

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: CO-100-2007-090 EA

CASEFILE/ALLOTMENT NUMBERS: 0500189/04135

PROJECT NAME: Ten year grazing lease renewal for the Spring Gulch Allotment #04135, permitted to Stephanie Pearce and construction of an associated range improvement project.

LEGAL DESCRIPTION: See Allotment Map, Attachment #1

Spring Gulch Allotment #04135

T.5N., R.90W parts of sections 14, 22 and 23
257 BLM acres
516 Private acres
773 Total Acres

APPLICANT: Stephanie Pearce

PLAN CONFORMANCE REVIEW: The proposed action is subject to the following plan:

Name of Plan: Little Snake Resource Area, Resource Management Plan and Record of Decision (RMP/ROD)

Date Approved: April 26, 1989

Other Documents:

Federal Land Policy and Management Act of 1976, as amended (FLPMA) (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement. December, 1994.

Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado. Date Approved: February 12, 1997.

Results: The proposed action is consistent with the Little Snake Resource Management Plan, Record of Decision, Livestock Grazing Management objective to improve range conditions

for both wildlife and livestock through proper utilization of key forage plants and adjusting livestock stocking rates as a result of vegetation studies.

The proposed action is located in the Little Snake River Management Unit 1 (MU 1). The proposed action is compatible with the management objectives for this unit, which is to realize the potential for development of coal, oil, and gas resources. Public lands are open to livestock grazing unless coal development is imminent. Range management practices or projects will be permitted consistent with the management objectives for this unit.

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

NEED FOR PROPOSED ACTION: Harold Haggerty held BLM grazing lease #0501198 on the Spring Gulch Allotment from 1974 through 2004. The lease expired in January of 2004 and was extended for a period of two years through 2006, under the same terms and conditions as the existing lease, in accordance with Section 325, Title III, H.R. 2691, Department of Interior and Related Agencies Appropriations act, 2004 (P.L. 108-108). In August of 2004, the lease was transferred to Stephanie Pearce, #0500189, under the same terms and conditions as the existing lease, through 2006. This lease was extended again under the same authority until February 28, 2007 and once more until February 28, 2008 under the existing terms and conditions pending completion of environmental analysis consistent with the National Environmental Policy Act (NEPA). This grazing lease is subject to renewal at the discretion of the Secretary of the Interior for a period of up to ten years. The Bureau of Land Management has the authority to renew livestock grazing permits and leases consistent with the provisions of the *Taylor Grazing Act*, *Public Rangelands Improvement Act*, *Federal Lands Policy and Management Act*, and the Little Snake Field Office's *Resource Management Plan/Environmental Impact Statement (RMP/EIS)*. The RMP/EIS has been amended by the *Standards for Public Land Health in the State of Colorado*.

In addition to the renewal of the grazing lease, one range improvement project, a short fence, is proposed within the allotment to stop livestock from drifting off of the allotment to the south.

The following Environmental Assessment (EA) will analyze the impacts of livestock grazing and the construction of a short fence on public land managed by the BLM. The analysis will recommend terms and conditions to the lease which will 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 (lessee) must hold a grazing lease. The grazing lessee has a preference right to receive the lease if grazing is to continue. The land use plan allows grazing to continue. This EA will be a site specific analysis 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:

BLM Little Snake Field Office sent out a Notice of Public Scoping on September 26, 2002 to determine the level of public interest, concern, and resource conditions on the grazing allotments that were up for renewal in fiscal year 2004. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on permit/lease renewals. A letter was sent to affected permittees on September 30, 2003 informing them of the upcoming renewal process and requesting any information they wanted included in or taken into consideration during the renewal process. The issuance of a grazing lease for this allotment has been carefully analyzed within the scope of the specific action being taken, resource issues or concerns, and public input received.

BACKGROUND:

Spring Gulch #04135

The allotment is located approximately 7.5 miles east of Hamilton, Colorado. County Road 179 leads north approximately 0.5 miles off of State Highway 317 through the allotment along Spring Creek. Spring Gulch makes up the western boundary of the allotment while Searcy Gulch is the eastern boundary. The allotment is characterized by these two gulches, with fairly steep terrain on both sides of the gulches and rolling, mountainous terrain between. Elevation ranges from 6,300 feet along the creek bottoms to over 7,453 on the ridge tops. The dominant range site within the allotment is a brushy loam. Both Spring Gulch and Searcy Gulch are fed by springs and drain into the Williams Fork of the Yampa River. Spring Gulch was a perennial system in the past, but in the last several years has not been running water yearlong (personal communication with permittee, June 14, 2007). Livestock water in the allotment is normally found within these gulches and in two ponds constructed on private lands.

This allotment is currently classified as a category C (custodial) allotment which is defined by the Rangeland Program Summary for the Little Snake Resource Management Plan as an allotment that has low production potential for livestock forage, there are no major resource conflicts or controversy and present management is accomplishing the desired results.

