

**United States Department of the Interior  
Bureau of Land Management**

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**Environmental Assessment  
for the Issuance of Three Livestock Crossing Permits**

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Little Snake Field Office  
455 Emerson Street  
Craig, Colorado

DOI-BLM-CO-N010-2012-058-EA

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## CHAPTER 1 - INTRODUCTION

### **1.1 IDENTIFYING INFORMATION**

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PROJECT NAME: Issuance of Three Livestock Crossing Permits within the Little Snake Field Office jurisdiction

CASEFILE NUMBERS: 0500253, 0501017, 0500230

### **1.2 PROJECT LOCATION AND LEGAL DESCRIPTION**

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LEGAL DESCRIPTION: See maps, Attachments 1-3

T10N R102W Secs. 6, 7, and 18  
T11N R102W Secs. 19, 30, and 31  
T12N R100W Secs. 13 and 24  
T12N R99W Secs. 19, 30, and 36  
T12N R98W Secs. 31 and 32  
T11N R98W Secs. 4 and 5  
T12N R96W Sec. 32  
T11N R96W Secs. 3, 4, 10, and 11  
T11N R95W Sec. 18.

ALLOTMENT NAMES AND NUMBERS: Cold Springs 04325, Spitzie Draw 04335, Hiawatha Tridistrict 04300, and Horse Draw 04204

COUNTY AND GENERAL LOCATION: Moffat County. The four routes that are analyzed in this EA are located in Browns Park, Cold Springs Mountain, and the vicinity of Shell Creek, Nipple Rim, and the Edinger Bridge on the Little Snake River.

LANDSCAPE DESCRIPTION: Three of the four proposed routes cross generally level to gently sloping ground that is dominated by shrubland plant communities. One of the proposed routes crosses both gently sloping shrublands and steep juniper woodland dominated sites.

CLIMATE/PRECIPITATION SUMMARY: The climate within the Little Snake Field Office jurisdiction is characterized as desert and semiarid steppe with areas of mid-latitude highland or alpine in mountainous areas. Both of these climatic zones have large seasonal variations in temperature and precipitation. The desert and semiarid steppe climate is relatively dry, but precipitation varies annually and is sufficient for the growth of short, sparse grass and shrubs. The mid-latitude highland or alpine climate is characterized by large variations in local climates, depending on elevation and slope exposure, but is generally a similar but cooler version of nearby lowland climate.

Mean annual temperatures range from 39°F at higher elevations to 47° F at lower elevations. Mean temperatures vary between 75 °F in the summer and 3°F in the winter in the eastern portion and between 89 °F in the summer and 12 °F in the winter in the western portion.

Temperature extremes recorded are  $-61^{\circ}\text{F}$  and  $106^{\circ}\text{F}$ . Mean annual precipitation ranges from 8.5 inches at the lower elevations in the west to 23.3 inches at the higher elevations in the east. Precipitation is generally greater in the spring and fall, except for the higher elevations where 175 to 300 inches of snowfall can be expected between November and April.

### **1.3 BACKGROUND**

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Historically, all livestock operators moved their livestock from one grazing area to another the same way they do today, through livestock trailing. Many of these livestock trails have been used since the 1860s but due to changes in livestock operators, changes in land ownership, and the construction of road networks, some livestock trails are newer or have shifted on the landscape. It should be recognized that in the late 1800s and through the mid-1900s, all livestock were trailed between different areas. It wasn't until semi-trucks became available that some livestock operators changed the way livestock were moved on and off federal lands. There is substantially less livestock trailing occurring on federal lands today than there was 50 years ago.

Trailing\* is a common means of moving domestic livestock between seasonal grazing lands. Many livestock operators own, lease, or are permitted to use grazing lands that accommodate grazing use during different times of the year. Many times, these grazing lands are many miles apart. Additionally, handling facilities such as corrals and shearing sheds are located on private lands that are sometimes several miles from the operators' seasonal grazing lands. While some livestock are trucked to and from various locations, for many operators, this is not a viable or cost-effective alternative.

Most commonly, livestock trailing happens during the spring and fall as animals are moved between summer and winter pastures. Many of these trails are along long-established routes and vary little from year to year. Occasionally, a livestock operator may request to trail livestock on a one-time basis that is not repeated. This may be due to operational considerations that necessitate emergency herd removal either due to business concerns or when required to do so by BLM or other entities which authorize livestock use.

\* BLM grazing regulations use the term "crossing", but "trailing" is the vernacular term. For the purposes of this EA, the terms "crossing" and "trailing" are interchangeable.

### **1.4 PURPOSE AND NEED**

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In the course of livestock use by both permitted and non-permitted livestock operators, it becomes necessary to trail livestock across public lands that are not within that livestock operators permitted allotment(s). Trailing of livestock across public lands is authorized under 43 CFR 4130.6-3, which allows BLM to issue temporary use authorizations to applicants for "proper and lawful" purposes. Such authorizations will also specify terms and conditions of trailing use that are deemed necessary for proper resource use. The BLM has the authority to issue temporary grazing use authorizations consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, and *Federal Land Policy and Management Act*. The following Environmental Assessment will analyze the impacts of livestock trailing on public land managed by the BLM. The analysis will recommend terms and conditions which will improve or maintain public land health. The Proposed Action and alternatives will be assessed for meeting land health standards.

In order to trail livestock on public land, the applicant must hold a temporary use authorization. This EA will be a site specific look as provided for in the land use plan and to identify the conditions under which it can be authorized.

#### **1.4.1 Decision to be Made**

BLM would issue Final Decisions pursuant to 43 CFR 4160.3(c) to authorize livestock operators trail livestock on public lands within the Little Snake Field Office.

### **1.5 PLAN CONFORMANCE REVIEW**

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The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM MS 1601.03):

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

Date Approved: October 2011

Decision Language: 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

### **1.6 PUBLIC PARTICIPATION**

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**1.6.1 Scoping:** NEPA regulations (40 CFR §1500-1508) require that the BLM use a scoping process to identify potential significant issues in preparation for impact analysis. The principal goals of scoping are to allow public participation to identify issues, concerns, and potential impacts that require detailed analysis.

