)*. OAH# RT.LM.R28. LSFO# 114-00-96. JBR Environmental Consultants. Denver, Colorado.

Reed, Alan D. and Michael Metcalf

1999 *Colorado Prehistory: A Context for the Northern Colorado River Basin.*  
Colorado Council of Professional Archaeologists, Denver, Colorado.

Osbourn, Alan, Susan Vetter, Ralph Hartley, Laurie Walsh, Jesslyn Brown

1987 Impacts of Domestic Livestock Grazing in the Archaeological Resources of Capitol Reef National Park, Utah. Occasional Studies in Anthropology No. 20. Ms. on file, Midwest Archaeological Center, Lincoln, Nebraska.

Schiffer, Michael B.

1987 Formation Processes of the Archaeological Record Formation Processes of the Archaeological Record. Albuquerque: University of New Mexico Press.

## **ENVIRONMENTAL JUSTICE**

Affected Environment: Minorities comprise a small proportion of the population residing inside the boundaries of the Little Snake Field Office.

Environmental Consequences, Alternatives A and B: Minority or low- income populations seeking employment in the ranching industry could be beneficially affected due to employment opportunities. Either of these alternatives would not adversely affect the environment, health, or safety of minority and low-income populations.

Environmental Consequences, Alternative C: Canceling the preference for the allotment would have a negative economic impact on minority or low-income populations seeking employment in the ranching industry; however, this alternative would not adversely affect the environment, health, or safety of minority and low-income populations.

## **INVASIVE, NONNATIVE SPECIES**

Affected Environment: Invasive species and noxious weeds occur within the affected area. Canada thistle, several species of biennial thistles, hoary cress (whitetop), Dalmatian toadflax, downy brome, leafy spurge, hound's tongue, and knapweeds are known to occur in this area. Other species of noxious weeds could be introduced by vehicle traffic, livestock, wildlife and other means of dispersal. Principals of Integrated Pest Management (IPM) are employed to control noxious weeds on BLM lands in the Little Snake Field Office.

Environmental Consequences, Alternatives A and B: The impact of invasive or noxious weed establishment is very similar under either of these alternatives. 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 increase weed presence. The largest concern in the allotment would be for biennial and perennial noxious weed infestations to establish and not be detected. Once an infestation is detected it could be controlled with various IPM techniques. Land practices and land uses by the livestock operator and their weed control efforts and awareness would largely determine the identification and

potential infestations of weeds within the allotment.

Environmental Consequences, Alternative C: This alternative removes the spread and introduction of weeds by livestock. Additional sources of seed dispersal, such as by vehicles, would still be present throughout the allotment. Additionally, under this alternative there would be no presence by the grazing lessee to assist with the detection of infestations.

### **MIGRATORY BIRDS**

Affected Environment: Sagebrush stands and mixed mountain shrublands within the allotment provide habitat for a variety of migratory bird species. Lodgepole and aspen woodlands are also present in the allotment at higher elevations. Priority species on the United States Fish & Wildlife Service (USFWS) Birds of Conservation Concern List (2008) that may utilize habitat within the allotment include golden eagle, flammulated owl, Brewer's sparrow, sage sparrow, willow flycatcher, olive-sided flycatcher, sage thrasher, loggerhead shrike, Williamson's sapsucker and Cassin's finch. Aspen woodlands and coniferous forests provide nesting sites for cavity nesting species.

Environmental Consequences, Alternatives A and B: Although grazing would occur during most of the growing season, the allotment is grazed in a rest-rotation and deferred rotation among 24 pastures, which ensures that no one area is grazed for the entire growing season which aids in ensuring proper rest for plant and shrub species following grazing events. Although the proposed grazing schedule for the allotment coincides with the breeding season, proposed livestock grazing would not reduce the extent or quality of habitat available for migratory bird breeding functions. Grazing by cattle would result in the accidental destruction of ground nests through trampling, though this impact would be minimal and isolated and would not influence populations of migratory birds on a landscape level. The allotment is currently providing healthy and productive habitat for migratory bird species and these habitat conditions would continue under both of these alternatives.

Environmental Consequences, Alternative C: Cessation of cattle grazing would eliminate nest loss and potential mortality of migratory birds through livestock grazing and related activities. Elimination of grazing by livestock would have either a beneficial or detrimental effect on individual migratory bird species, depending on the response of range condition and individual species requirements, but effects at the population or species level would not be adverse.

### **NATIVE AMERICAN RELIGIOUS CONCERNS**

Letters were sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Utes Tribal Council, Shoshoni Tribal Historic Preservation Officer, and the Colorado Commission of Indian Affairs in the spring of 2010 discussing upcoming projects the BLM would be working on in FY10 and FY11. Letters were followed up with phone calls. No comments were received (Letters on file at the Little Snake Field Office, Craig, Colorado).