The existing lease is for 5 cattle from 5/1 to 10/31 and 3 cattle from 9/01 to 9/30. There is a total of 33 AUMs associated with the current lease.

MONITORING DATA:

Spring Gulch #04135

The allotment was assessed to determine if it was meeting Standards for Rangeland Health in September of 2003. The assessment was conducted by a BLM wildlife biologist, a rangeland management specialist and the permittee. At that time the team found that Indicator 8, non-native species, was not met due to high amounts of houndstongue (*Cynoglossum officinal*). The failure to meet this indicator caused the allotment to fail 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. Plants and animals at both the

community and population level are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations and ecological processes.”

The other standards applicable to the allotment were determined to be met in 2003.

In June of 2006, the Spring Gulch Allotment was again assessed as part of the larger Williams Fork Landscape Health Assessment. The following is an excerpt from the final Williams Fork LHA report:

WF 12 is located in the Spring Gulch Allotment. This site failed this standard (Native Plant Community) based on the noxious/invasive specie, houndstongue. Although it was not abundant, there was enough to fail to meet the standard. This site is located along the foothill within the Spring Gulch canyon. The density and production of key species on this site is not up to the potential that would be expected for the site. Dominant species on this site include smooth brome and snowberry. The key species that are expected for this site are present, but have not been able to compete with the invasive annuals. These annuals may have been introduced by the construction of the road or oil and gas activity involving heavy equipment in the past and present.

The other two standards applicable to this site were met in 2006.

The allotment was visited again on June 14, 2007 by a BLM wildlife biologist, a rangeland management specialist and the permittee; see photo, Attachment #2. Species composition and production was found to be appropriate for the range site.

The permittee requested three years of non-use in 2004 to correct past over-utilization; therefore there was no use by cattle observed during visits in 2006 and 2007. Utilization by wildlife was apparent on the shrub species; however the plant community was healthy and vigorous.

The former permittee made an effort to control the houndstongue in cooperation with Moffat County. The current permittee has also made an effort to control the houndstongue on the allotment and the effects are noticeable. Currently, the houndstongue is located mainly along the roads, whereas past reports indicated that the houndstongue was “dominant in the bottoms” and “large patches were on the hillsides” (Espil, BLM 2005). Continued monitoring and control measures will likely significantly reduce the amount of houndstongue in the allotment.

After reviewing the data from 2003, 2006 and 2007, it has been determined that the Spring Gulch Allotment is meeting all of the standards, with the exception of the native species standard, Indicator 8, due to the presence of houndstongue. Further, it has been determined that livestock grazing is not the sole causal factor in the non attainment of this standard. Wildlife, OHV use and ongoing oil and gas development also contribute to the spread of houndstongue.

PROPOSED ACTION AND ALTERNATIVES

PROPOSED ACTION: Renew grazing lease #0500189 for a period of ten years, expiring February 28, 2018. Total permitted use would be limited to 33 AUMs per grazing year as a term and condition of the lease, however, after discussions with the permittee, the season of use would be adjusted from 5/01-10/31 to 6/01-10/31. The lease would be renewed as follows:

FROM:

Allotment name and number	Livestock number and kind	Dates		%PL	AUMs
		Begin	End		
Spring Gulch	5 cattle	05/01	10/31	100	30
#04135	3 cattle	09/01	09/30	100	3

TO:

Allotment name and number	Livestock number and kind	Dates		%PL	AUMs
		Begin	End		
Spring Gulch	6 cattle	06/01	10/31	100	30
#04135	3 cattle	09/01	09/30	100	3

This lease would also be subject to the Standard and Common Terms and Conditions found in Attachment #3.

DRIFT FENCE

In addition to the lease renewal, one new fencing project is proposed for construction on the allotment to prevent livestock drift between the Spring Gulch Allotment and the West Well Sweep Allotment, #04137 to the south. This short fence is proposed to cross Searcy Gulch and would tie into rock on both sides of the steep gulch. This proposed fence would be located in T.5N R.90W., Section 23 S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$. See map, Attachment #4.

The fence would be a three-strand barbed wire, bottom wire smooth. The fence would be built to BLM standards, with wires spaced at 16", 26", and 38" above the ground as shown in Attachment 4a. The fence would be constructed with metal posts spaced 12 feet apart with one wood or wire (preferably wood) stay between each post. A 15-foot wide line may be brushbeat to facilitate fence construction. This line of brush removal would also aid wildlife in recognizing the presence of the fence.

The construction of this fence would be subject to the following stipulations:

- 1) To protect wintering big game, no fence construction (including brushbeating) may occur between December 1 and April 30.
- 2) The permittees (of the Spring Gulch Allotment #04135 and the West Well Sweep Allotment #04137) will be responsible for fence construction using BLM supplied materials. The permittees will reach an agreement on the proportion of the fence to be built by each party prior to the authorization of construction.

3) The permittees will be jointly responsible for maintenance of the fence. The permittees shall reach an agreement on the proportion of the fence to be maintained by each party prior to the authorization of construction.

