

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

Environmental Assessment

DOI-BLM-CO-SO50-2013-0014 EA

December 2013

Tabeguache Creek Native Fish Barrier Removal Project

Location: Montrose County, CO

Tabeguache Creek Just above the Confluence with the San Miguel River

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ENVIRONMENTAL ASSESSMENT

NUMBER: DOI-BLM-CO-S050-2013-0014 EA

PROJECT NAME: **Tabeguache Creek Native Fish Barrier Removal Project**

PLANNING UNIT: San Juan/San Miguel Planning Area

LEGAL DESCRIPTION: T47N, R17W, Section 2 SE1/4 NE1/4, Montrose County

APPLICANT: BLM

BACKGROUND/INTRODUCTION:

A concrete diversion structure spanning Tabeguache Creek (Photo 1) serves as a barrier to upstream movement of native fish and under the majority of flows, blocks several miles of suitable/preferred spawning and nursery habitat for three BLM sensitive fishes. The site is located 0.5 miles from the confluence with the San Miguel River (See Map) on BLM lands.

The bluehead sucker, flannelmouth sucker, and roundtail chub are collectively known as the Three Species. They are all native, endemic species to the Colorado River basin and all have seen substantial population declines throughout their range. All three are BLM Colorado sensitive species. BLM Colorado is signatory to the “Range-Wide Conservation Agreement and Strategy for Roundtail chub *Gila robusta*, Bluehead sucker *Catostomus discobolus*, and Flannelmouth sucker *Catostomus latipinnis*” (UDNR, 2006). This is a non-regulatory document developed to outline means by which to protect and enhance habitat and protect and restore populations of these native fish. The ultimate purpose of which is to preclude the need to place these fish on the list of federally threatened and endangered species.

PURPOSE AND NEED FOR THE ACTION:

The purpose of the action is to create passage for the native fish to move upstream, which will help protect and enhance habitat and protect and restore populations of these native fish. The need for the action is outlined in the “Range-Wide Conservation Agreement and Strategy for Roundtail chub *Gila robusta*, Bluehead sucker *Catostomus discobolus*, and Flannelmouth sucker *Catostomus latipinnis*” under the following Conservation Actions: #5 – Increase roundtail chub, bluehead sucker, and flannelmouth sucker populations to accelerate progress toward attaining

population objectives for respective species; # 6 – Enhance and maintain habitat for roundtail chub, bluehead sucker, and flannelmouth sucker; and # 8 – Expand roundtail chub, bluehead sucker, and flannelmouth sucker population distributions.



ISSUES AND CONCERNS:

Diversion Structure

The ownership of the structure is presently unknown. The State of Colorado tabulation of water rights lists the “Uran Pipeline” in approximately the same location as the structure. The Uran Pipeline water right was decreed in Civil Action 4641 in Montrose County District Court to provide municipal water supply to the town of Uran. However, the decree for this water right is only for 0.11 cfs and it references a headgate. This description doesn’t appear to equate to a large diversion dam. There are no other decreed water rights in the immediate vicinity. The Uran Pipeline water right was listed on the 2011 Gunnison Basin Abandonment List. No statements of opposition were filed on this water right and it remains on the list for abandonment until the Judge signs a ruling for this case.

The water right decree was issued to United States Vanadium Corporation, which is the predecessor of UMETCO. Several attempts were made to contact UMETCO staff by phone to determine if the company claimed an ownership interest in the structure, but none of BLM's inquiries were returned. An ownership inquiry letter was also sent to UMETCO and no response was received. Accordingly, due diligence was performed to identify any ownership claims to the structure. Given the lack of response to these inquiries, BLM is moving forward with an Environmental Assessment to analyze the proposed action of removing the structure. This EA will be posted on BLM's website to provide further notice to potential parties who may claim an ownership interest in the structure.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Proposed Action:

Site Description:

The project site is located on lower Tabeguache Creek. Vegetation consists of phragmites (common reedgrass), willow, narrowleaf cottonwood, alder, sedge, and select riparian grasses. Adjacent uplands consist of basin big sagebrush, rabbitbrush, juniper, and native grasses and forbs.



Photo 1. Concrete Barrier on Tabeguache Creek

Proposed Action:

The Proposed Action is to mechanically dismantle a six foot tall, 60 foot wide concrete dam diversion structure, and includes breaking apart and removing the concrete and steel components from the site. This would be done using a large excavator and small dump truck. The equipment would reach the site via what appears to be the original access point for construction of the diversion structure. The former access route for constructing the dam is now overgrown with shrubs and grasses. From the point where the access route leaves the county road, the excavator would remove minor rock obstacles blocking dump truck access to the work site. The excavator would then be positioned in the channel below the dam. It would break apart the concrete into smaller pieces, and load them into a dump truck located on the stream bank. The concrete would then be hauled to a disposal facility located off of public lands. Once the concrete has been removed, the excavator would leave the site, ripping compacted areas along the access corridor and seeding disturbed soils.

It is anticipated that barrier removal could be completed in one day. Removal of concrete from the site and reclamation could require an additional one to two days. Work would be completed in fall or winter under low base flow conditions. All work would be performed during daylight hours and work would be overseen and directed by BLM hydrology, riparian and fisheries staff. Generally, base flows in the area of the project are very low with limited surface flow and isolated, weakly connected moderate to deep pools.



Photo 2. Existing access corridor to dam removal site.

Post Project Monitoring:

Barrier Removal Site:

Following removal of the dam, the site would be visited during and after peak spring flow period to determine site stability and changes in channel morphology. Photo points and benchmark elevations would be used to help assess changes to the site. Recovery of disturbed areas would also be evaluated.

Fish:

A fish survey has been completed below and above the barrier to obtain population estimates of adult target fish species. Post removal sampling would be completed following dam removal in an attempt to determine changes in adult population abundance from above and below the site.