## **SOCIOECONOMICS**

Affected Environment: Agricultural practices, energy exploration and development, and hunting are the main economic activities of the area. In this region, livestock operations and public land management are strongly linked through grazing permits and leases.

Environmental Consequences, Alternatives A and B: Indirect benefits to the surrounding economy would occur due to overall employment opportunities related to the ranching service support industry in the region as well as the economic benefits to state and county governments related to taxes. Grazing operations would continue to supply personal income to the operator and employees and would proportionally influence the regional, state, and national economy.

Grazing activities may impact other public land users and nearby residents, but the impact is not considered substantial at this time due to the intermittent nature of the presence of cattle on the allotment. Neither of these alternatives would generate high levels of concern, opposition, or dissatisfaction among local residents.

Environmental Consequences, Alternative C: Canceling the grazing preference for the allotment would have a negative economic impact from loss of employment due to this action. The indirect effects would include negative effects due to overall employment opportunities related to the ranching service support industry in the region. Loss of the grazing preference on the allotment would reduce the profitability of the ranch, reducing economic benefits to state and county governments related to taxes. This alternative could generate high levels of concern, opposition, or dissatisfaction among local residents

## **SOILS**

Affected Environment: Table 1 describes the major soil groups within the Three Forks Allotment. Surface soil characteristics are stable with a high vegetative cover and diversity to help protect from accelerated erosion. There is little to no evidence of soil movement or erosion in the form of gullies, pedestals, or flow patterns. Land capability classifications for most soil types listed states that the soils within the allotments are suitable for grazing, though many require careful management and are limited because they are very cold and stony. The main hazard for all of these soils is erosion unless close-growing plant cover is maintained. Biological soil crusts are not present and are not expected in this relatively high precipitation environment.

**Table 1. Soil Summary for the Three Forks Allotment #04002**

Soil Map Unit (MU) & Soil Name (Acres in Allot.)	Map Unit Setting	Description
MU 123F  Tamp(new) gravelly sandy loam, 20 to 65% slopes, very stony  5550 acres	<u>Elevation:</u> 7,200 to 8,160 feet  <u>Ecological Site:</u> Stony Loam	These mountain flank soils are derived from sandstone and shale and/or slope alluvium derived from sandstone and shale.
MU 185  Impass-Gourley complex, 3 to 25% slopes  3920 acres	<u>Elevation:</u> 6,600 to 8,900 feet  <u>Mean annual precipitation:</u> 18-26”  <u>Ecological Site:</u> Claypan	These hillslope soils are well drained with moderately low to moderately high permeability and high available water capacity. The soil profile is typically up to 60 inches deep, composed entirely of clay.
MU 83D  Routt Loam, 3 to 35% slopes  3360 acres	<u>Elevation:</u> 7,640 to 8,430 feet  <u>Mean annual precipitation:</u> 21-30”  <u>Ecological Site:</u> Aspen Woodland	These mountain flank soils are well drained with moderately low to moderately high permeability and high water capacity. The soil profile is typically up to 65 inches deep, composed mostly of loams and clay loams.
MU 68C  Rabbitears loam, 3 to 12% slopes  3020 acres	<u>Elevation:</u> 6,800 to 7,900 feet  <u>Mean annual precipitation:</u> 19-26”  <u>Ecological Site:</u> Mountain Loam	These sideslope soils are well drained with moderately high permeability and high available water capacity. The soil profile is typically up to 60 inches deep, composed mostly of loam and sandy/gravelly clay loams.
MU 78F  Fulvance very gravelly sandy loam, 25 to 65% slopes, very stony  2850 acres	<u>Elevation:</u> 7,600 to 8,800 feet  <u>Mean annual precipitation:</u> 22-33”  <u>Ecological Site:</u> none given	These hill and mountain slope soils are well drained with moderately high permeability and low water capacity. The soil profile is typically up to 66 inches deep, composed mostly of very cobbly/gravelly sandy loams and extremely stony clay loams.

Data taken from USDA NRCS Web Soil Survey Routt Area, Colorado, Parts of Rio Blanco and Routt Counties

Loamy and clayey soils within the allotment are prone to slides on the steeper slopes. Following an especially wet winter and spring/early summer, evidence of sliding and hillslope instability was noticed throughout the allotment in the summer of 2011. This type of geological hazard naturally occurs in the region and is not attributable to grazing activities. Overall, soils in the allotment are stable and protected by diverse and abundant shrub and grass cover.