4) Metal or wire gates will be placed at all intersections with existing roads.

5) Gates will be left open when livestock are not present in either the Spring Gulch Allotment #04135 or the West Well Sweep Allotment #04137.

6) Fence construction will not occur until a Form 4120-6, Cooperative Agreement for Range Improvements, is signed by both permittees or their authorized representatives and the BLM. The Cooperative Agreement will include all of the above stipulations.

7) Fence construction will not occur until a Class III cultural resources survey is completed. If sensitive cultural resources are identified during the survey, mitigation may include moving the fence to avoid any identified cultural resources.

8) The permittee will monitor and treat any non-native, noxious species that may invade the disturbance created by the construction of the fence.

NO ACTION ALTERNATIVE: No changes to the season of use would occur under this alternative. No new range improvements would be constructed. This would not address the livestock drift problem between the Spring Gulch and Searcy Gulch Allotments. Livestock would continue to graze the allotment as permitted in the expiring lease.

ALTERNATIVES CONSIDERED BUT ELIMINATED:

No Grazing Alternative: This alternative would cancel the lease on the allotment. As a result, livestock grazing would cease on the allotment. This alternative is eliminated from analysis in this EA because it would not conform to the RMP/ROD. The RMP/ROD identified livestock grazing as a suitable and appropriate uses on the allotment.

AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES/MITIGATION MEASURES

CRITICAL RESOURCES

AIR QUALITY

Affected Environment: The Spring Gulch Allotment does not lie in any EPA non-attainment areas for air quality.

Environmental Consequences: Under either alternative, vehicular access on existing roads for livestock management activities would result in minimal releases of PM 10 (dust) emissions, but this would be minor and not affect the overall air quality of the area.

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 7/30/07

AREA OF CRITICAL ENVIRONMENTAL CONCERN

Affected Environment: Not present.

Environmental Consequences: Not applicable.

Mitigative Measures: Not applicable.

Name of specialist and date: Rob Schmitzer, 7/16/07

CULTURAL RESOURCES

Affected Environment: Range permit 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 requirements under Section 106 and will undergo standard cultural resources inventory and evaluation procedures. During Section 106 review, a cultural resource assessment (Heritage #10.40.07) was completed for each allotment on July 13, 2007, by Robyn Watkins Morris, Little Snake Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the Field Office archaeology files.

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

The table below is based on the allotment specific analysis developed for the allotment in this EA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in each allotment. Fieldwork for the cultural resources on the table will be carried out in current fiscal year or within the ten year permit renewal.

Acres Inventoried at a Class III level ²	Acres NOT inventoried at a Class III Level	Percent-% of Allotment inventoried at a Class III level	# of Cultural Resources known in allotment	High Potential of Historic Properties	Eligible or Need Data Sites – Known in Allotment (Site Numbers)	Estimated Sites for the Allotment** (Total Number)	Management Recommendations (Add'l inventory required and historic properties to be visited)
2.2	771	0.002	0	Yes-historic trail runs through the area	0	Unknown	Trail following Spring Gulch on 1916 GLO. No cultural resources were noted on the 1878 GLO. Patents were filed by Charles Betz, Irl Panick, Fred Betz, William Kearns, James Haggerty, Dave Ledford, Hugh Self, and David Stuart

(Note: *Acres are derived from GIS allotment maps. 1. BLM only acres or 2. BLM and other acres in the allotment. See allotment specific analysis form. **Estimates of site densities are based on known inventory data. Estimates represent a minimum figure which may be revised upwards based on future inventory findings.)

One cultural resource inventory has been previously conducted within the allotment resulting in the complete coverage inventory of 2.2 acres and the recording of 0 cultural resources.

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

Environmental Consequences: The direct impacts that occur where livestock concentrate include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gulying, and increased potential for unlawful collection and vandalism. Continued grazing may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties.

Cultural Review Process

Monitoring of the previous years range permit renewal environmental documentation for FY98, FY99, FY2000, FY2001, FY2002, FY2003, FY2004, and FY2005 has been carried out. These reports represent three field seasons of evaluation work on the eligible and need data sites. The fieldwork conducted in 2000, 2001, 2002, 2003, and 2005, identified impacts to some of the cultural resources being evaluated. This information is covered in the following reports:

Keesling, Henry S. and Gary D. Collins, Patrick C. Walker
2000 Cultural Resource Evaluation of Known Eligible and Need Data Sites within Range Allotments for Range Permit Renewal EA's FY98 and FY99. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D., and Patrick C. Walker, Sam R. Johnson, Henry S. Keesling
2001 **Addendum to Cultural Resource Evaluation of Known Eligible and Need Data Sites within Range Allotments for Range Permit Renewal EAs FY98 and FY99, Range Permit Renewal EA's FY2000 and FY2001.** Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D. and Ryan J. Nordstrom, Henry S. Keesling
2002 **The Second Addendum to The Cultural and Need Data Sites Within Range Allotments for Range Permit Renewal EA's FY98, FY99, FY00, FY01, and FY02.** Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D. and Henry S. Keesling
2003 **The Third Addendum to The Cultural and Need Data Sites Within Range Allotments for Range Permit Renewals EA's FY98, FY99.** Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office

Collins, Gary D. and Henry S. Keesling
2005 **The Fourth Addendum Range Permit Renewal FY04 and FY05 to The Cultural Resource Evaluation of Known Eligible and need Data Sites Within Range Allotments for Range Permit Renewal EA's FY00, FY01, FY02, FY03.** BLM 10.27.05. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy of file at that office.