External Scoping Summary: The action in this EA is included in the NEPA log posted on the LSFO web site: [http://www.blm.gov/co/st/en/BLM\\_Information/nepa/lsfo.html](http://www.blm.gov/co/st/en/BLM_Information/nepa/lsfo.html).

The Little Snake Field Office (LSFO) sent a letter to all permittees and lessees on October 26, 2011 to give notice that BLMs policies regarding approval of trailing use were being re-asserted and to solicit applications for specific trailing permits. The issuance of trailing authorizations is being carefully analyzed within the scope of the specific action being taken, resources issues or concerns, and public input received.

Persons/Agencies Consulted: All grazing permittees and lessees in the LSFO, State Historic Preservation Office (SHPO).

Internal Scoping Summary: The proposed action was presented to the interdisciplinary NEPA team at the LSFO priorities meeting on June 18, 2012.

## CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES

### 2.1 INTRODUCTION

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The purpose of this chapter is to provide information on the Proposed Action and Alternatives.

### 2.2 ALTERNATIVES ANALYZED IN DETAIL

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#### 2.2.1 Proposed Action

Issue three temporary use authorizations (via Final Decisions) for recurring trailing of cattle and sheep across public lands. Trailing is defined as the movement of livestock across public lands that are not within allotments that are permitted or leased to the livestock owner or are on allotments that are permitted or leased to the owner but are outside of the permitted season of use. Trailing may be into or out of customary allotments or between private pastures. Trailing involves movement of livestock, typically in concentrated groups, under active control by herders mounted on horseback or, particularly in the case of sheep, herders and dogs. Any vehicular use associated with trailing would be restricted to existing roads.

#### Simpson Family Trust #0500253

The Simpson Family Trust would trail 40 cattle for two days in the spring (beginning approximately June 10<sup>th</sup>) and for two days in the fall (beginning approximately October 30<sup>th</sup>) across the Spitzie Draw #04335 and Cold Springs #04325 Allotments. The route across public lands would be along the Matt Trail, see Attachment 1a. Fall trailing would occur around October 30<sup>th</sup> and spring trailing would occur around June 10<sup>th</sup> and would occur over two days each way. Trailing in the spring would be to move cattle from their permitted use on the Green Canyon Allotment #04336 to the Beaver Basin Allotment #04329 with the reverse occurring in the fall. All cattle would be herded by riders on horseback and would move within a 100 foot corridor along the Matt Trail.

#### John and Steve Raftopoulos #0501017 (Steve Raftopoulos)

Raftopoulos would trail approximately 2300 sheep over several days in November. This trailing would be from allotments permitted in Wyoming to winter range in the Shepherder Springs Allotment #04217, also permitted to Raftopoulos. Along the way, the sheep would stop over in two other Raftopoulos-permitted allotments, Shell Creek #04301 and West Dripping Rock #04208. The trailing route would follow roughly along a two track approximately one mile westerly of Hells Canyon to the Shell Creek Allotment, then along a route approximately one mile southerly of Moffat County Road (MCR) 4 to the West Dripping Rock Allotment, see Attachment 1b. Both of these routes would cross the Hiawatha Tridistrict Allotment #04300. All sheep would be herded by riders on horseback and dogs. Each trail across the Hiawatha Tridistrict Allotment would be over the course of one day and would be within an approximately 600 foot corridor.

#### John and Andy Maneotis #0500230 (Andy Maneotis)

Maneotis would trail approximately 1850 sheep in October. This trailing would be between the Hiawatha Tridistrict Allotment #04300 and other allotments and private pastures used by Maneotis. This trail is essentially a shortcut between MCR 7 and 4 and allows sheep to be trailed without conflict with vehicle traffic for this portion of the route. The trail crosses the Horse Draw Allotment #04204, which is permitted to John and Andy Maneotis, but the fall trail

would occur sometime between October 16 and before the allotment opens for grazing on November 1. This trail enters public land approximately one-half mile westerly of the Edinger Bridge and continues westerly until it enters SLB lands. It then re-enters public lands approximately one mile southerly of MCR 4 and continues northwesterly for approximately 3.5 miles until it intersects with MCR 4 near Horse Draw, see Attachment 1c. Each of these two segments would last approximately one day, with a potential overnight at a pond near MCR 4 if there is no snow on the ground. The sheep would be herded by riders on horseback and dogs. The trail would be within an approximately 600 foot corridor.

Trailing involves constant movement of animals with periodic stops for watering, feeding, and resting. The nature and duration of stops is dependent on the class and condition of livestock, distance between water, and overall length of the trail. Trailing activities cease after dark and the livestock are allowed to graze or loaf while the herders camp. Livestock would be moved a minimum of five miles each day until the destination is reached. Livestock trailed may be cattle, sheep, or horses.

All trailing use would be subject to the following terms and conditions:

- 1) Livestock must remain within a specified corridor of the requested route (100 or 600 feet).
- 2) Campsites must be cleaned prior to leaving.
- 3) Trailing must cover at least five miles per day. If weather prevents this, the permittee must notify the Authorized Officer (AO) within 24 hours of the weather event. The AO must be informed of an estimate of when normal activities are expected to resume.
- 4) Motorized vehicles will be restricted to existing roads and trails.

Upon application, BLM may require adjustments to the route or campsites in order to protect sensitive resources or to avoid conflicts with other livestock operators or other uses. It would be the responsibility of the applicant to make appropriate contacts and gain permission to cross private or state lands that are not owned or controlled by the applicant. Nothing in a temporary use authorization to trail livestock issued by BLM would be construed as implying permission to cross non-BLM lands.

The following is a list of Terms and Conditions that may be applied to livestock trailing permits that affect specific resources:

Where trailing occurs adjacent to or across riparian areas and/or fish-bearing streams:

Overnighting livestock on or adjacent to riparian areas is prohibited. This does not include riparian vegetation associated with artificial stock ponds.