Environmental Consequences, Alternatives A and B: Clay-dominated soils are least susceptible to compaction and damage when dry, which is typically late spring through early fall. The proposed grazing period for the allotment of mid-May through October coincides with this time period. Even though the proposed season of use is during the main period of vegetation

growth and seed production, appropriate stocking rates, rotational pasture use, and annual pasture deferment would maintain or improve soil stability and function, which are already in good condition.

Environmental Consequences, Alternative C: Removal of livestock from public lands would lead to decreased hoof compaction of soil surfaces, especially in riparian areas where livestock tend to congregate, particularly during the summer and in steep areas. Over time the lack of compaction, combined with the annual freeze-thaw cycle, would lead to a decrease in soil bulk density and improved soil moisture conditions, which facilitates vegetation germination and root development. Removing livestock could also result in an increase of both plant litter and live vegetative ground cover that would provide more protection from wind and water erosion. Any livestock trails and the resulting erosion would heal over time.

If grazing were to continue on adjacent private or other non-federal lands in the allotment, fences would have to be built by the landowner(s) to prevent trespass onto federally-managed lands. Given the natural tendency of cattle to congregate and trail along fence lines, it is likely that paths and forage depletion would occur along the fences. The resulting decrease in canopy cover would fail to decrease the impact of raindrops on the soil surface, while the expected increase in compaction would increase runoff from both rain and snowmelt. These factors would combine to increase the likelihood of both wind and water erosion in the areas adjacent to fences. This may result in blowouts and gullies which could indirectly impact federal lands through deposition or by the eroded area actually spreading onto federal lands.

#### **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. The allotment does provide breeding and nesting habitat for greater sage grouse, a BLM special status species and a candidate for listing under the Endangered Species Act. There are four active greater sage grouse leks within the Three Forks Allotment. The allotment is mapped as overall greater sage grouse habitat, greater sage-grouse winter range and brood rearing area by the Colorado Division of Parks and Wildlife (CPAW). Greater sage grouse nest habitat is scattered in patches of heavier sagebrush. Quality nesting habitat has an understory of residual grass cover that provides hiding cover for incubating females. Important brood rearing habitat for sage grouse is found along drainages and in moister sites near springs and seeps. Sage-grouse broods require high protein forbs and associated invertebrates.

The allotment provides habitat for Columbian sharp-tailed grouse, a BLM sensitive species. Mixed mountain shrublands on the allotment are classified as both nesting and winter habitat by CPAW. There are four active Columbian sharp-tailed grouse leks within the allotment.

The South Fork Little Snake River has a native population of Colorado River cutthroat trout, a BLM sensitive species.

The allotment also provides habitat for the Brewer's sparrow, a BLM sensitive species and is discussed in the Migratory Birds portion of this document.

#### Environmental Consequences, Alternatives A and B:

##### *Columbian sharp-tailed grouse and greater sage grouse*

Under these two alternatives, grazing would begin in May and overlap with the latter part of the grouse nesting season. Grazing has the potential to reduce the amount of herbaceous cover available for nest concealment. The requirement to not allow use of pastures used prior to June 15<sup>th</sup> until after the first frost in the fall would ensure that regrowth that occurs after mid-June is allowed to be added to existing residual from early grazing periods and provide sufficient residual for nesting. The herbaceous component is healthy and vigorous and would remain resilient to livestock grazing under either alternative. Since private lands within the allotment contain all of the developed water sources, livestock would be unlikely to concentrate on public lands. The permitted stocking rate would limit utilization and ensure that adequate herbaceous cover would remain for nest concealment. Overall, neither of these alternatives would degrade greater sage grouse or Columbia sharp-tailed grouse habitats on the allotment.

##### *Colorado River Cutthroat Trout*

In 2010 and 2011, the permittee, in coordination with Trout Unlimited, BLM, CPAW, the US Fish and Wildlife Service, and the US Forest Service constructed 7.5 miles of fence to exclude cattle from instream and riparian habitat along the South Fork Little Snake River. This fencing ensures that suitable habitat for Colorado River cutthroat trout persists.

Environmental Consequences, Alternative C: The No Grazing Alternative would benefit wildlife by reducing and eventually eliminating direct and indirect effects of livestock grazing and associated activities to wildlife. Increases in forage and hiding cover amounts, types, and quality for wildlife would occur.