BLM has committed to a ten year phased evaluation being conducted for cultural resources that takes into account identified livestock concentration areas and the cultural resources that are either eligible and/or need data and to carrying out mitigation on cultural resources that require this action. The phased monitor and mitigation approach will mitigate identified adverse effects, significant impacts and data loss, (NHPA Section 106, 36CFR800.9; Archaeological Resource Protection Act 1979; BLM/Colorado SHPO Protocol 1998; NEPA/FLPMA requirements) to an acceptable level.

The GIS mapping and evaluation effort will establish areas that have potential conflicts between livestock and prehistoric cultural resources. The GIS maps will provide a computer generated visual departure point for the proposed cultural fieldwork. GIS maps using USGS and BLM best available data, will be created showing springs, stream course features, riparian areas, and slopes that are greater than 30% slope within the allotment. Current understanding of prehistoric settlement and subsistence patterns will be applied to the GIS map review and used to establish prehistoric cultural areas. These potential livestock concentration areas will be evaluated in the field.

Livestock impacts may cause cumulative effects, some of which will be significant, and will cause long-term, irreversible, potentially irretrievable adverse impacts and data loss. However, the phased identification and evaluation fieldwork will identify mitigation measures that will reduce these impacts (NHPA Section 106; 36CFR800.9; Archaeological Resource Protection Act 1979; BLM/Colorado SHPO Protocol 1998; NEPA/FLPMA requirements), to an acceptable level.

Other project specific Class III surveys initiated by the BLM, industry, or ranching will identify previously unrecorded cultural resources within these allotments. Newly identified cultural resources will need to be mitigated in relationship to the proposed project(s). Further, these cultural resources will be incorporated into current and future grazing review efforts to be evaluated and monitored as necessary.

Mitigative Measures: Standard Stipulations for cultural resources are included in Standard Terms and Conditions for the Range Renewal Permit (Attachment 3).

Allotment Specific Stipulations for this EA:

1. GIS maps based upon stream course features and springs from the 7.5 minute USGS maps and BLM best available riparian/spring data in this office will be used to initially establish evaluation areas for livestock concentrations. Current archaeological understanding of settlement and subsistence patterns for prehistoric cultural resources will be applied to these maps. Identified livestock concentration areas will be field evaluated. Those areas with no livestock impacts but with potential for cultural resources will undergo the same Class III survey discussed below. This survey will be conducted documenting archaeological resources which may be impacted if grazing practices change in the future. Identified concentration areas that exhibit livestock impacts will have the following cultural surveys:

Springs, riparian areas, streams or creeks, and intermittent drainage will have a Class III survey in the area of concentration that includes an additional 50 feet around the impacted area. Identified cultural resources will be recorded to include the total site area and mitigation developed.

Springs will have a Class III survey in the area of concentration and include an additional 50 feet around the impacted area. Identified cultural resources will be recorded to include the total site area and mitigation developed.

2. GIS maps showing slope potential, 30% or greater, where rock art and rock shelters are predicted to occur, will be used to initially establish evaluation areas for Class III survey. These areas will be evaluated for livestock concentrations. Identified concentration areas will have the following cultural surveys performed:
Potential rock shelters, rock art areas will be evaluated to see if cultural materials are present. When cultural resources are identified the site will be recorded and appropriate mitigation will be developed.

3. Previously identified sites, table above, and new sites recorded and evaluated as eligible and/or need data during other project specific Class III survey will need to be evaluated as well. Initial recording of new sites and re-evaluation of the known sites will establish current condition of the resource and help in developing a monitoring plan for all sites. Some sites will have to be monitored more often than others. Sites that are impacted by grazing activities will need further monitoring, physical protection or other mitigative measures developed.
4. Site monitoring plans, other mitigation plans, will be developed and provided to the Colorado State Historic Preservation Officer in accordance with the Protocol (1998) and subsequent programmatic agreements regarding grazing permit renewals.

Conducting Class III survey(s), monitoring, and developing site specific mitigation measures will mitigate the adverse effects, data loss, and significant impacts (NHPA Section 106, 36CFR800.9; Archaeological Resource Protection Act 1979; BLM Colorado and Colorado SHPO Protocol 1998; and NEPA/FLPMA requirements) to an acceptable level.