Where trailing occurs adjacent to or through known raptor nests:

Bedding of sheep will not be permitted within a ¼ mile of known raptor nests. Permittees will be notified of current raptor nesting locations annually.

Where trailing occurs adjacent to known sage grouse leks:

Bedding or overnighting of livestock will not be permitted to occur within 0.6 miles of occupied or undetermined status sage-grouse leks from March 1 to May 15. Permittees will be notified annually of current sage-grouse lek locations.

AND

Livestock trailing will not be permitted to occur within 0.6 miles of occupied or undetermined status sage-grouse leks from March 1 to May 15 from 4 pm to 9 am except on designated roads.

### 2.2.2 No Action Alternative

The trailing of livestock along the above requested routes would not be allowed. All livestock would have to be trucked into and out of allotments.

## CHAPTER 3 – AFFECTED ENVIRONMENT AND EFFECTS

### 3.1 INTRODUCTION

#### Affected Resources:

The CEQ Regulations state that NEPA documents “must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). While many issues may arise during scoping, not all of the issues raised warrant analysis in an environmental assessment (EA). Issues will be analyzed if: 1) an analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of the impacts. Table 1 lists the resources considered and the determination as to whether they require additional analysis.

**Table 1.** Resources and Determination of Need for Further Analysis

Determination <sup>1</sup>	Resource	Resource Issue/Rationale for Determination
<b>Physical Resources</b>		
NI	Air Quality	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 PM2.5 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.
NP	Floodplains	There are no FEMA-identified 100-year floodplains present within the proposed trailing corridors.

<b>Determination<sup>1</sup></b>	<b>Resource</b>	<b>Resource Issue/Rationale for Determination</b>
NP	Hydrology, Ground	There would be no impact to Ground Hydrology.
NP	Minerals, Fluid	There would be no impact to Fluid Minerals.
NI	Minerals, Solid	There would be no impact to Solid Minerals.
PI	Soils	See Section 3.2.1
NP	Water Quality, Ground	There would be no impact to Ground Water Quality.
NP	Water Quality, Surface	There are no perennial surface waters present within or immediately influenced by the proposed trailing corridors.
<b>Biological Resources</b>		
PI	Invasive, Non-native Species	See Section 3.3.1
NI	Migratory Birds	Two of the proposed trailing routes would be used during the fall and would not impact migratory bird nesting. The third route would only be used for 2 days in June and impacts to migratory birds would be minor.
PI	Special Status Animal Species	See Section 3.3.2
NP	Special Status Plant Species	None of the proposed trailing routes contain any federally listed threatened or endangered or BLM sensitive plant species.
PI	Upland Vegetation	See Section 3.3.3
NP	Wetlands and Riparian Zones	There are no riparian resources present within the proposed trailing corridors.
NP	Wildlife, Aquatic	None of the proposed trailing routes pass through habitat for aquatic wildlife.
NI	Wildlife, Terrestrial	None of the proposed trailing routes occur during critical times for wildlife and the proposed action is not expected to impact terrestrial wildlife species.
NP	Wild Horses	None of the proposed trailing routes pass through any Herd Management Areas.
<b>Heritage Resources and the Human Environment</b>		
PI	Cultural Resources	See Section 3.4.1
NP	Environmental Justice	According to the most recent Census Bureau statistics (2000), there are no minority or low income populations within the LSFO.
NP	Hazardous or Solid Wastes	There are no hazardous or solid wastes present along any of the proposed routes.
NP	Native American Religious Concerns	See Section 3.4.2
NP	Paleontological Resources	There would be no impact to paleontological resources.
NI	Social and Economic Conditions	There would not be any changes to local social or economic conditions.
NI	Visual Resources	The proposed trails are located in Class III and Class IV. There would be no impacts to visual resources.

Determination <sup>1</sup>	Resource	Resource Issue/Rationale for Determination
<b>Resource Uses</b>		
NI	Access and Transportation	There would be no impact to access and transportation.
NI	Fire Management	There would be no impact to fire management.
NP	Forest Management	There would be no impact to forest resources; no forest resources are present within any of the proposed corridors.
PI	Livestock Operations	See section 3.5.1
NP	Prime and Unique Farmlands	There would be no impact to special status farmlands; there are no special status farmlands present within the proposed trailing corridors.
NI	Realty Authorizations, Land Tenure	There would be no impact to realty authorizations or land tenure.
NI	Recreation	There would be no impacts to recreation.
<b>Special Designations</b>		
NP	Areas of Critical Environmental Concern	There would be no impact to ACECs; none of the proposed routes pass through any ACECs.
NP	Lands with Wilderness Characteristics	There would be no impact to lands proposed for protection of wilderness characteristics. The proposed trailing routes are in areas that do <b>not</b> meet the criteria for lands proposed for protection of wilderness characteristics.
NP	Wild and Scenic Rivers	There would be no impacts to Wild and Scenic Rivers; none of the proposed routes cross or are along any identified or proposed Wild and Scenic Rivers.
NP	Wilderness Study Areas	There would be no impacts to WSAs; none of the proposed routes are located in WSAs.

<sup>1</sup> NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

## **3.2 PHYSICAL RESOURCES**

### **3.2.1 Soils**

Affected Environment: Soil types vary within the proposed trailing routes, but are predominantly loam based, including sandy loams, clay loams, and silt loams of both coarse and fine texture. Short sections of the routes that the Simpson Family Trust and John and Steve Raftopoulos propose include steep topography greater than 35% slopes. Other than slope, no other characteristics typical of fragile soils exist.

Environmental Consequences, Proposed Action: Direct impacts to soils from trailing include development and persistence of trails along the proposed routes. Field observations indicate impacts from stock trails could include erosion, especially in topography with steeper slopes (greater than 35%) which can be visible from a distance. Soil along these routes can be compacted due to concentrated and repeated livestock use, resulting in greater exposure to wind and water erosion, fragmentation of soil crust communities, and lower forage production.