Design Features:

The following design features would be implemented:

1. For safety purposes, the construction area would be placarded to alert the public during equipment mobilization prior to and after structure removal. Dean Cooper with Montrose County Road & Bridge (252-7001) will be notified well in advance of project initiation.
2. To limit the potential introduction or spread of nonnative/invasive aquatic species or vegetation, all equipment to be used during the project will arrive clean and free of mud, dirt, oil, debris, and weed seeds prior to entry on the site.
3. The excavator will be stationed in the streambed while doing the deconstruction to reduce impacts to riparian vegetation.
4. To minimize the chance for chemical spills or leaks, fuel and lubricants will be secured in upland habitats away from the creek in a spill containment site.
5. All fueling activities will take place in uplands away from water.
6. A pre and post removal weed inventory will be completed. Any identified weeds will be treated as appropriate to limit invasion and spread.
7. Electrofish, collect, and relocate to nearby pools fish from the project foot-print just prior to initiation of work to eliminate potential impacts during structure removal.
8. Rip and reseed small areas of soil compaction using seed collected from native species on the site.
9. A survey for roosting Bald Eagle will be conducted by a qualified biologist prior to commencing any winter work at the project site. Should a roost site be detected then no work will commence until the individual/individuals have dispersed on their own accord. Work will then cease one hour prior to sunset to allow for subsequent reoccupation of the roost site.

10. BLM will consult with Colorado Parks and Wildlife prior to implementing the proposed action between December 1st and April 15th to ascertain current state of game species on winter ranges and current severity of winter, and mutually determine if work can proceed during the winter period.

11. A Nationwide Permit 27 for aquatic habitat restoration, establishment, and enhancement activities will be needed. Once this EA is completed a pre-construction notification package would be submitted to the Corps of Engineers for review.

No Action Alternative:

Under the No Action alternative, no barrier removal would be conducted. The diversion site would remain as is and access to preferred spawning and nursery habitat would not be improved for roundtail chub, bluehead sucker, and flannelmouth sucker.

ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD

Partial Barrier Removal

Removal of a portion of the barrier was considered. It was determined that it would not save substantial costs and could result in more lateral scour of streambanks than complete removal. In addition, visually the site would look less natural and blend less with the immediate surroundings if only partially removed. For these reasons, effects of partial barrier removal will not be analyzed in further detail.

Burial of Debris on Site

Burial of the broken concrete and steel along the access corridor was considered as one measure to reduce project cost. This alternative would have resulted in the burial of approximately 8 dump truck sized loads on the upper stream terrace in an area that had largely revegetated from past disturbance, at an estimated \$3,000-\$4,000 savings. It is believed that this savings can be made up from other fund sources. For these reasons, effects associated with the burial of the broken up concrete will not be analyzed in further detail.

Fish Ladder

Several means of providing for fish passage past the structure via a fish ladder or similar structure exist and were explored. These means would be much more expensive than structure removal both short-term (initial design, purchase, and installation) and long-term (maintenance). In addition, a fish ladder could fail and under the seasonal flows carried by Tabeguache Creek, would likely need yearly maintenance to effectively pass fish. Complete barrier removal is the most cost efficient and effective way to provide access to preferred habitat. For these reasons, effects associated with the placement of a fish ladder will not be analyzed in further detail.

SCOPING AND ISSUES

Public scoping was carried out by posting the proposed action on the Uncompahgre Field Office NEPA website. The project was posted on February 9, 2013. No comments were received.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5-3, BLM 1617.3):

Name of Plan: San Juan/San Miguel Resource Management Plan

Date Approved: September 1985

Decision Number/Page: Area B: Emphasis on Wildlife, Page 30

Decision Language: Improve or enhance aquatic/riparian habitat on the following priority areas: -Lower San Miguel River and its tributaries (20 miles).

Other relevant policy, guidance or permitting requirements

The BLM's 6840 Manual provides policy on management of special status species and their habitats. In accordance with this manual, the goal of management is to prevent a trend toward federal listing or loss of viability for BLM designated sensitive species.

BLM Colorado is signatory to the Range-Wide Conservation Agreement and Strategy for Roundtail Chub *Gila robusta*, Bluehead Sucker *Catostomus discobolus*, and Flannelmouth Sucker *Catostomus latipinnis*. This document was developed to expedite the implementation of conservation measures for these three fish species throughout their respective ranges, as a collaborative and cooperative effort among resource agencies. The goal of the agreement is to ensure the persistence of populations of these three fish species throughout their ranges and preclude the need to list any of these fish under the Endangered Species Act.

Coordination with the U.S. Army Corps of Engineers, Grand Junction office has been done and initial review indicates a Nationwide Permit 27 for aquatic habitat restoration, establishment and enhancement will be needed. Once this EA is completed a pre-construction notification package will be submitted to the Corps of Engineers for review.

Standards for Public Land Health: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. A finding for each standard will be made in the environmental analysis (next section).

Standard	Definition/Statement
#1 Upland Soils	Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.
#2 Riparian Systems	Riparian systems associated with both running and standing water, function properly and have the ability to recover from major surface disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment, and provides forage, habitat and bio-diversity. Water quality is improved or maintained. Stable soils store and release water slowly.

#3 Plant and Animal Communities	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.
#4 Threatened and Endangered Species	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.
#5 Water Quality	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. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirements set forth under State law as found in (5 CCR 1002-8), as required by Section 303(c) of the Clean Water Act.

AFFECTED ENVIRONMENT and ENVIRONMENTAL CONSEQUENCES

This chapter provides a description of the human and environmental resources that could be affected by the Proposed Action and presents comparative analyses of the direct, indirect and cumulative effects on the affected environment stemming from the implementation of the Proposed Action.

Potential effects to the resources/concerns in the table (below) were evaluated to determine if detailed analysis is necessary. Consideration of some elements is to ensure compliance with laws, statutes, regulation or Executive Orders that impose certain requirements upon all Federal actions. Other items are relevant to the management of public lands in general, the Standards for Public Land Health, or to the BLM Uncompahgre Field Office (UFO) in particular.

Element	Not Applicable or Not Present	Present, But No Impact	Applicable & Present; Brought Forward for Analysis
Air Quality			X
ACEC	X		
Wilderness		X	
Wild and Scenic Rivers			X
Lands with wilderness characteristics	X		
Cultural			X
Native American Religious Concerns		X	
Farmlands, Prime/Unique	X		
Soils			X
Vegetation			X
Invasive, Non-native Species			X
Threatened and Endangered Species			X

Migratory Birds			X
Wildlife, Terrestrial			X
Wildlife, Aquatic			X
Wetlands & Riparian Zones			X
Floodplains			X
Water -- Surface			X
Water -- Ground	X		
Wastes, Hazardous or Solid			X
Environmental Justice	X		
Access		X	
Transportation	X		
Cadastral Survey	X		
Realty Authorizations			X
Range Management	X		
Forest Management	X		
Fire	X		
Noise	X		
Recreation		X	
Visual Resources		X	
Geology and Minerals	X		
Paleontology	X		
Law Enforcement	X		
Socio-Economics	X		

AIR QUALITY

Affected Environment: Air quality in the project area complies with federal air quality standards according to the most recent Colorado Air Quality Control Commission’s Report to the Public (CDPHE 2012). Air quality concerns in this area are primarily from motor vehicles, oil and gas development, Nucla coal-fired power plant, coal mines, sand and gravel operations, windblown dust, wildfires, and prescribed fires.