The Colorado State Historic Preservation Officer (SHPO) agreed with the Bureau of Land Management, Colorado, (BLM) that the BLM could issue its Range Renewal Permits with the proposed Cultural Resource Management actions, monitoring known eligible and need data sites and conducting Class III and/or modified Class III surveys on selected areas of BLM lands within in a ten year time frame (Cultural Matrix Team Meeting 26 January 1999, Colorado BLM State Office).

The Little Snake Field Office will initiate the monitoring of known eligible and need data sites the first field season following the issuing of the permit if possible. This survey will be based upon an accepted, BLM and SHPO, research design that will establish criteria for evaluation of the sites for livestock impacts and any needed mitigation and future monitoring needs.

Name of Specialist and date: Robyn Watkins Morris, 7/11/07

ENVIRONMENTAL JUSTICE

Affected Environment: The proposed action is located in an area of isolated dwellings. Ranching, farming and oil and gas development are the primary economic activities.

Environmental Consequences, both alternatives: The project area is relatively isolated from population centers, so no populations would be affected by physical or socioeconomic impacts of the proposed action. The proposed action would not directly affect the social, cultural or economic well-being and health of Native American, minority or low-income populations.

Mitigative Measures: None.

Name of Specialist and Date: Mike Andrews, 7/13/07

FLOOD PLAINS

Affected Environment: Small floodplains are present within Spring Gulch and Searcy Gulch. Streamflow within the gulches and the associated floodplains are in an entrenched position within the valley. The depth of this entrenchment is generally deepest in the downstream direction. Surface water within the gulches on BLM lands may be present in May and early June, but water would not be permanently available later in the grazing season.

Environmental Consequences, common to both alternatives: Trailing by livestock could occur along the entrenched floodplains due to the limited access to enter or exit the gulch along steep terrace banks. Trampling of floodplain soils and floodplain vegetation by livestock could leave floodplain areas exposed to high stream flows and result in unstable conditions. Soil compaction on moist floodplain soils could reduce the capability of soil to infiltrate and store runoff water, causing increased stream runoff and reducing soil moisture available for plant growth.

Environmental Consequences, Proposed Action: Delaying livestock turnout until 6/01 would allow for an additional month of growing season deferment. Forage plants growing on the floodplains would have a longer period of growth prior to grazing. Floodplain soils would likely be drier, after spring runoff subsides from melting snowpack and April and May rains. Trailing by livestock may be reduced in the absence of surface water flow.

The fence to be constructed across Searcy Gulch would help to limit trailing within the gulch and it would provide control of livestock movement between this allotment and the adjacent allotment to the south.

Environmental Consequences, No Action: The potential for trailing by livestock in the entrenched floodplain areas is greatest under the No Action Alternative. The surface water within the gulch provides livestock water; these floodplain soils could be more impacted by the earlier use in May, when moist soils can be compacted, and wet or saturated soils can be heavily tracked and trampled, physically harming floodplain plants.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/30/07

INVASIVE, NONNATIVE SPECIES

Affected Environment: Invasive and noxious weeds are present in the affected area. Hoary cress, houndstongue, dalmation toadflax, leafy spurge, oxeye daisy, Canada thistle, musk thistle, bull thistle and other biennial thistles are present in the vicinity of the allotment. A land health assessment within the Spring Gulch Allotment in August 2006 found unacceptable levels of houndstongue. The BLM has a cooperative agreement with Moffat County to treat noxious weeds on public lands, including grazing allotments.

Environmental Consequences: The adverse impact of increased invasive and/or noxious weed establishment is very similar under either of the alternatives. Vehicular access to public lands for dispersed recreation and grazing operations, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance due to livestock concentration and human activities associated with grazing operations can also increase weed presence. Land practices and land uses by the livestock operator and their weed control efforts would largely determine the identification and potential occurrence of weeds within the allotment.

Livestock grazing managed with the proper forage use guidelines should not create a favorable environment for the spread of houndstongue or other noxious weeds. Wildlife and livestock movement within infested areas of houndstongue can spread this clinging weed seed along trails and rangeland, introducing it into the mountain shrub community where it is hard to detect and to treat.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/30/07

MIGRATORY BIRDS

Affected Environment: The Spring Gulch Allotment provides nesting habitat for golden eagles, a species listed on the USFWS' 2002 Birds of Conservation Concern List. All known nests occur on private lands within this allotment. It is possible that golden eagles could nest on BLM lands within this allotment in the future.

Environmental Consequences, Proposed Action: Livestock grazing under the proposed action would not impact nesting golden eagles. The installation of the proposed gap fence in Searcy Gulch would not impact golden eagles at known nesting sites. There is no chance of take to occur as a result of this action

Environmental Consequences, No Action: The no action alternative would not have any impact on golden eagles. There is no chance of take to occur as a result of this alternative.

Mitigative Measures: None.

Name of specialist and date: Timothy Novotny, 7/10/07

NATIVE AMERICAN CONCERNS

Affected Environment: A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council, and the Eastern Shoshone on October 9, 2002. The letter listed the grazing allotments up for renewal in FY04 and included a map of the areas. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Environmental Consequences: None for either alternative.