Environmental Consequences, No Action Alternative: Removal of livestock trailing from public lands would lead to decreased soil compaction along designated routes. Over time, the lack of renewed compaction from hoof action, combined with the annual freeze-thaw cycle, would lead to a decrease in surface soil density and improved soil conditions. The resulting increase in available plant biomass would produce an increase in ground cover providing more protection from wind and water erosion. Livestock trails and the resulting erosion would heal over time.

Environmental Consequences, Cumulative Impacts: The routes proposed have some degree of trailing along them, as they have been used historically by livestock operators for many years (and generations in most cases). Trailing activities as proposed do not include a marked increase or reduction in number of livestock trailed or days of use than in the past. Trailing, although it occurs in the same location annually, is temporary by definition. Impacts to soils in many instances are similar to daily or seasonal (migration) wildlife movement across the landscape. Therefore, the proposed action would not add appreciably to existing or proposed soil disturbances.

### **3.3 BIOLOGICAL RESOURCES**

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#### **3.3.1 Invasive/Non-Native Species**

Affected Environment: Invasive plant species and noxious weeds occur within the affected areas. Canada thistle, hoary cress (whitetop), musk thistle, scotch thistle, Dalmatian toadflax, cheatgrass, leafy spurge, perennial pepperweed, halogeton and knapweeds are known to occur in or adjacent to these areas. Other species of noxious weeds could be introduced to these areas by vehicle traffic, livestock, wildlife and other means of dispersal. Principles of Integrated Pest Management (IPM) are employed to control noxious weeds on BLM lands in the Little Snake Field Office.

Environmental Consequences, Proposed Action: Access to public lands for dispersed recreation, hunting, livestock grazing management, 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 livestock trailing operations can increase weed presence. Additionally, livestock trailing from one location to another can introduce new weed species to an area they may not previously have been present in. The largest concern would be for biennial and perennial noxious weed infestations to establish and not be detected. Once an infestation is detected it would 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 of potential weed infestations within the allotments.

Environmental Consequences, No Action Alternative: This alternative reduces the livestock concentration areas connected to trailing that could result in weeds being introduced to an area. This alternative would reduce, but not eliminate, the likelihood of new weed infestations in these areas.

Environmental Consequences, Cumulative Impacts: Noxious and invasive plants do occur at varying levels within and in the vicinity of these proposed trailing routes. The vectors for these weeds include seed dispersal by livestock and wildlife, and vehicles. Often, direct disturbance

by oil and gas production or similar capital-improvement projects results in conditions that give invasive species ideal conditions to establish.

Whether or not livestock trailing occurs along these routes, uses and activities that result in the spread or establishment of noxious or invasive species would continue to occur. The LSFO RMP allows for activities that spread and/or create conditions for invasive and noxious species. While all but wildlife and casual uses contain mitigating measures designed to minimize the establishment and spread of noxious and invasive species (largely through IPM measures), the proposed trailing of livestock would not add appreciably to the establishment of noxious or invasive species, nor impede the ability to control existing infestations.

### **3.3.2 Special Status Animal Species**

**Affected Environment:** None of the proposed trailing routes pass through habitat for animals listed as threatened or endangered under the Endangered Species Act, however the trails do cross habitat for several BLM sensitive species. BLM sensitive species known to occur in the area of proposed routes include: greater sage-grouse, white-tailed prairie dog, burrowing owl, ferruginous hawk, and Brewers sparrow.

**Environmental Consequences, Proposed Action:** Most BLM species would experience slight disturbance impacts from trailing if livestock trailing occurred in occupied habitat. Overall, this impact would be isolated and of short duration and would not result in long term, adverse effects to any of these species. Some impacts to habitat would be expected from trampling of vegetation. These impacts are also temporary in nature and would only have minor or negligible impacts to habitat quality.

Impacts to sage-grouse from the three proposed routes would also be minor. None of the trails would be used during the breeding season and therefore there would be no impacts to any sage grouse leks. The only trail that would be used during the sage-grouse nesting season primarily crosses pinyon-juniper woodlands and would not disturb any nesting sage-grouse. Some impacts to habitat would be occurring from trampling of vegetation. These impacts are also temporary in nature and would only have minor to negligible impacts to habitat quality. Overall, only minor impacts would occur from the proposed action.

**Environmental Consequences, No Action Alternative:** There would be no impacts to special status animal species from this alternative.

**Environmental Consequences, Cumulative Impacts:** The proposed action would not add substantially to existing or proposed disturbances. Activities currently occurring in the general area include oil and gas exploration, grazing and recreational uses, primarily hunting.

### **3.3.3 Upland Vegetation**

**Affected Environment:** The three proposed livestock trails would occur in sagebrush-grass, saltbush, and juniper woodland plant communities.

Environmental Consequences, Proposed Action: During livestock trailing, utilization of grasses and forbs is negligible. Most impacts to herbaceous plants results from trampling. An exception to this is on overnight stops where livestock grazing takes place in highly localized areas.

High utilization levels and early season grazing has the potential to alter the composition of the vegetative community, especially if high use levels occur in several subsequent years. Grazing an actively growing plant above a certain level (about 50%-60% utilization) immediately curtails root growth because the plant no longer has the leaves to photosynthesize and produce carbohydrates needed to fuel root growth. Utilization of grasses during trailing events is typically slight use (0-5%) and most of the evidence of the trailing event is not through utilized plants but through hoof prints and trampling.

Environmental Consequences, No Action Alternative: There would be no impacts to upland vegetation along the proposed trailing routes.

Environmental Consequences, Cumulative Impacts: The bounds for cumulative impacts to upland vegetation are within a 1-mile corridor of each trail.

Upland vegetation throughout the LSFO carries the footprint of numerous human and natural disturbances. Grazing by both livestock and wildlife, energy development, road networks, OHV and similar recreational activities, fire, and range improvements have all left their impact on plant communities. All of these disturbances continue to varying degrees at various points within the LSFO. The overall result is seen in varying successional stages, presence of non-native plants, and shifts in plant community types.