Environmental Consequences:

Proposed Action – No air quality issues associated with the project are anticipated. A few vehicles including a dump truck and a track hoe excavator would be driven to the project site to haul personnel and conduct work. It is assumed that all heavy equipment work would be completed in 3 or less days. Bad fumes from the machine engines and windblown dust would contribute to overall short-term air quality degradation. Degradation would terminate each day upon equipment shut-down, as well as upon completion of the project.

Cumulative Impacts – Degradation associated with construction would terminate upon completion of the barrier removal. No cumulative impacts to air quality degradation will

result after completion of any activities associated with this Proposed Action.

No Action Alternative – Under the No Action alternative, no barrier removal would occur on Tabeguache Creek. No impacts to air quality would result.

WILDERNESS

Affected Environment: The proposed project is not located in or near a wilderness or wilderness study area. However, the project site is located downstream approximately eight miles from the Tabeguache Special Management Area. This area is managed jointly by the BLM's Uncompahgre Field Office, and the Grand Mesa, Uncompahgre and Gunnison, National Forest for the protection of its wilderness character, consistent with the Wilderness Act of 1964. The Area is roadless and remote and in good ecological condition with a diverse mix of exemplary native vegetation.

Environmental Consequences:

Proposed Action – The proposed removal of the concrete diversion structure would have no impacts to the Tabeguache Special Management Area. It is possible that wilderness values would be enhanced as native fishes would be provided access to several miles of preferred/historic habitat including portions of Tabeguache Creek within the Tabeguache Special Management Area boundary.

Cumulative Impacts – There would be no cumulative effect on wilderness resources.

No Action Alternative – Under the No Action alternative, the concrete fish barrier on Tabeguache Creek would not be removed. No impact or benefits to wilderness values would result.

WILD AND SCENIC RIVERS

Affected Environment: In the ongoing Resource Management Plan revision, portions of Tabeguache Creek were found to be eligible in the Wild and Scenic River Eligibility Report for the BLM Uncompahgre Planning Area. The project area is specifically located in Tabeguache Creek, Segment 2, which contains two outstandingly remarkable values (ORV) -- cultural, and select riparian vegetation communities. A final suitability determination has not yet been made, but eligible segments would be considered under at least one RMP Alternative as suitable. Under current management, eligible stream segments are to be protected until such time as a suitability determination is made.

Environmental Consequences:

Proposed Action – The proposed removal of the concrete diversion structure would occur within an eligible stream segment. Neither ORV would be impacted by the removal of the

concrete diversion structure, as no cultural sites are located at the project site, and only small amounts of a more common riparian vegetation community could be impacted for a short time. In the long-term, riparian vegetation would improve as concrete would be replaced by native riparian species. The removal of the structure would improve the free flowing nature of the stream in this segment.

Cumulative Impacts – There would be no cumulative effect on eligible Wild and Scenic River segments.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur on Tabeguache Creek. No impacts to Wild and Scenic River eligible stream segments would result.

CULTURAL RESOURCES

Affected Environment: The proposed removal of the concrete diversion structure is located in Tabeguache Creek. Cultural Resources in the surrounding area have been mainly found to consist of Late Archaic period to Formative period habitations, historic and proto-historic Ute occupations and historic homesteading land use. File searches indicate a moderate site density in the area. In addition, the diversion structure itself is of historical value given the estimated date of original construction over 55 years ago.

Environmental Consequences:

Proposed Action – Proposed removal of the concrete diversion structure from Tabeguache Creek would result in some minor site-specific ground disturbance. In addition, since the diversion structure itself is an historic artifact, the structure has undergone a complete intensive recordation including historic architectural survey and documentation. This action has been completed and the report is on file. The Tabeguache diversion dam has been found to be ineligible for nomination to the National register and no further cultural work is required.

Cumulative Impacts – None.

No Action Alternative – Under the No Action alternative, no concrete diversion structure removal would be authorized on Tabeguache Creek. No impacts to cultural resources would result.

NATIVE AMERICAN RELIGIOUS CONCERNS

Affected Environment: The Uravan area is known to have been a culturally significant area to the historic Ute people, and many historically important people, places and events are known. Elevated benches above the San Miguel River valley are less likely to contain known culturally important localities, although some such properties are occasionally found, including burials, wickiup sites and traditional gathering areas. No such areas have been identified in this project.

Environmental Consequences:

Proposed Action – There are no known Traditional Cultural Properties or culturally sensitive sites or Areas within the project locality. There are no known or anticipated Native American Religious Concerns for this project.

Cumulative Impacts – None

No Action Alternative – Under the No Action alternative, no concrete diversion structure would be removed on Tabeguache Creek. No impacts to Native American religious concerns would result.

SOILS (includes a finding on Standard 1)

Affected Environment: Proposed work is to be conducted within the active stream channel. The substrate is alluvium dominated by cobble below the structure, while finer sediments have collected above the structure. All of the alluvium is derived from sandstone of the Dakota and Morrison formations.

Soils in the adjoining uplands are cobbly clay loam of the Bodot, dry Ustic Torriorthents complex. The runoff potential of these clay soils is very high and the erosion hazard is severe.

Environmental Consequences:

Proposed Action – Removal of the structure would impact less than 0.06 acres of the cobble stream bed and banks as the structure is removed and hauled from the site. Natural reworking of sediment during spring runoff would rearrange any cobbles or sediment in the stream bed altered by the vehicles in the creek.

An existing 0.10 mile overgrown two-track road would be used to access the structure and used by a dump truck to haul away the materials. Upland soils are already compacted by the existing two-track. Additional compaction would occur where a dump truck must cross the stream to remove materials. However, the crossing would occur in the same location as the existing two-track crossing, so additional impacts would be minimal. At the conclusion of the project the 0.10 mile road would be ripped and seeded and stream banks would be re-contoured to match the existing banks.