#### **UPLAND VEGETATION**

Affected Environment: The upland plant communities that contribute forage for livestock are big sagebrush and mountain shrub communities. Patches of aspen and lodgepole pine are present, particularly on northerly aspects. Dominant species present include mountain big sagebrush (*Artemisia tridentata pauciflora*), silver sagebrush (*A. cana*), green rabbitbrush (*Chrysothamnus viscidiflorus*), serviceberry (*Amelanchier alnifolia*), snowberry (*Symphoricarpos albus*), mules-ears (*Wyethia amplexicaulis*), Lewis flax (*Linium lewisii*), sego lilly (*Calochortus macrocarpus*), yarrow (*Achillea millefolium*), silver cinquefoil (*Potentilla hippiana*), Wood's rose (*Rosa woodsii*), Louisiana sagewort (*Artemisia ludoviciana*), Indian paintbrush (*Castilleja chromosa*), wavy-leaf thistle (*Cirsium undulatum*), yampah (*Perideridia gairdneri*), needle-and-thread (*Stipa comata*), timothy (*Phleum pretense*), western wheatgrass (*Pascopyrum smithii*), slender wheatgrass (*Elymus trachycaulus*), squirreltail (*Sitanion hystrix*), smooth brome (*Bromus inermis*), Kentucky bluegrass (*Poa pratensis*), and Sandberg bluegrass (*P. sandbergii*).

Environmental Consequences, Alternative A: The defoliation of plants by grazing results in physiological changes that vary depending upon the timing and amount of plant material lost. Plants that are grazed in the spring have the greatest opportunity to replace photosynthetic tissues as long as grazing ceases early enough and moisture remains available. This alternative would allow for periodic rest and deferment, allowing for adequate growth of desirable species before grazing and allowing key forage species to accumulate sufficient carbohydrate reserves. By removing livestock from pastures that are grazed at the beginning of the growing season, plants would be allowed the remainder of the season to regrow and reproduce. The limitation on the re-use of pastures used in the spring until after the first freeze (typically in late September through early October) would serve to both allow for maximum recovery from spring grazing before livestock are reintroduced and to limit the amount of time that pastures that were used in the spring are available in the fall.

Environmental Consequences, Alternative B: Overall, many of the impacts to upland plant communities described for Alternative A would be similar under Alternative B. Limiting late summer use in riparian areas has allowed for willow reestablishment, something that would continue without this specific requirement due to establishment that has already occurred and that rotational grazing practices would necessarily continue to allow the shifting of grazing pressure from one area to another on a year to year basis. Spring use would be rotated, but the recovery period would potentially be shorter. While adequate, with 45 days of deferment after June 15 forage species would be less likely to fully recover to seed dissemination than under Alternative A.

Environmental Consequences, Alternative C: Impacts to vegetation by livestock herbivory would not occur. Grazing would continue to occur from wildlife species, particularly elk, deer, and pronghorn antelope, but in general, overall herbivory would be less.

## **WATER QUALITY - SURFACE**

Affected Environment: Surface runoff from the Three Forks Allotment drains into tributaries of the Little Snake River. Water quality for all tributaries to the Little Snake River (from its first crossing of the Colorado/Wyoming border to a point immediately below the confluence with Fourmile Creek) must support Aquatic Life Cold 1, Recreation P, and Agricultural uses.

Environmental Consequences, Alternatives A and B: Livestock wastes deposited in or near streams or entrained or dissolved in runoff reaching streams may contribute to nutrient (nitrogen, phosphorous) and bacteria (*E. coli*) exceedances in surface waters influenced by grazing allotments, although the source(s) of these pollutants, when present, can be difficult to determine. Livestock use of surface waters may also contribute to increased suspended solids (soil particles, organic matter particles) and increased water temperatures by removing or trampling streamside vegetation when use is concentrated or during certain times of year.

Surface waters present within the allotment are currently supporting classified uses. Permitting livestock grazing under either of these alternatives is consistent with land uses throughout the watershed and would not result in changes to current water quality. Continuing the grazing at

the allocated stocking rate would not compromise soil stability and vegetation community health given the good condition of the vegetation within the allotment.

Environmental Consequences, Alternative C: Potential direct and indirect impacts to water quality caused by livestock use, such as deposition and concentration of waste directly into the water body or trampling, trailing, excessive grazing of streamside vegetation that may lead to increased sedimentation, would be eliminated. This alternative has the potential to benefit overall water quality both within and downstream of the allotment.

References:

Colorado Department of Public Health and Environment Water Quality Control Commission. 2010. Regulations #33, 37, and 93.

<http://www.cdphe.state.co.us/regulations/wqccregs/index.html>

Kansas State University Research and Extension. 2002. Kansas Grazing Land Water Quality Program: Understanding Grazing Land and Water Quality (pamphlet).

[www.kdheks.gov/nps/resources/grazing/attach2.pdf](http://www.kdheks.gov/nps/resources/grazing/attach2.pdf)

**WETLANDS/RIPARIAN ZONES**

Affected Environment: All lotic and some lentic riparian resources within the allotment were assessed on June 20 and July 25, 2011.