All of the above-mentioned activities would continue to occur in the vicinity of these routes. The LSFO RMP allows for vegetation disturbing activities, with mitigations, consistent with BLM's multiple-use mission. Under the RMP, management actions combined with the proposed construction and development of additional natural gas pipelines and the increased interest in oil shale and other energy resources could increase disturbance to vegetation. The additional surface disturbance would directly reduce vegetation structure and diversity in the localized footprint of the disturbance and reduce vegetation diversity over larger areas surrounding the developments by increasing the areas dominated by early seral vegetation and establishing vectors for noxious weeds and invasive species. Future impacts from casual use will decrease due to the implementation of travel restrictions throughout most of the LSFO as cross-country vehicular travel is now prohibited in most areas.

For any given area, the trailing of livestock is a very short-term and ephemeral activity that has occurred far longer than most other vegetation-impacting activities occurring today, though at a lesser level. There are no impacts to upland plants from ongoing activities that would be adversely exacerbated by livestock trailing.

## **3.4 HERITAGE RESOURCES AND HUMAN ENVIRONMENT**

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### **3.4.1 Cultural Resources**

Affected Environment: The BLM's authorization of livestock trailing permits is considered an undertaking subject to compliance with Section 106 of the National Historic Preservation Act

(NHPA). The BLM has the legal responsibility to consider the effects of its actions on cultural resources located on federal land. BLM Manual 8100 Series; the Colorado State Protocol; and BLM Colorado Handbook of Guidelines and Procedures for Identification, Evaluation, and Mitigation of Cultural Resources provide guidance on Section 106 compliance requirements to meet appropriate cultural resource standards. Section 106 of NHPA requires federal agencies to: 1) inventory cultural resources within federal undertaking Areas of Potential Effect (APEs), 2) evaluate the significance of cultural resources by determining National Register of Historic Places (NRHP) eligibility and, 3) consult with applicable federal, state, and tribal entities regarding inventory results, National Register eligibility determinations, and proposed methods to avoid or mitigate potential impacts to eligible sites.

In Colorado, the BLM's NHPA obligations for routine undertakings are carried out under a Programmatic Agreement (PA) among the BLM, the Advisory Council on Historic Preservation, and the State Historic Preservation Officer (SHPO). Should an undertaking be determined to have “no effect” by the BLM-LSFO archaeologist, the action may proceed under the terms and conditions of the PA. If the undertaking is not “routine” or is otherwise determined to have “adverse effects,” project-specific consultation is then initiated with the SHPO. Additionally, cultural resources assessment for grazing and/or livestock trailing permits follows the procedures and guidance of the Colorado BLM State Director as provided in BLM Instructional Memorandums (IMs) IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, IM-CO-2002-29, and IM-CO-2012-31.

The culture history of northwestern Colorado is presented among several recent context studies. Reed and Metcalf’s (1999) study of the Northern Colorado River Basin provides applicable prehistoric and historic overviews as compiled by Frederic J. Athearn (1982) and Michael B. Husband (1984). A historical archaeology context also was prepared for the State of Colorado by Church et al. (2007). Furthermore, significant cultural resources administered by the BLM-LSFO are provided in a Class 1 (archival) overview (McDonald and Metcalf 2006), in addition to valuable contextual data provided by synthesis reports of archaeological investigations conducted for a series of large pipeline projects in the BLM-LSFO management area (Metcalf and Reed 2011; Rhode and others 2010; Reed and Metcalf 2009).

Environmental Consequences, Proposed Action: Direct impacts to historic properties where livestock trail or concentrate may include trampling, chiseling, and churning of site soils, cultural features and artifacts, artifact breakage, and impacts from standing, leaning, or rubbing against historic structures, above-ground cultural features and/or rock art (Broadhead 2001; Osbourn et al. 1987). Indirect impacts from livestock concentrations may include increased soil erosion and gullying, in addition to increased potential for unlawful artifact collection and/or vandalism of cultural resources. Other indirect impacts may include degradation of the historic setting, thereby detracting from the view-shed and historic feeling of nearby cultural resource sites.

Cultural resources assessments were completed for the three proposed livestock trailing corridors as to be reported in the following:

Ryan, Kimberley A. and Gary D. Collins

Forthcoming (2013) *Cultural Resources Assessment of Three Livestock Trailing Corridors*, Bureau of Land Management Little Snake Field Office, Moffat County, Colorado. BLM-LSFO #10.68.2012. OAHF MF.LM.R1020. Bureau of Land Management, Craig, Colorado.

Because the specified trailing corridors have been in use for over 50 years, pedestrian survey was focused on potential livestock concentration areas and locations where cultural resources were more likely to exist or had been previously documented. The remaining areas were subject to visual reconnaissance by truck and all-terrain vehicles. Known NRHP-eligible and “needs data” sites in the vicinity of the proposed trailing corridors also were revisited as a due diligence measure and to assess potential livestock impacts. As a result of the study, five cultural resources were identified within (n=3) or adjacent to (n=2) the APE. All of the cultural resources identified within the APE were documented in association with the proposed trailing corridor that follows the alignment of the Matt Trail—with the Matt Trail itself (5MF.1689) being one of the identified cultural properties. The two remaining cultural resources are both historic-age linear features consisting of an abandoned roadway segment (5MF.7395.2) and telegraph line (5MF.7726.1); both of these features are considered non-contributing to overall “needs data” NRHP determinations because neither segment contains significant elements for conveyable integrity.

The Matt Trail was blazed by Matt Rash in the 1880s to drive cattle from Brown’s Park to Wyoming. Rash, a well-known Brown’s Park cattleman, was also considered a “rustler” and was subsequently killed by Tom Horn in 1896. The Matt Trail has been continually used as a livestock trailing corridor (i.e. “pack trail”) and is also currently used for hiking and recreational access to Cold Springs Mountain. The Matt Trail is considered NRHP-eligible under criterion A (and possibly B).