Mitigative Measures: None.

Name of Specialist and date: Robyn Watkins Morris, 8/14/07

PRIME & UNIQUE FARMLANDS

Affected Environment: Prime and unique farmlands are not present within the Spring Gulch Allotment.

Environmental Consequences: None for either alternative.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/30/07

T&E SPECIES - SENSITIVE PLANTS

Affected Environment: There are no BLM sensitive plant species present on the Spring Gulch Allotment #04135.

Environmental Consequences, Proposed Action: None for either alternative.

Mitigative Measures: None.

Name of specialist and date: Hunter Seim, 7/11/07

T&E SPECIES – ANIMALS

Affected Environment: There are no threatened, endangered or special status species or habitat for such species present within the allotment.

Environmental Consequences: None for either alternative.

Mitigative Measures: None.

Name of specialist and date: Timothy Novotny, 07/10/07

T&E SPECIES – PLANTS

Affected Environment: There are no federally listed threatened or endangered plant species present on the Spring Gulch Allotment #04135.

Environmental Consequences: None for either alternative.

Mitigative Measures: None.

Name of specialist and date: Hunter Seim, 7/11/07

WASTES, HAZARDOUS OR SOLID

Affected Environment: There are no known hazardous materials present on the Spring Gulch Allotment.

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

Mitigative Measures: None.

Name of specialist and date: Kathy McKinstry, 7/16/07

WATER QUALITY - GROUND

Affected Environment: Williams Fork Formation of the Mesaverde Formation.

Environmental Consequences: Neither alternative would significantly impact groundwater.

Mitigative Measures: None.

Name of specialist and date: Marilyn D. Wegweiser, 7/18/07

WATER QUALITY - SURFACE

Affected Environment: Surface water runoff from the public lands in this allotment would primarily be overland flow from steep hill slopes flowing across the valley floors and collecting within Spring Gulch and Searcy Gulch. These gulches are ephemeral to intermittent tributaries to the Williams Fork River. This segment of the Williams Fork River needs to have water quality sufficient to support Aquatic Life Cold 2, Recreation 1a, Water Supply and Agriculture; this segment is designated as Use Protected.

Classified beneficial use classifications have not been designated for the tributary waters to this segment of the Williams Fork River. However, these classifications would likely be for Aquatic Life Warm 2, Recreation 1b or 2 and Agriculture, and these tributaries would likely be designated as Use Protected.

Other tributaries to the Williams Fork River that are within the vicinity of the Spring Gulch Allotment that have specific classified uses are Deal Gulch, Horse Gulch, Castor Gulch and Ute Gulch. These tributaries need to have water quality that supports Aquatic Life Warm 2, Recreation 1b and Agriculture.

Environmental Consequences: Slight benefits to water quality are expected to occur from the implementation of the Proposed Action which would delay livestock grazing on the allotment until June. The benefits to water quality would result from improved upland soil and vegetative resources.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/31/07

WETLANDS/RIPARIAN ZONES

Affected Environment: Spring Gulch was preliminarily assessed as a lotic system by a seasonal employee in August of 2002 as functioning at risk with no apparent trend. In 2002 Spring Gulch supported some Nebraska sedge and had running water in August. However, in July of 2006 during the landscape assessment, the gulch did not have any running water and did not support either a lotic or a lentic riparian system. Spring Gulch apparently has an unreliable water source which fluctuates with annual or longer term precipitation patterns. No other known riparian system is present on BLM lands within the Spring Gulch Allotment.

Environmental Consequences: None.

Mitigative Measures: None.

Name of specialist and date: Ole Olsen, 7/31/07

WILD & SCENIC RIVERS

Affected Environment: Not present.

Environmental Consequences: Not applicable.

Mitigative Measures: Not applicable.

Name of specialist and date: Rob Schmitzer, 7/16/07

WILDERNESS, WSAs

Affected Environment: Not present.

Environmental Consequences: Not applicable.

Mitigative Measures: Not applicable.

Name of specialist and date: Rob Schmitzer, 7/16/07

NON-CRITICAL ELEMENTS

RANGE MANAGEMENT/VEGETATION

Affected Environment: This allotment is dominated by mixed mountain shrub-grass communities on ridge tops and steep slopes and sagebrush-mixed grass communities in the bowls and valley bottoms. Dominant shrub cover species include mountain big sagebrush (*Artemisia tridentata ssp. vaseyana*) and serviceberry. Grass species included western wheatgrass, Columbia needlegrass, bulbous oniongrass (*Melica bulbosa*), one-spike oatgrass (*Danthonia unispicata*) and Sandberg bluegrass (*Poa secunda*). Forbs include western yarrow, scarlet globemallow (*Spheralcea coccinea*), long-leafed phlox (*Phlox longifolia*), mountain sandwort (*Arenaria capillaries*), lupine and arrowleaf balsamroot (*Balsamorhiza sagittata*).

The majority of the BLM managed lands within the allotment are very steep and brushy, conditions which make livestock reluctant to use.