Condition Assessment	Wetlands/Springs (acres)	Streams (miles)
Proper Functioning Condition	Blind Pond (0.1)	Willow Creek (Goldblossom) R1: 0.75 Willow Creek Tributaries 1&2: 1.1 S. Fork Little Snake River R1: 1 Cantling Creek Headwaters 2 R5-6: 0.9
Functioning At Risk – condition improving		S. Fork Little Snake River R2: 0.5 Cantling Creek Headwaters 2 R3-4: 1.8
Not Assessed	23 springs (<2)	
<b>TOTAL</b>		<b>Willow Creek: 0.75</b> <b>Willow Creek Tributaries 1&amp;2: 1.1</b> <b>S. Fork Little Snake River: 1.5</b> <b>Cantling Creek Headwaters 2: 2.7</b>

Environmental Consequences, Alternatives A and B: Livestock use during most of the growing season (mid-May through October) could lead to concentration in riparian areas, including stream channels, where plant vigor could be reduced and vegetation communities and channel form could change over time. There is also the possibility of adverse effects to aquatic life if damage to herbaceous vegetation leads to a reduction in canopy and in-stream cover that influences water temperature and availability of any preferred bankside habitat. Changes to the channel configuration could increase sediment delivery and alter substrate composition that macroinvertebrates and native fish prefer.

However, riparian resource conditions in this allotment have markedly improved under the current management schedule since last assessed in 1999, when most reaches were then

considered to be functioning at risk with either a downward or no trend. Since 2000, stocking rates have been reduced, types of livestock and seasons of use have been modified, cross-fencing has been built on private lands, and a rest-rotation system implemented. This change in management from historic use is evident in all the riparian resources revisited in 2011; the upward and functional trends for these areas are expected to continue under either of these alternatives.

In addition, there has been a substantial amount of riparian restoration on the privately held portions of streams within the allotment, including creation of riparian pastures that can exclude livestock use to encourage woody shrub regeneration and the replacement/creation of in-channel features such as weirs and bars to slow water movement and create habitat for cold water aquatic species. Currently, the ranch is building a fence along sections of the South Fork Little Snake River to improve trout habitat by assisting in willow regeneration. This wildlife-friendly fence will cross public lands along reach 2 of the South Fork Little Snake River. This project would further improve riparian conditions along this reach over the long term, since reach 2 does lack the woody shrub component that can be found both up and downstream.

Environmental Consequences, Alternative C: Generally speaking, removing cattle from the allotment would likely improve riparian and wetland resource conditions over the long-term. A decrease in herbivory on riparian vegetation and trampling pressure by livestock in riparian areas would increase soil moisture and reduce the potential for erosion and any associated changes to channel geomorphology and wetland form/function, particularly in low and moderate gradient stream where the presence of riparian vegetation is one of the most important factors in maintaining stability. In ephemeral channels and wetlands, reduced livestock grazing pressure may also maintain or raise seasonal water tables during the dry season to a point where facultative and obligate riparian plant species are able to persist or even expand, thereby further increasing channel stability. However, these benefits may not fully be realized if the riparian resource is used by wildlife, particularly large ungulates, since wildlife can also have similar impacts to riparian resources, especially during periods of drought. Also, livestock grazing on adjacent private and other non-federal lands would continue to produce direct effects to riparian resources that may indirectly affect riparian resources on federally managed lands.

## **WILDLIFE, AQUATIC**

Affected Environment: Gold Blossom Creek, Tunnel Creek, Cantling Creek, and Willow Creek are drainages that hold flows during many years and have the potential to provide important habitat for trout, amphibians, and other aquatic species. These drainages lie within the historical range of for the Colorado River cutthroat trout and trout have been observed in the streams. The South Fork Little Snake supports a native population of Colorado River cutthroat trout and is discussed in the T & E and Sensitive Species portion of this document.

Environmental Consequences, Alternatives A and B: Potential impacts from livestock grazing include trampling of individuals or nests/eggs, water displacement, sedimentation and nitrification, and removal or degradation of shading vegetation. Riparian habitats are in good condition, providing suitable and productive habitat for aquatic wildlife. These conditions would continue under either of these alternatives.

Environmental Consequences, Alternative C: Elimination of livestock grazing would result in improved riparian conditions and improved ecological conditions. As conditions improve, the health, vigor and abundance of forage species would increase. The increase in grass and forb availability would enhance habitat quality for aquatic wildlife.

## **WILDLIFE, TERRESTRIAL**

Affected Environment: The Three Forks Allotment provides year round habitat for elk, mule deer, pronghorn antelope, black bear, mountain lion, and a variety of small mammals, reptiles and song birds. Elk production areas occur throughout the allotment and the majority of the allotment is mapped as summer habitat for elk and mule deer by the CPAW.