Because the only historic property identified within the current APE is the Matt Trail—an historic livestock trailing corridor—and the proposed undertaking simply continues the use that created the historic property, the BLM-LSFO has determined that permit issuance for the three proposed trailing corridors poses “*no adverse effect*” to historic properties. This determination was conveyed in consultation with Moffat County (dated March 6, 2013) and SHPO (dated September 18, 2013). Thus, the proposed action may proceed as described. The *Standard Cultural Resources Discovery Stipulations* apply.

Environmental Consequences, No Action Alternative: While this alternative alleviates the potential for direct impacts from the proposed undertaking, the specified trailing corridors remain within BLM-permitted grazing allotments and general livestock use would continue. The only substantive difference in the potential impacts and/or environmental consequences than those associated with the proposed action is that the potential for livestock concentration areas would be reduced. Likewise, cultural resources are constantly subject to site formation processes or events after creation (Binford 1981; Schiffer 1987). These processes can be both cultural and natural, and may occur instantly or over thousands of years. Cultural formation processes include activities directly or indirectly caused by humans. Natural processes include chemical, physical, and biological processes of the natural environment that impinge upon and/or modify cultural materials.

Environmental Consequences, Cumulative Impacts: Cumulative impacts to historic properties may occur within or adjacent to the permitted trailing corridors, including areas within corridors' view-sheds. However, the region has been historically grazed (for more than 50 years) and the intensity of livestock use has generally decreased over time. Any extant historic property within or adjacent to the subject allotments—and where potential for impacts exist—are more likely to have sustained impacts as a result of prior livestock/grazing activities or other historic land-use activities (e.g., mining, agriculture, etc.). Although continued livestock use may not pose additional, direct impacts in areas where prior grazing was intensive, secondary effects such as increased erosion could cause long-term, irreversible effects to historic properties, where present. Livestock use also has increased ground visibility over time as a result of increased erosion and decreased ground cover. These factors may result in the exposure of cultural deposits that would otherwise remain obscured or buried, thereby raising the potential for illegal collection of cultural materials.

Mitigation: None. However, the *Standard Cultural Resources Discovery Stipulations* apply.

### References

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

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2011 *Synthesis of Archaeological Data Compiled for The Piceance Basin Expansion, Rockies Express Pipeline, and Uinta Basin Lateral Projects Moffat and Rio Blanco Counties, Colorado and Sweetwater County, Wyoming*. Volume 2. Metcalf Archaeological Consultants, Inc., Eagle, Colorado.

McDonald Kae and Michael Metcalf

2006 *Regional Class I Overview of Cultural Resources for the BLM Little Snake Field Office*. Metcalf Archaeological Consultants, Inc. Eagle, Colorado.

Osborn, 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*. Midwest Archaeological Center, Lincoln, Nebraska.

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

Archaeologists, Denver.

2009 *Synthesis of Archaeological Data Compiled for The Piceance Basin Expansion, Rockies Express Pipeline, and Uinta Basin Lateral Projects Moffat and Rio Blanco Counties, Colorado and Sweetwater County, Wyoming*. Volume 1. Alpine Archaeological Consultants, Inc., Montrose, Colorado.

Rhode, David, Lisbeth A. Louderback, David Madsen, and Michael D. Metcalf  
2010 *Synthesis of Archaeological Data Compiled for The Piceance Basin Expansion, Rockies Express Pipeline, and Uinta Basin Lateral Projects Moffat and Rio Blanco Counties, Colorado and Sweetwater County, Wyoming*. Volume 3. Metcalf Archaeological Consultants, Inc., Eagle, Colorado.

Schiffer, Michael B.  
1987 *Formation Processes of the Archaeological Record*. University of New Mexico Press, Albuquerque.

### **3.4.2 Native American Religious Concerns**

Affected Environment: Four Native American tribes have cultural and historical ties to lands administered by the BLM-LSFO. These tribes include the Eastern Shoshone, Ute Mountain Ute, Uinta and Ouray Agency Ute, and the Southern Ute.

American Indian religious concerns are legislatively considered under several acts and Executive Orders including the American Indian Religious Freedom Act, the Native American Graves Environmental Assessment Protection and Repatriation Act, and Executive Order 13007 (Indian Sacred Sites). In sum, and in concert with other provisions such as those found in the NHPA and Archaeological Resources Protection Act, these acts and orders require the federal government to carefully and proactively consider the traditional and religious values of Native American culture and lifeways to ensure, to the greatest degree possible, that access to sacred sites, treatment of human remains, the possession of sacred items, conduct of traditional religious practices, and the preservation of important cultural properties are not unduly infringed upon. In some cases, these concerns are directly related to “historic properties” and “archaeological resources.” Likewise, elements of the landscape without archaeological or human material remains also may be involved. Identification of Native American concerns is normally completed during land-use planning efforts, reference to existing studies, or through direct consultation with tribes.

Consultation for the type of proposed undertaking is consulted on annually with the aforementioned tribes. Letters were sent to the tribes in the spring of 2012 describing general range permits and projects as planned for the 2013 fiscal year. No comments were received. Project-specific consultation is typically not conducted unless activities are proposed within a previously identified area of tribal concern or if an undertaking may involve culturally significant items, sites and/or landscapes.

Environmental Consequences, Proposed Action: Items, sites, or landscapes determined as culturally significant to the tribes can be directly or indirectly impacted. Direct impacts may include, but are not limited to, physical damage, removal of objects or items, and activities construed as disrespectful (e.g., installation of portable toilets, holding pens, or water control features near a sacred site). Indirect impacts may include, but are not limited to, prevention of access (hindering the performance of traditional ceremonies and rituals), increased visitation of an area, and potential loss of integrity related to religious feelings and associations.

There are no known items, sites, or landscapes determined as culturally significant to the tribes within or immediately adjacent to the proposed permit areas. The proposed action does not prevent access to any known sacred sites, prevent the possession of sacred objects, or interfere with the performance of traditional ceremonies and/or rituals.