Cumulative Impacts – This project, when combined with the past, present and reasonably foreseeable actions, could improve the natural floodplain, sediment deposition and soil development in the riparian area. Other impacts to soils on BLM and Forest Service lands in the watershed include: extensive historical uranium mining, mill operations and a superfund disposal facility, grazing, rights of ways, recreation and travel infrastructure. The impacts from other actions in the watershed could be reduced with the restoration of a more natural floodplain and riparian soil complex. The cumulative effect of all the impacts in the watershed could continue to impact soils but may be reduced with the restoration of a natural

floodplain in this location.

No Action Alternative – Under the No Action alternative, no concrete diversion structure removal would occur on Tabeguache Creek. No impacts to soils would result.

Finding on the Public Land Health Standard for upland soils: During 2003 a Land Health Assessment (LHA) was conducted near the structure site. Soil health was assessed using the following indicators: evidence of excessive rills and pedestals, active gullies, appropriate groundcover and plant canopy cover (including BSC), adequate plant litter accumulation, minimal litter movement, appropriate soil organic material, and plant species diversity and presence of vigorous, desirable plants. Much of the soils near the structure were rated as meeting the soil standard but with problems, meaning at least two of the above soil surface indicators were not adequate for the site. The specific rating for the benches near the structure indicated high levels of bare soil and invasive species were present. More detailed information can be found in the Mesa Creek Land Health Assessment 2004. Little surface disturbance would occur from this project. Standard 1 would continue to be identified as met until further assessed.

VEGETATION (includes a finding on Standard 3)

Affected Environment: The main vegetation community within the project area is riparian in nature, and is discussed in more detail in the Wetlands and Riparian section. Adjacent uplands consist primarily of Utah juniper (*Juniperus osteosperma*) with a variety of native grasses and forbs forming a sparse understory. Upland vegetation is generally in good condition in the project area.

Environmental Consequences:

Proposed Action – The proposed action will have negligible impacts on upland vegetation since highway and county road rights of way through the uplands will be used to access the site.

Cumulative Impacts –The proposed action will not add to the current level of disturbance occurring to upland vegetation in the region.

No Action Alternative – Under the No Action alternative, no concrete diversion structure removal would occur on Tabeguache Creek. No impacts to upland vegetation would result.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic; Wildlife, Terrestrial; and Invasive, Non-native Species): Uplands in the project area are currently rated as meeting Standard 3. The proposed action is not expected to change the current land health rating.

INVASIVE, NON-NATIVE SPECIES (includes a finding on Standard 3)

Affected Environment: There are very few invasive species and/or noxious weeds within the project area. See the Riparian section and Aquatic Wildlife section for a description of vegetation and fish on site.

Environmental Consequences:

Proposed Action – The proposed action would result in very limited ground disturbance. There could be a limited opportunity for upland weed expansion in disturbed sites. However, given the conditions in the area there is limited potential for increase in weedy species. The proposed action calls for a pre and post structure removal weed inventory. Weed treatments would be implemented as needed in the event any new infestations were identified.

To limit the potential introduction or spread of aquatic nuisance species or invasive weed species, the proposed action requires that all equipment to be used during the project arrive clean and free of mud, dirt, oil, debris, and weed seeds.

It is possible that removal of the concrete diversion structure intended to increase access to preferred habitat for native fishes could also allow access for select nonnative fishes found in the San Miguel River. Given the limited abundance of nonnative fish in the San Miguel River the likelihood of invasion is limited.

Cumulative Impacts – This action, including above design features, combined with reasonably foreseeable future actions should not contribute to invasive species increases within the surrounding area, including both aquatic and herbaceous/woody species.

No Action Alternative – Under the No Action alternative, no concrete diversion structure removal would occur on Tabeguache Creek. No impacts with regard to spread or invasion of invasive, non-native species would result.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic; Wildlife, Terrestrial; and Vegetation): Uplands in the project area are currently rated as meeting Standard 3. The proposed action is not expected to change the current land health rating.

THREATENED, ENDANGERED, AND SENSITIVE SPECIES (includes a finding on Standard 4)

Affected Environment:

The Uncompahgre Field Office utilizes the U.S. Fish and Wildlife Service *Information, Planning, and Conservation System* (IPaC) to generate the most current species list to analyze the effects of a proposed action on threatened, endangered and candidate species and designated critical habitat for these species (USFWS 2013). In accordance with *BLM Manual 6840*, the goal of management is to prevent a trend toward federal listing or loss of viability for sensitive species.

A report of potentially occurring federally listed species within the UFO was completed and provides assessments for their occurrence within the project area (BLM 2013). A summary is in the project record. No threatened, endangered, or federally protected species or habitats occur in the proposed action area.

A report of species of special management concern that are known or have potential to occur within the UFO along with occurrence assessments for the area (BLM 2013) was completed. A summary is located in the project record. Several sensitive species are known or have the potential to occur in the project area. Only those species where the project is within the known range of the species and with potential habitat or known occurrences are discussed below.

BLM Sensitive Species:

Aquatic Species

Tabeguache Creek in the area of the project contains bluehead sucker, flannelmouth sucker, and roundtail chub. All three of these fish are BLM sensitive species. Use of Tabeguache Creek by these fish is limited to primarily below the concrete diversion structure and peaks in the spring during high flows when adult fish move out of the San Miguel River and into the creek to spawn. A small number of bluehead suckers have been collected above the diversion structure which suggests that either a small resident population exists or an occasional fish can move above the structure under favorable flows.

BLM Sensitive Birds (Bald Eagle, Brewer's sparrow)

The project area is identified as bald eagle winter concentration areas. There are a few large diameter cottonwood galleries scattered along Tabeguache Creek down to the confluence with the San Miguel River and up and down the river from the confluence that could serve as roosting areas. No nesting has been detected by Bald eagles within the proposed project area. The project area may be utilized by migrating Brewer's sparrow.

BLM Sensitive Bats (big free-tailed bat, spotted bat, Townsend's big-eared bat, fringed myotis)

All of the sensitive bat species that may occur in the project area are cliff/cave roosting species. They may have roosting habitat in adjacent cliffs, but would use the river corridor for foraging and as a travel corridor to other habitats.

BLM Sensitive Amphibians

Northern leopard frog

Amphibians (including substantial leopard frog populations), reptiles, invertebrates, and other species may depend on aquatic habitats of the San Miguel River for "welfare factors" (i.e., life stages, cover, food, water, etc.). The range of the northern leopard frog extends from southern Canada and northern United States south to Maryland, West Virginia, Kentucky, northern Illinois, extreme northwestern Missouri, Nebraska, New Mexico, Arizona, and eastern California. They occur throughout Colorado, excluding most of the southeastern and east-central portions of the state. Elevation range extends from below 3,500 feet in northeastern Colorado to above 11,000 feet in southern Colorado.