Environmental Consequences, Alternatives A and B: Although the grazing season under either alternative would encompass much of the growing season, the allotment is divided up into 24 pastures which allows for rotational grazing of livestock throughout the entire allotment. The allotment is also grazed in conjunction with private land, which distributes livestock and reduces concentration on public lands. The vegetative community is in good condition, providing suitable and productive habitat for a variety of terrestrial wildlife species. These conditions would continue under the grazing system described under both of these alternatives.

Environmental Consequences, Alternative C: There would no longer be direct competition between livestock and wildlife for forage, browse and cover. Wildlife habitat would moderately improve. The limitation for improvement would continue to be the inability to control livestock use of the parcels because of the expense of segregating the lands with fencing, and legal access to administer isolated parcels of public land. Since livestock grazing would not be permitted, range improvement projects that benefit wildlife, such as water developments, would be abandoned. New range improvement projects that would also benefit wildlife habitat, such as brush control, may not be implemented because these projects are primarily driven and funded through range improvement efforts.

**CUMULATIVE IMPACTS SUMMARY:** The Three Forks Allotment and areas surrounding have historically been grazed by both sheep and cattle. It is not anticipated that land use, emphasizing agricultural practices, in any of the surrounding areas, public or private lands, will experience drastic changes outside of previous and or current use, or be abolished in the foreseeable future.

Wildlife populations in the area are high, especially for deer and elk that compete with livestock for available forage throughout the area. Agricultural and livestock management fences and mineral extraction contribute to habitat fragmentation for many wildlife species.

Numerous maintained and unmaintained roads exist throughout the area, including on the allotment. These roads are used regularly by landowners as well as by the primary recreation users in the area, hunters and anglers. Public access to the allotment is very limited resulting in only minimal use of existing roads and trails. In association with the recently approved Little Snake Resource Management Plan (RMP) a Travel Management Plan (TMP) will be completed

within five years. This TMP may provide greater restrictions to OHV use compared to what is currently allowed. These restrictions would remove an additional impact in many areas, thus benefiting natural resources.

Minor levels of energy and minerals development has occurred inside and outside the allotment and some level of future development may occur.

Ranching and agriculture is a major economic driver for the local community and surrounding region. Continuation of these practices would provide commerce, employment, and stability to many businesses, families and individuals who depend on agricultural practices for their livelihood. If Alternative C - No Grazing were to be chosen a small number of individuals and families would lose employment and would be forced to seek/or train for other employment, relocate, or rely on public assistance. If this type of no grazing on public land trend were to continue, denying applications and or cancelling other or all public land grazing authorizations, the economy of the region and many other associated industries would no longer be sustainable, thus causing a much larger and far reaching adverse economic and social impact. Currently, and in the foreseeable future, there is no industry, or economic venture that could replace agricultural practices in terms of employment, commerce, and tax based revenue on a broad scale.

There is a consensus in the international community that global climate change is occurring, although defined causal factors and prevention measures are still being debated. There is currently a lack of guidance on how to perform a climate change analysis under NEPA and thus it is appropriate to restrict this discussion to a qualitative review. Livestock grazing under Alternative A - Proposed Action and Alternative B – No Action would be at the same level as it has historically been, so it follows that methane and carbon dioxide production would stay the same. Therefore, under Alternative A - Proposed Action there would be no increased contribution to global climate change. Greenhouse gas production would presumably be further reduced under a no grazing scenario, although it is likely that at least some of the livestock that would have been grazed on this allotment would simply graze elsewhere.

Alternative A - Proposed Action and Alternative B – No Action continuing grazing on this allotment, is compatible with other uses, both historic, present, and future and would not add any new or detrimental impacts to those that are already present or be cumulative in nature.

## **STANDARDS**

**PLANT AND ANIMAL COMMUNITY (animal) STANDARD:** The Three Forks Allotment provides habitat for a variety of wildlife species. Elk, mule deer and pronghorn antelope utilize this area year round. Overall, vegetative communities within the allotment are in good condition, providing suitable habitat for terrestrial wildlife species. Shrub cover is adequate to provide winter habitat for browsing species. This standard is met and habitat conditions would remain unchanged under all three alternatives.

**SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD:** The Three Forks Allotment provides habitat for the following BLM sensitive

species: Columbia sharp-tailed grouse, Brewer's sparrow, and Colorado River cutthroat trout. The allotment also provides breeding and nesting habitat for the greater sage grouse, a BLM special status species and a candidate for listing under ESA. Sagebrush, mountain shrub, riparian, forest and grass communities on the allotment are in good condition, providing suitable habitat for the aforementioned species. Overall, native vegetation on the allotment is appropriate and healthy and the allotment is meeting this standard. All three alternatives would meet this standard.