Environmental Consequences, No Action Alternative: While the no action alternative alleviates potential direct impacts from livestock trailing activities, the specified trailing corridors remain within BLM-permitted grazing allotments and general livestock use would continue. The only substantive difference in the potential impacts and/or environmental consequences than those associated with the proposed action is that the potential for livestock concentration areas would be reduced.

Environmental Consequences, Cumulative Impacts: Continued livestock use has the additive effect of altering the landscape from that ancestrally known by the tribes. Although specific, culturally sensitive sites have not been identified within the proposed trailing corridors or immediate vicinity, the overarching concern is for cumulative effects that modern culture and/or developments cause upon the landscape.

Mitigation: There are no known adverse impacts to any culturally significant items, sites, or landscapes. If new information is provided by consulting tribes, additional or edited terms and conditions for mitigation may be required to protect resource values.

## **3.5 RESOURCE USES**

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### **3.5.1 Livestock Operations**

Affected Environment: The Simpson Family Trust trail crosses the Spitzie Draw #04335 and Cold Springs #04325 Allotments. These allotments are permitted for cattle and horse use between November 1-May 15 and March 1-February 28, respectively.

The John and Steve Raftopoulos trail crosses the Hiawatha Tridistrict Allotment #04300. This allotment is permitted for sheep use between November 1 and April 30.

The John and Andy Maneotis trail crosses the Horse Draw Allotment #04204. This allotment is permitted for sheep use between November 1 and April 30.

Environmental Consequences, Proposed Action: All three of the proposed routes cross allotments that are permitted for the same class of livestock as the livestock being trailed. With the exception of the Maneotis trail across the Horse Draw Allotment, the trails cross allotments that are not permitted to the operators performing the trails. While these trails have occurred for many years without conflict with the permitted user on the crossed allotments, the LSFO has long recommended that operators trailing livestock either alert the permittee being crossed or to notify the LSFO so that staff can notify the affected permittee of the trail. This has worked well in the past and would continue to be recommended even though the two trails are longstanding uses and expected by the operators whose allotments are crossed.

Environmental Consequences, No Action Alternative: While there would be no impacts to allotments and permittees crossed under this alternative, it would impact operations of the

permittees performing the trailing. In the instance of one or more of these operators being denied application for trailing permits, they would have the option to either move livestock along county roads or other public rights-of-way or to move the animals via truck.

Livestock trailing already occurs along county, state, and federal highways throughout Moffat County, even as part of these three trails. While much trailing occurs along these highways and roads out of necessity, it presents a public safety hazard as hundreds and sometimes thousands of animals move slowly along these roads. In most cases, trailing across open rangeland minimizes or eliminates these hazards for many miles of road. If all three of these applications were denied and the operators chose to trail along the shortest available alternative public rights-of-way, it would add approximately 29 miles of right-of way trailing for the Simpson Family Trust, approximately 11 miles for John and Steve Raftopoulos, and approximately 6.5 miles for John and Andy Maneotis.

Trucking of livestock generally occurs, and is most cost-effective, when transporting livestock over very long distances, such as to market. In each of these three cases, livestock trailing is occurring between seasonal pastures and over relatively short distances. The costs involved in obtaining trucks and subsequently transporting livestock over such short distances (under 100 miles) would impart an economic burden to the applicants that is disproportionate with the light impact of trailing these livestock as described elsewhere in this EA.

Environmental Consequences, Cumulative Impacts: These three livestock trails occur within existing grazing allotments where cattle and sheep are grazed and herded on an annual basis. These allotments contain water developments and fences that provide the infrastructure necessary for the effective management of livestock. Livestock that graze on these allotments are routinely herded and moved in a manner much like the trailing that is proposed as they are moved between pastures and to various locations within the allotments throughout the grazing season. These trails would not add appreciably to any ongoing impacts from currently permitted activities.

## **CHAPTER 4—PUBLIC LAND HEALTH STANDARDS**

### **4.1 INTRODUCTION**

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All public lands within the LSFO were assessed for compliance with the Colorado Standards of Public Land Health by interdisciplinary teams consisting of wildlife biologists, rangeland management specialists, and natural resource specialists between 1999 and 2009. Assessments were conducted at both the watershed and allotment levels.

### **4.2 COLORADO PUBLIC LAND HEALTH STANDARDS**

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In January 1997, the Colorado State Office of the BLM approved the Standards for Public Land Health and amended all RMPs in the State. Standards describe the conditions needed to sustain public land health and apply to all uses of public lands.

**4.2.1 Standard 1** Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes.

Finding of most recent assessment: The proposed action area is located in three watersheds, Cold Springs, Dry Creek and Powderwash. Land Health Assessments have been completed for all three watersheds. Portions of these landscapes were meeting Standard 1 and portions were not meeting this standard.

The proposed action would not preclude this standard from being met. Trailing would be expected to produce minor, localized impacts and would not adversely impact soil health in the larger landscape.

No Action Alternative: Under this alternative, current soil community conditions would remain unchanged or improve slightly.

**4.2.2 Standard 2** Riparian systems associated with both running and standing water function properly and have the ability to recover from major disturbance such as fire, severe grazing, or 100-year floods.

Finding of most recent assessment: There are no riparian resources present within the proposed trailing corridors. This standard does not apply.

**4.2.3 Standard 3** Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat's potential.

Finding of most recent assessment: The proposed action area is located in three watersheds, Cold Springs, Dry Creek and Powderwash. Land Health Assessments have been completed for all three watersheds. Portions of these landscapes were meeting Standard 3 and portions were not meeting this standard.

Proposed Action: The proposed action would not preclude this standard from being met. Trailing would be expected to produce minor, localized impacts and would not impact wildlife or wildlife habitat in the larger landscape.

No Action Alternative: Under this alternative, current habitat conditions would remain unchanged.

**4.2.4 Standard 4** Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.

Finding of most recent assessment: There are no federally listed threatened or endangered or BLM sensitive plant species within the areas affected by any of the three proposed trailing routes. For plants, this standard does not apply.