Typical habitats include wet meadows and the banks and shallows of marshes, ponds, glacial

kettle ponds, beaver ponds, lakes, reservoirs, streams, and irrigation ditches. Little information is available on northern leopard frog food habits in Colorado, but invertebrates undoubtedly dominate the diet of adults.

Canyon treefrog

The range of the canyon treefrog extends from southern Utah and southern Colorado south through Arizona, New Mexico, and western Texas to central Mexico. It occurs in western Colorado along the southern edge of the Colorado River valley, east to Grand Junction, and along the Dolores River and its tributaries from near the Utah border south into San Miguel County, mainly at elevations of about 4,500–6,300 feet (1,370–1,920 m). The canyon treefrog occurs along intermittent streams in deep, rocky canyons. Known foods include beetles, ants, caterpillars, caddis flies, centipedes, spiders, and worms.

The project area is within the range of the canyon treefrog and Tabeguache Creek contains wetland/riparian habitat that may be suitable for this species. Site specific surveys did not reveal presence of this species.

Environmental Consequences:

Proposed Action –

Aquatic Species

Given the time of year the project is proposed to occur (fall or winter), there is limited potential for impacts to the three sensitive fish species. Adult fish would have moved back to the San Miguel River upon receding spring flows. It is possible that young bluehead sucker, flannelmouth sucker, and roundtail chub could reside in select pools located below the structure. Very few pools reside immediately below the structure but it's possible that resident fish could be impacted by the presence of heavy equipment in the stream during structure removal. Fish located in the larger pool located immediately above the structure could be washed downstream upon structure removal. These fish would likely redistribute to and find refuge in the next available pool downstream. Impacts would be short-term and site specific (2-3 days) until such time as the structure is removed and recontouring is complete. In the long-term, these fish would benefit as access to several miles of preferred spawning and nursery habitats would be created. The project could improve recruitment and eventually population numbers for these fish.

Fish sampling prior to structure removal would help to reduce potential impacts as collected fish could be moved out of the project influence zone prior to initiation.

BLM Sensitive Birds

The proposed action is expected to occur in the fall or winter and be completed in a period of approximately three days. Therefore no impacts to wintering bald eagles are anticipated from the proposed action if conducted during the fall. Winter activity could impact wintering Bald Eagles; however, design features have been incorporated into the proposed action to minimize impacts to eagles. The proposed action may disrupt migrating Brewer's sparrow attempting to pass through the project area. These individuals would be expected to disperse

up stream or down into the San Miguel riparian areas while project activities are ongoing.

BLM Sensitive Bats

Habitat for these species relative to dam removal is limited to nighttime foraging activities. Impacts to sensitive bat species are not anticipated or are expected to be undetectable from implementing the proposed action.

BLM Sensitive Amphibians

Crews working to remove the dam may initially disrupt foraging behaviors for Northern leopard frogs or canyon tree frogs, however, both species are expected to quickly disperse when threats are perceived and once out of range of threats (human presence) will quickly resume normal behaviors. While these impacts may occur they are not expected to result in mortalities or disruption of major life process that could result in population declines. Some individuals living in pools and riparian vegetation at or near the dam may be displaced following removal of the structure. These individuals would likely redistribute to and find refuge in the next available pools or habitats downstream. All impacts would be very site specific and short-term (2-3 days). In the long-term, these amphibians may benefit as more natural riparian habitat is expected to develop. The project could improve recruitment and eventually population numbers for these species.

Cumulative Impacts – The proposed action is not expected to noticeably contribute impacts, cumulatively, to terrestrial sensitive species associated with the Tabeguache creek system. The project is expected to incrementally improve habitat function and condition for BLM sensitive fish as additional suitable habitat is expected to become available for improved reproduction and young development which is expected to contribute to increased population numbers and stability in the San Miguel river system.

No Action Alternative –

Aquatic Species

Under the No Action alternative, concrete diversion structure removal would not occur on Tabeguache Creek. Bluehead sucker, flannelmouth sucker, and roundtail chub would not be provided access to several miles of preferred spawning and nursery habitat. Increased miles of occupied habitat and increased potential for increased population densities would not result. Several miles of preferred habitat would remain largely inaccessible to these fish in Tabeguache Creek.

All other BLM Sensitive Species

There would be no impacts to sensitive species or aquatic species from the proposed action.

Finding on the Public Land Health Standard for Threatened & Endangered species:

The majority of the riparian zone in the project area meets Standard 3&4 for aquatic and sensitive species. The small area and low intensity of vegetation disturbance are not anticipated to have any impact on this rating.

MIGRATORY BIRDS

Affected Environment:

Plant communities within the analysis area provide habitats for a variety of migratory bird species. The U.S. Fish and Wildlife Service list of Birds of Conservation Concern was used to complete this analysis (USFWS 2008). A summary located in the project record identifies the species from this list which are known or have potential to occur in the UFO and which are protected under the Migratory Bird Treaty Act (MBTA), and assesses their potential for occurring in the project area (BLM 2013).

Environmental Consequences:

Proposed Action – The proposed action would result in limited ground disturbance. There would be noise associated with the use of heavy equipment at the project site. All work would be completed within a 2-3 day period and would occur in the fall or winter well outside of the nesting season for identified migratory bird species of interest. No nesting habitat is anticipated to be removed from or near the site. The only potential impacts would be limited displacement of birds from near the project site due to heavy equipment and noise associated with structure removal. No population level effects would result.

Cumulative Impacts – The proposed action is not expected to contribute measurable cumulative impacts to migratory bird species that occur or nest within proximity of the proposed action.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur on Tabeguache Creek. No impacts would result to migratory birds or their habitats.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment: The proposed action area provides habitat for a variety of terrestrial wildlife including small mammals, carnivores, reptiles, birds, and big game. Example species include cottontail rabbit, coyote, bobcat, mountain lion, mule deer, elk, and various songbirds. Terrestrial species of concern are addressed in the Threatened, Endangered, and Sensitive Species section. Colorado Parks & Wildlife has identified the following mule deer and elk habitat types in the area: severe winter range, and winter range.