**PLANT AND ANIMAL COMMUNITY (plant) STANDARD:** The plant communities on the Three Forks Allotment are currently meeting this standard. Native species are present in expected numbers and diversity. Vigor and reproductive capability is high. While noxious weeds such as Canada thistle and cheatgrass are present in places, in no area are they adversely affecting the ability of the native plant communities to provide the desired objectives of forage production, wildlife cover, and soil protection. Alternative A is very similar to the management that has occurred on this allotment for the last ten years. Given that current management has resulted in community indicators that are improved from observations in 1999, the both Alternatives A and B would continue to allow this standard to be met. Not allowing livestock herbivory on this allotment would result in only wildlife and insect herbivory. The result would be that this standard would also continue to be met under Alternative C.

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

**RIPARIAN SYSTEMS STANDARD:** All assessed riparian resources within the allotment are currently meeting standards public land health standard for riparian systems. This would not change under either Alternatives A or B, since riparian system standards are currently being met under existing management. Removing domestic livestock use from public lands would result in only wildlife use of riparian areas on this allotment. This standard would continue to be met.

**WATER QUALITY STANDARD:** The water quality standard for healthy rangelands would continue to be met under Alternative A. Runoff from snow melt and summer storms drain from the allotment into perennial tributaries of the Little Snake River, which is currently supporting classified uses. No stream segments in the area are listed as impaired. The water quality standard for healthy rangelands would continue to be met under Alternatives A or B. Removing domestic livestock use from public lands would result in only wildlife use on this allotment. This standard would continue to be met under Alternative C.

**UPLAND SOILS STANDARD:** Surface soil characteristics are stable and show little to no signs of surface movement. Plant density and production is high to promote water infiltration and permeability as well as minimize surface runoff. The proposed and no action alternatives would continue to meet the public land health standard for upland soils. Removing domestic livestock use from public lands would result in only wildlife use on this allotment. This standard would continue to be met under Alternative C.

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

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

**SIGNATURE OF PREPARER:** /s/ Hunter Seim

**DATE SIGNED:** 10/26/11

**SIGNATURE OF ENVIRONMENTAL REVIEWER:** /s/ Barbara Sterling

**DATE SIGNED:** 10/26/11

## **Finding of No Significant Impact**

Based upon a review of this Environmental Assessment and the supporting documents, I have determined that the Proposed Action is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27 and do not exceed those effects as described in the Little Snake Resource Management Plan and Record of Decision (1989). Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

**Context:** The project is a site-specific action directly involving BLM administered public lands that do not in and of itself have international, national, regional, or state-wide importance.

**Intensity:** The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

### **1. Impacts that may be both beneficial and adverse:**

The beneficial effects of the Proposed Action includes: in authorizing public land grazing this action sustains the local economy as grazing operations would continue to supply personal income to the operator and employees, and would have a proportional influence on the regional, Colorado, and national economy. This action supports the western livestock industry. The authorized livestock operator(s) have mandatory and special terms and conditions that must be met to maintain their grazing preference. This provides a certain level of stewardship of public lands in that if these lands were to become degraded by any activity or event, natural or human in origin, grazing and or other authorized uses would be terminated. This stewardship role of the livestock operator not only mandates proper livestock and forage management but also provides communication with the BLM as to other activities or events that could cause degradation to public lands. Long term effects would be limited in scope.

### **2. Degree of effect on public health and safety:**

There would be no effect to public health and safety.

### **3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:**

There are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas in the area of analyzed. As described in the EA, impacts to cultural resources were identified for the Proposed Action. As this action is not a new action but a continuation of historic land uses in this area there would be no affect to unique characteristics of the geographic area.

### **4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial:**

Public input regarding the Proposed Action has been solicited during the planning process. The BLM Little Snake Field Office sent out a Notice of Public Scoping on December 18, 2008 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were up for renewal in FY 2010. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on permit/lease renewals. Individual letters were sent to the affected permittees/lessees, informing them their permit/lease was up for renewal and requesting any information they wanted included in or taken into consideration during the renewal process.

### **5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk:**

No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action and alternatives.

**6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:**

The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts:**

No individually or cumulatively significant impacts were identified for the Proposed Action or alternatives. Any adverse impacts identified for the Proposed Action, in conjunction with any adverse impacts of other past, present, or reasonably foreseeable future actions will result in negligible impacts to natural and cultural resources.

**8. Degree to which the action may adversely affect district, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:**

There would be no loss or destruction to these resources. A cultural resources study is initiated prior to any action considered and undertaken under Section 106 of the National Historic Preservation Act. Any adverse effects to Historic Properties are mitigated in consultation with the Colorado Office of Archaeology and Historic Preservation (SHPO).