Environmental Consequences, Proposed Action: Delaying livestock turnout until 6/01 would allow for an additional month of growing season deferment and allow the perennial grasses more time to reach a growth stage appropriate for grazing.

Direct impacts of fence construction would be localized disturbance to vegetation, particularly shrub species, associated with brush beating along the line. This disturbance would be highly localized and minimal within the larger plant communities. Disturbance associated with fence construction would favor grasses and forbs, but may increase the presence of non-native species. As evidenced by adjacent areas, particularly to the west of the proposed fence, this area is highly susceptible to houndstongue, even in areas that receive little to no soil disturbance. There is the potential for construction activities to increase and/or introduce houndstongue into new areas, but it is unlikely that brushbeating and motorized vehicle use along the fence line would increase non-native species to a level greater than what is already present.

Environmental Consequences, No Action: Under the No Action Alternative, the season of use would not be delayed until 6/01. This could lessen the ability of native species to compete with non-native species and could lead to soil compaction if cattle are traveling around the allotment while the ground is saturated.

The short drift fence would not be built, so there would be no direct impacts of fence construction. Livestock would continue to drift on and off of the allotment.

Mitigative Measures: None.

Name of specialist and Date: Kathy McKinstry, 7/16/07

SOILS

Affected Environment: Most of the livestock use within the allotment occurs in the valleys of Spring Gulch and Searcy Gulch on the Adderton loam, 1 to 10 percent slopes and on the moderate hillslopes and ridges having soils comprised of Flygare loam, dry, 25 to 65 percent slopes, Routt loam, 3 to 25 percent slopes, and the Ustorhents, frigid-Borolls complex, 25 to 75 percent slopes. These soils have developed in alluvium, residuum, eolian and colluvium deposits derived from sandstone and shale; the Routt loam is the only soil derived mainly from shale. Surface soils are loams and sandy loams with loam and clay loam subsoils. These soils have high (Adderton and Routt), low (Flygare and Borolls), to very low (Ustorhents) water holding capacities. Percolation rates are moderate (Adderton and Ustorhents), moderately slow (Flygare and Borolls), and slow (Routt). Runoff rates are medium (Adderton), high (Flygare, Routt and Ustorhents) to very high (Borolls), except on the steeper slopes where runoff rate increases to high. The soils within the allotment are non-saline and non-sodic. The other soils are mapped on the steeper canyon slopes that would likely have little use except on the toe slopes adjacent to the valley floors.

Environmental Consequences, common to both alternatives: The upland soils that are mapped within the allotment are suited for livestock grazing and can remain stable and productive, provided cover by a desirable perennial plant community is maintained.

Environmental Consequences, Proposed Action: Delaying livestock turnout until 6/01 would allow for an additional month of growing season deferment. Soils would generally be drier at the beginning of June and less susceptible to trampling and/or compaction. The plant community would be more mature prior to grazing, providing for better vigor on plants and their root systems, and providing a better chance for setting viable seed for recruitment of new plants.

Fence construction would cause minimal disturbance to the soil resource and would benefit the upland soil resource by eliminating livestock drifting between the allotments and the potential overuse of the vegetative resource that provides soil cover and reduces potential erosion.

Environmental Consequences, No Action: Livestock grazing beginning on 5/01 could potentially cause impacts to the soil resource when soils have recharged moisture levels from winter and spring moisture. Trampling on wet soils and compacting moist soils could impair the soil hydrologic regime, reduce seedling survival, and reduce the vegetative production, cover and diversity that is needed for upland soil health.

Mitigative Measures: None.

Name of Specialist and Date: Ole Olsen, 8/1/07

WILDLIFE, AQUATIC

Affected Environment: There is no aquatic wildlife habitat present on BLM lands within this allotment.

Environmental Consequences: None for either alternative.

Mitigative Measures: None.

Name of Specialist and Date: Timothy Novotny, 7/10/07

WILDLIFE, TERRESTRIAL

Affected Environment: The Spring Gulch Allotment provides habitat for mule deer and elk throughout most years. In severe winters, snow depths are likely too deep to support mule deer or elk on public lands within this allotment. A variety of small reptiles, small mammals and song birds may also be found within this allotment.

Environmental Consequences, Proposed Action: The proposed grazing system would ensure that wildlife habitats remain capable of supporting healthy productive wildlife populations. Big game animals would not be directly impacted from livestock grazing. The proposed gap fence in Searcy Gulch would be built to BLM specs approved for mule deer and elk. This fence would allow healthy mule deer and elk to pass freely. The Proposed Action would not impact small mammals, reptiles or song birds.

Environmental Consequences, No Action: This alternative would not impact big game animals. The No Action Alternative would not impact small mammals, reptiles or song birds.

Mitigative Measures: None.