Environmental Consequences:

Proposed Action – The proposed action would have limited impacts on terrestrial wildlife. Very limited ground disturbance would occur. Heavy equipment use for up to 3 days could displace wildlife away from the project area due to noise and human presence. No changes in terrestrial habitat quality or quantity would result from the proposed action. The project is planned to occur in fall or possibly winter. Fall project implementation would be well outside of the important wintering months for big game species and would have no impact on

wintering animals. Winter implementation depending on time in the winter and/or intensity of the winter could have highly variable impacts to herds or individuals. Should winter conditions be mild then it is unlikely that big game would be affected by the activity as those affected animals could easily with little caloric demand disperse to other portions of their winter range. Should winter conditions be above average or exceptional then impacts to herds that have high site fidelity for the lower Tabeguache Creek drainage would have difficulty dispersing to less than optimal severe winter range. The short duration of the proposed work (2-3 days) is unlikely to result in long term (more than 7 days) displacement of big game to suboptimal winter ranges; thus impacts such as poor body condition or starvation induced mortality are unlikely to result from implementing the proposed action. Design features have been incorporated to the proposed action to minimize potential winter implementation impacts to big game.

Cumulative Impacts – The proposed action is not expected to contribute measurable cumulative impacts to terrestrial wildlife species that occur or nest within proximity of the proposed action.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur on Tabeguache Creek. No impacts to terrestrial wildlife would result.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation; Invasive, Non-native Species; and Wildlife, Aquatic): Uplands in the project area, including plants and animals, are currently rated as meeting Standard 3. The proposed action is not expected to change the current land health rating.

WILDLIFE, AQUATIC (includes a finding on Standard 3)

Affected Environment: In addition to bluehead sucker, flannelmouth sucker, and roundtail chub addressed in the Threatened, Endangered, and Sensitive Species section, Tabeguache Creek in the vicinity of the project contains native speckled dace. Non-native fish found in low numbers include green sunfish, black bullhead catfish, sand shiners, red shiners, channel catfish, and smallmouth bass. These fish have been found in small numbers below the diversion structure during fall sampling under low flow conditions in the isolated pools. Approximately 8 miles upstream habitat becomes conducive to salmonids and rainbow trout are found in low densities increasing in abundance as you move upstream into more favorable habitats. The stream also contains aquatic invertebrates including mayflies, stoneflies, and caddisflies. In addition, there is suitable habitat for select amphibian species including Woodhouse's toad.

Environmental Consequences:

Proposed Action –

Fish

Speckled dace are common in the project area and they are tolerant to increased sediment and

turbidity. Impacts could include habitat avoidance in the project area. Limited water would be present at the time of removal and fish would likely be concentrated in limited pool habitats. Impacts would be site specific and short term (2-3 days).

Nonnative fishes could be impacted by small increases in sediment and turbidity but these impacts would be short-term and site specific. The majority of these nonnative fishes are considered nuisance species and are not desired in the lower San Miguel River.

Aquatic invertebrates

Aquatic invertebrates could be impacted at the project site as substrates directly near the diversion structure would be excavated to remove the concrete structure. This could result in direct loss of some bugs and small increases in sediment in substrates containing bugs. Impacts would be site specific and short duration as aquatic insects would quickly recolonize impacted substrates from nearby habitats.

Amphibians

Amphibians present in the project area could be impacted by heavy equipment use resulting in displacement and short-term habitat avoidance during work. Tadpoles, if present, would be less mobile and could be impacted similar to fish. Impacts would be site specific and short term (2-3 days).

Cumulative Impacts – The project is expected to incrementally improve habitat function and condition for fish and amphibians as additional suitable habitat is expected to become available for improved reproduction and young development which is expected to contribute to increased population numbers and stability in the San Miguel river system.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur on Tabeguache Creek. No impacts to aquatic species or their habitats would result.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation; Wildlife, Terrestrial; and Invasive, Non-native Species): The majority of the riparian zone in the project area meets Standard 3&4 for aquatic and sensitive species. The small area and low intensity of vegetation disturbance are not anticipated to have any impact on this rating.

WETLANDS & RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: The proposed action would occur directly within Tabeguache Creek and its riparian area, which contains healthy riparian communities. Vegetation along the stream bank consists primarily of common reedgrass (*Phragmites australis*) and sandbar willow (*Salix exigua*). Upstream and downstream of the site are areas of narrowleaf cottonwood (*Populus angustifolia*), New Mexico privet (*Foresteria neomexicana*), and skunkbush sumac (*Rhus trilobata*). Basin big sagebrush (*Artemisia tridentata tridentata*), skunkbush, privet, narrowleaf cottonwood, rabbitbrush (*Ericamera nauseosus*) and Gambel's oak (*Quercus gambellii*) occur on

the upper riparian terrace along the access route, along with a diverse and productive understory of native grasses. The overall condition of the stream and riparian vegetation is generally good.

Environmental Consequences:

Proposed Action – Some short term damage to riparian vegetation is likely to occur through moving heavy equipment up to the dam and out into the stream channel. The existing corridor to the site where equipment would be walked in appears to have been unused for several years. Abundant native upper terrace riparian vegetation has reestablished in this corridor. It is likely that small amounts (less than 0.10 acres) of this vegetation would be cut and/or crushed by equipment during entry and exit to the project site. In addition, the dismantling of the dam will result in some riparian vegetation at the edges of the dam being broken or crushed as well. Damage to riparian vegetation will be minimized through using the existing corridor up to the dam site, and stationing equipment in the stream channel instead of the banks. Small areas of excess soil disturbance and compaction will be ripped and reseeded using seed collected from native species on the site. The riparian species in this community tend to regrow quickly and also sprout from roots, reducing the duration of impacts to less than 2 years.

The proposed action would likely result in the scour of deposited fine sediments above the structure. Some of this deposition is now armored by the riparian species noted above. Post removal, it is likely that the first significant flow event could remove up to 0.10 acres of riparian vegetation as the stream scours fine sediment depositional areas and obtains a new equilibrium. Depending on the density and root mass of riparian vegetation, it is possible that limited loss would occur. However, given the resilience of these riparian species, reestablishment and regrowth along newly exposed or eroded banks should not take more than 2 years before impacts are no longer evident. Over the long term the riparian area and associated stream channel are expected to slightly benefit as they regain a more natural hydrology and configuration.

Cumulative Impacts – For the first two years following implementation, the proposed action will add a small amount of riparian degradation to that which is already occurring in the larger region. Current impacts to public land riparian areas include livestock grazing, water depletion, flow regulations from upstream dams, roads and other types of rights of way and development in the riparian area, weed spread, and recreational impacts. Drought, wildfires, wildlife use and flooding are natural disturbance which are also occurring in this environment. The small impact from the proposed action is negligible compared to the level and scope of the other impacts. After two years, the riparian damage is expected to have disappeared, and there will be no addition to the cumulative impacts at that time.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur on Tabeguache Creek. No impacts to wetlands and riparian zones would result. The riparian area and stream channel would not experience benefits of a more natural hydrology and configuration.