The proposed action area is located in three watersheds, Cold Springs, Dry Creek and Powderwash. Land Health Assessments have been completed for all three watersheds. Portions of these landscapes were meeting Standard 4 for special status animals and portions were not meeting this standard.

Proposed Action: The proposed action would not preclude this standard from being met. Trailing would be expected to produce minor, localized impacts to BLM sensitive species and their habitat. Since trailing is not occurring during critical times (such as the lekking season), disturbance impacts are expected to be minimal.

No Action Alternative: Under this alternative, current habitat conditions would remain unchanged.

**4.2.5 Standard 5** The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado.

Finding of most recent assessment: There are no perennial surface waters present within the proposed trailing corridors. This standard does not apply.

**SIGNATURE OF PREPARER:**

**SIGNATURE OF ENVIRONMENTAL REVIEWER:**

**DATE SIGNED:**

**Finding of No Significant Impact**  
**DOI-BLM-CO-N010-2012-0058-EA**

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 Record of Decision and Resource Management Plan (2011). 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 livestock crossing permits this action sustains the local economy as it would support grazing operations that 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 crossing or trailing of livestock over public lands contributes the ability of the livestock operator to properly manage grazing permits on public lands. Long term effects would be limited in scope.

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

There would be no effects on 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 Proposed Action. 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**

The Little Snake Field Office (LSFO) sent a letter to all permittees and lessees on October 26, 2011 to give notice that BLMs policies regarding approval of trailing use were being re-asserted and to solicit applications for specific trailing permits. The issuance of trailing authorizations is

being carefully analyzed within the scope of the specific action being taken, resources issues or concerns, and public input received.

**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.

**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 does not establish 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. 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 threatened or endangered species or habitats for such species present within the areas 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:**

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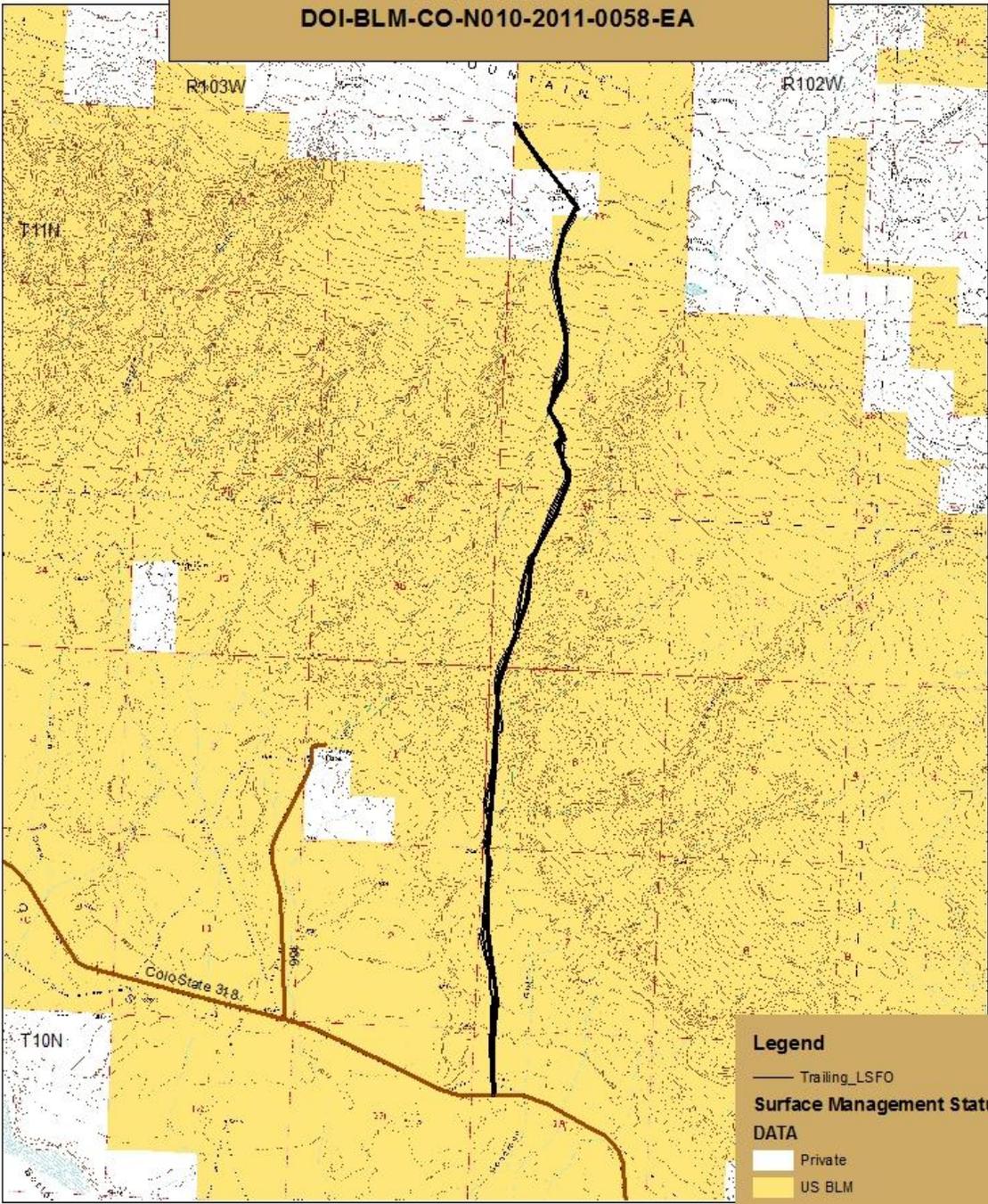
Wendy Reynolds, Field Manager

**DATE SIGNED:**





**Attachment 1a**  
**DOI-BLM-CO-N010-2011-0058-EA**



**Legend**

- Trailing\_LSFO
- Surface Management Status**
- DATA**
- Private
- US BLM



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Attachment 1b  
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