Name of specialist and date: Timothy Novotny, 07/10/07

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

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for analysis
Access	KM 7/16/07		
Fluid Minerals		MW 7/18/07	
Forest Management	KM 7/16/07		
Hydrology/Ground		MW 7/18/07	
Hydrology/Surface			OO 8/01/07
Paleontology		MW 7/18/07	
Range Mngt/Vegetation			KM 7/16/07
Realty Authorizations	MAA 07/13/07		

Recreation/Travel Mgmt		RS 7/16/07	
Socio-Economics		MAA 07/13/07	
Soils			OO 8/01/07
Solid Minerals		JAM 7/10/07	
Visual Resources		RS 7/16/07	
Wild Horse & Burro Mgmt	KM 7/16/07		
Wildlife, Aquatic	TM 07/10/07		
Wildlife, Terrestrial			TM 07/10/07

CUMULATIVE IMPACTS SUMMARY: This allotment and areas surrounding have historically been grazed by both sheep and cattle. Numerous maintained and un-maintained roads exist throughout the area, including on the allotment. These roads are used regularly by local residents and ranchers as well as by hunters, the primary recreation users in the area. Wildlife populations in the area are high, especially for deer and elk that compete with livestock for available forage throughout the area. The primary impacts from all of these activities are most immediately seen in the presence of roads, cultivated land on private lands, and weed presence. The proposed action to continue grazing on this allotment is compatible with other uses, both historic and present, and would not add any new or detrimental impacts to those that are already present.

STANDARDS

PLANT AND ANIMAL COMMUNITY (animal) STANDARD: The Spring Gulch Allotment currently provides habitat that is capable of supporting healthy, diverse populations of wildlife. Both the Proposed Action and the No Action Alternative would ensure that this standard continues to be met in the future.

Name of specialist and date: Timothy Novotny, 7/10/07

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD: There are no threatened, endangered or special status species or habitat for such species within the Spring Gulch Allotment. This standard does not apply.

Name of specialist and date: Timothy Novotny, 7/10/07

PLANT AND ANIMAL COMMUNITY (plant) STANDARD: This allotment is not currently meeting this standard due to the amount of houndstongue found on the allotment. However, there has been a dedicated effort to control the weeds on the private lands. The BLM, in cooperation with the county, would continue to spray and monitor noxious weeds on the allotment. Deferment until June 1 on the allotment would result in a more vigorous native vegetative community, which would be better able to compete with non-native species. The

stocking rate for this allotment is appropriate and use would not be excessive. The Proposed Action would continue to make progress towards meeting this standard.

The No Action Alternative would also continue to make progress towards meeting this standard. Livestock grazing is not the sole causal factor in the non-attainment of this standard, and continued use at the same levels and season of use would not impact the control of houndstongue. Only a concentrated effort by the private landowner, the county and the BLM to control noxious weeds will eliminate or greatly reduce their presence in the allotment.

Name of specialist and date: Kathy McKinstry, 7/16/07

SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant)

STANDARD: There are no federally listed threatened or endangered or BLM sensitive plant species on the Spring Gulch Allotment #04135. This standard does not apply.

Name of specialist and date: Hunter Seim, 7/11/07

RIPARIAN SYSTEMS STANDARD: No riparian or wetland system would be affected by the continuation of livestock grazing. This standard does not apply.

Name of specialist and date: Ole Olsen, 7/28/07

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

Name of specialist and date: Ole Olsen, 7/31/07

UPLAND SOILS STANDARD: The upland soil standard for healthy rangelands would be met with the implementation of either the Proposed Action or No Action Alternatives. One site was visited within the Spring Gulch Allotment during the Williams Fork Watershed Land Health Assessment in August 2006. Soils on this site were found to be stable as determined by the soil surface characteristics rating of 5. Very little movement of soil particles and litter were observed and no rills or flow patterns were observed. Soils are well covered by mountain shrub, aspen and sagebrush communities with a diverse understory of forbs and grasses. The plant communities provide good cover over the soils, as well as, good diversity and density of plant species to provide for a mixture of root types for holding upland soils in-place.

Name of specialist and date: Ole Olsen, 8/1/07

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

ATTACHMENTS:

Attachment 1- Allotment Map

Attachment 2- Allotment Photo

Attachment 3 - Standard and Common Terms and Conditions

Attachment 4 – Proposed drift fence location map

Attachment 4a – BLM fence standards

SIGNATURE OF PREPARER:

DATE SIGNED:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Based on the analysis of potential environmental impacts contained in EA CO-100-2007-090 and all other available information, I have determined that the proposal and the alternatives analyzed do not constitute a major Federal action that would adversely impact the quality of the human environment. Therefore, an EIS is unnecessary and will not be prepared. This determination is based on the following factors:

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

SIGNATURE OF AUTHORIZED OFFICIAL:

DATE SIGNED:

Attachment 2



Attachment 3
EA CO-100-2007-090
Standard Terms and Conditions

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with 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. Non compliance by the permittee/lessee with rules and regulations;
 - b. Loss of control by the permittee/lessee of all or 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 allotments(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 of 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 due 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 the 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 to be eligible for the National Register of Historic Places;
-the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

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

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.