Finding on the Public Land Health Standard for riparian systems: The project area currently meets Standard 2. The proposed action is not expected to change this rating.

FLOODPLAINS

Affected Environment: Tabeguache Creek terminates approximately 0.5 miles downstream of the structure at the San Miguel River. Near the structure, Tabeguache Creek carved a canyon into the soft sandstone rock to a depth of 75-100 feet. The stream is confined within the canyon walls and has an active floodplain that floods during seasonal monsoon events.

The structure is located in a stream reach that has a slope of 1.7%. Streams with slopes in this range are typically meandering with high sinuosity. This segment is no exception. Closer investigation using surveying equipment onsite found a slope of 1.8% in a segment extending 200' upstream and 75' downstream of the structure.

Environmental Consequences/Mitigation:

Proposed Action – Spring runoff and monsoonal events in the first two years would reconfigure the existing sediments built up behind the structure. The estimated volume of sediment behind the dam covers an area of 0.03 acre to a depth of approximately 2-3 feet. Historic aerial photos show a deep pool with some evidence of sediment present. Some scour, erosion, and flushing of the existing sediment would be transported downstream once the structure is removed.

Overall channel slope will prevent excessive erosion and scour. The pool riffle sequence along a larger 1.5 mile segment of Tabeguache Creek above the confluence would likely remain similar to its current condition. The existing structure site was likely chosen because it was the largest pool in the area. The site would remain a pool, but the overall size may decrease once the structure is no longer impounding water.

Cumulative Impacts – This project, when combined with the past, present and reasonably foreseeable actions, could cause short term impacts to the floodplain but improve the natural floodplain and sediment deposition within several years. Other activities impacting floodplains on BLM and Forest Service lands in the watershed include extensive historical uranium mining, mill operations and a superfund disposal facility, grazing, rights of ways, recreation and travel infrastructure. The impacts from other actions in the watershed could be reduced with the restoration of a more natural floodplain. The cumulative effect of all the impacts in the watershed could continue to impact floodplains but could be reduced with the removal of this structure.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur. No impacts to floodplains would result.

WATER -- SURFACE (includes a finding on Standard 5)

Affected Environment: The project would occur directly in Tabeguache Creek. Tabeguache Creek is a perennial stream that drains 151 square miles and is tributary to the San Miguel River. Elevation ranges between 5,000 and 10,000 feet with a mean elevation estimated to be at 7540 ft and 52% of the basin is above 7500 ft. The mean precipitation is 22 inches for the basin and the peak flow for a 100-year event is estimated at 4230 cfs (USGS, StreamStats).

Standards and Classifications

The Clean Water Act of 1972 gives the Environmental Protection Agency (EPA), the authority to set effluent limits on discharges of pollutants into waters of the United States and regulate water quality standards for surface waters. The Clean Water Act also gives the EPA the ability to authorize state governments to administer the program while retaining oversight.

The State of Colorado passed the Colorado Water Quality Control Act, revised in 2002, granting authority to the Colorado Water Quality Control Commission to classify and assign numeric standards to state waters. State waters are classified according to present beneficial uses, or beneficial uses that may be reasonably expected in the future. Beneficial use classifications include aquatic life, recreation, agriculture, and water supplies for various purposes. Numeric standards are assigned in order to define allowable concentrations of various parameters under the following categories: physical and biological, inorganic and metals. Water quality classifications and numeric standards for surface and downstream receiving waters in the planning area are contained in the Commission's 5 CCR 1002-31, Regulation No. 35, Classifications and Numeric Standards for Gunnison and Lower Dolores River Basins (Colorado Water Quality Control Commission 2012).

It is BLM policy that agency projects should meet or exceed water quality standards established by the State of Colorado for all water bodies located on or influenced by BLM-administered lands.

The Water Quality Classifications below lists the water quality classifications for the surface waters influenced by the mine area:

^{4th} Level Watershed	Stream Segment	Stream Classification ¹⁻⁵
14030003 San Miguel River	Tabeguache Creek from its source to the confluence with San Miguel River.	Aq Life Cold 1 Recreation E Water Supply Agriculture

- 1- Waters are designated either warm or cold based on water temperature regime. Class 1 waters are capable of sustaining a wide variety of cold or warm water biota, while class 2 waters are not.
- 2- Recreation Class E - Existing Primary Contact Use. These surface waters are used for primary contact recreation or have been used for such activities since November 28, 1975.
- 3- Recreation Class P - Potential Primary Contact Use. These surface waters have the potential to be used for primary contact recreation.

- 4-Recreation Class N - Not Primary Contact Use
- 5- Waters that are suitable for irrigating crops usually grown in Colorado.
- 6- Waters that are suitable or intended to become suitable for potable water supplies.

In addition to the state's water quality classifications and numeric standards, all surface waters of the State are subject to the Basic Standards (Colorado Department of Public Health and Environment, Water Quality Control Commission, Regulation NO. 31), which in part reads: state surface waters shall be free from substances attributable to human-caused point or nonpoint source discharge in amounts, concentrations or combinations that:

1. Can settle to form bottom deposits detrimental to the beneficial uses. Depositions are stream bottom buildup of materials which include but are not limited to anaerobic sludges, mine slurry or tailings, silt, or mud; or
2. form floating debris, scum, or other surface materials sufficient to harm existing beneficial uses; or
3. produce color, odor, or other conditions in such a degree as to create a nuisance or harm existing beneficial uses or impart any undesirable taste to significant edible aquatic species or to the water; or
4. are harmful to the beneficial uses or toxic to humans, animals, plants, or aquatic life; or
5. produce a predominance of undesirable aquatic life; or
6. cause a film on the surface or produce a deposit on shorelines.

Water quality Data

Water quality samples and macro invertebrate sampling conducted in 2003 associated with the Mesa Creek Land Health Assessment indicate acceptable levels of the measured constituents.