**9. Degree to which the action may adversely affect an endangered or threatened species or its critical habitat:**

There are no federally listed threatened or endangered plant or animal species that would be affected by the Proposed Action.

**10. Whether the action threatens a violation of federal, state, or local environmental protection law:**

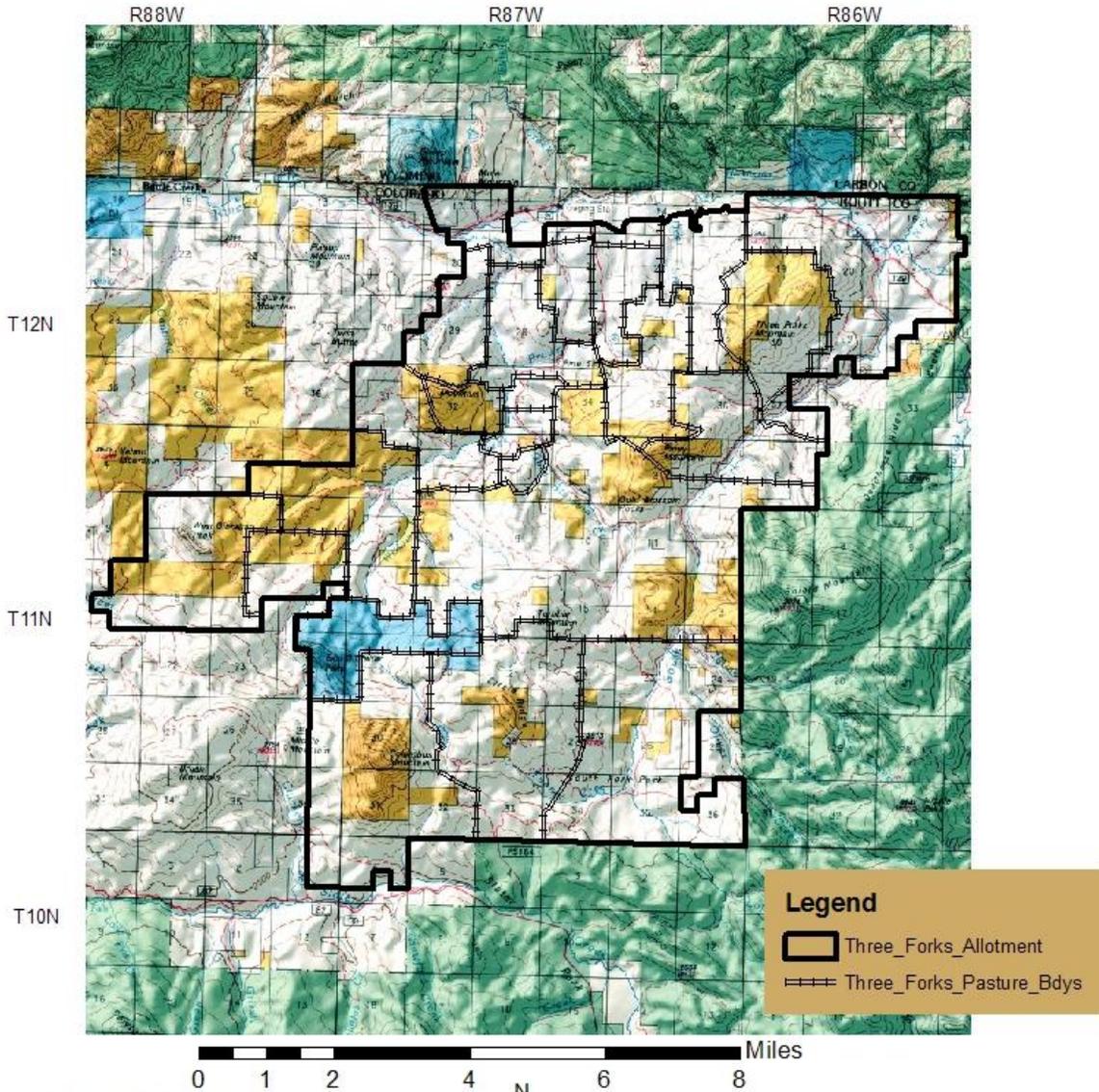
The Proposed Action violates no federal, state, or local environmental protection laws.

**SIGNATURE OF AUTHORIZED OFFICIAL:** /s/ Matt Anderson for Wendy Reynolds, Field Manager

**DATE SIGNED:** 11/02/11

Attachment 1  
DOI-BLM-CO-N010-2011-0130-EA

Three Forks Allotment #04002



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data. All boundaries are an approximate representation.



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JHS

**ATTACHMENT #2  
DOI-BLM-CO-N010-2011-0130-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/lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.