Water Rights

The ownership of the structure is presently unknown. The State of Colorado tabulation of water rights lists the "Uravan Pipeline" in approximately the same location as the structure. The Uravan Pipeline water right was decreed in Civil Action 4641 in Montrose County District Court to provide municipal water supply to the town of Uravan. However, the decree for this water right is only for 0.11 cfs and it references a headgate. This description doesn't appear to equate to a large diversion dam. There are no other decreed water rights in the immediate vicinity. The Uravan Pipeline water right was listed on the 2011 Gunnison Basin Abandonment List. No statements of opposition were filed on this water right and it remains on the list for abandonment until the Judge signs a ruling for this case.

Environmental Consequences:

Proposed Action – Removal of the structure would require in-channel work with heavy equipment. The stream bed would be altered from rubber tire impacts and/or tracks and scraping with a bucket as the structure is dislodged. This activity would cause short duration flushes of sediment and fine material.

Once the structure is removed, additional sediment would likely be flushed from above the existing structure where sediment has settled over time. This sediment would be mobilized during spring runoff and monsoonal storm events. Tabeguache creek is not currently impaired by sediment yet it carries heavy loads of sediment during storm events, as does the

San Miguel River just downstream. The volume of sediment accumulated behind the structure is estimated to be 145 cubic yards or 40 tons.

Using the Forest Service WEPP interface for predicting erosion from forest and rangeland, an unnamed tributary upstream of the structure with an area of 640 acres has the potential to deliver 10 tons of sediment during a typical 10 year precipitation event. This is ¼ of the sediment stored behind the dam from just one small tributary. The 10 year storm event over the entire 96,000 acres in Tabeguache Creek delivers a much larger volume of sediment during a storm event. And since not all of the sediment would likely be mobilized at once, the sediment behind the structure would contribute less than 3% of the sediment mobilized during a typical 10 year storm event on Tabeguache Creek.

Initial communication with the Corps of Engineers indicated a Nationwide Permit 27 for aquatic habitat restoration, establishment, and enhancement activities will be needed. Once this EA is completed a pre-construction notification package would be submitted to the Corps of Engineers for review.

Cumulative Impacts – This project, when combined with the past, present and reasonably foreseeable actions, could cause short term impacts to surface water quality. Other activities impacting water quality on BLM and Forest Service lands in the watershed include: extensive historical uranium mining, mill operations and a superfund disposal facility, grazing, rights of ways, recreation and travel infrastructure. The impacts from other actions in the watershed could be reduced with the restoration of this site. The cumulative effect of all the impacts in the watershed could continue to impact surface water quality but could be reduced with the removal of this structure.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur on Tabeguache Creek. No impacts to surface water quality would result.

Finding on the Public Land Health Standard for water quality: A complete Land Health Assessment was conducted in 2003 in the Mesa Creek area. Tabeguache Creek was assessed for Land Health Standard 5. It was found to be “meeting” Standard 5. Soil surface indicators are used as surrogates to determine the potential ratings for water bodies. Surrogate indicators include the amount of bare soil surface, live plant basal coverage, and the amount of plant litter on the soil surface. None of the streams in the assessment were found to be “not meeting.” However, the upper basin was found to be “meeting with problems,” and the problems indicated were excessive bare ground. This project would not likely alter these Land Health Standard findings. Standard 5 would continue to be identified as met until further assessed.

WASTES, HAZARDOUS OR SOLID

Affected Environment: Hazardous and solid wastes are not a part of the natural environment. The project site is a stream channel comprised of water, substrate, and riparian vegetation.

Environmental Consequences:

Proposed Action – Hazardous and solid wastes are unlikely to be introduced to the environment as a result of the implementation of the proposed action. The project would involve the use of a track hoe excavator to remove the concrete diversion structure. This heavy equipment would have lubricant oils and diesel fuel associated with its use. The excavator would be walked into the site and would work for an estimated one day removing concrete.

To minimize the chance for chemical spills or leaks, fuel and lubricants will be secured in upland habitats away from the creek in a spill containment site. All fueling activities will take place in uplands away from water. Given the design features in the Proposed Action, harmful environmental impacts would be negated.

Cumulative Impacts – Cumulative impacts are not expected. In the event of a fuel spill, this action would contribute a negligible amount of hazardous waste into the environment, particularly in light of the other sources of hazardous materials in this former uranium mining area.

No Action Alternative – Under the No Action alternative, removal of the concrete diversion structure would not occur on Tabeguache Creek. No impacts regarding wastes, hazardous or solid would result.

REALTY AUTHORIZATIONS

Affected Environment:

Within the project area, authorized rights-of-way include powerlines, a telephone line and the access road which is Montrose County Road, U19. There is no BLM right-of-way authorization on record for the diversion structure. At the time of finalization of this document, the owner of the structure has not been identified. Attempts to contact potential owners via phone calls, written mail, public scoping and comment periods were made.

Environmental Consequences:

Proposed Action – Since the public road will temporarily be closed for a brief period of time, while unloading and reloading the track hoe excavator, BLM will work with the Montrose County Road and Bridge Superintendent to determine what actions or potential County Permits BLM will be required to obtain. Removal of the diversion structure would have no impact on the telephone or power lines.

Cumulative Impacts – None

No Action Alternative – Under the No Action alternative, no impacts regarding realty authorizations would result.

CUMULATIVE IMPACTS SUMMARY

Cumulative impacts for each element or resource are discussed within each of the sections above. Cumulative impacts are the environmental impacts that could result from the implementation of the Proposed Action, when added to the impacts from all other past, present, and reasonably foreseeable activities, regardless of who is conducting such activities. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over a period of time.

Past, Present and Reasonably Foreseeable Actions

Past, present and reasonable foreseeable actions are the same for this project. These influence the San Miguel River system on public, private, and state lands and include livestock grazing, casual recreational use including private party rafting and fishing, wildlife use, fire, vegetation treatments, disturbances associated with infrastructure, rights of ways, altered flows from dams and gas development. Other actions on the inter-mixed private lands include agriculture, residential or commercial development, and gravel mining.

Impacts

The minor impacts to all resources from the proposed action are not expected to be noticeable and may add incrementally positive impacts to some resources such as aquatic species to alleviate some of the cumulative detrimental impacts occurring from other activities.

PERSONS / AGENCIES CONSULTED

Colorado Parks & Wildlife – Eric Gardunio and Dan Kowalski
U. S. Fish & Wildlife Service – Mark Fuller
UMETCO Corporation

INTERDISCIPLINARY REVIEW: The following BLM personnel have contributed to and have reviewed this environmental assessment.

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Tom Fresques	West Slope Fish Biologist	NEPA Lead, Wildlife, Aquatic; Threatened, Endangered, and Sensitive Species - Aquatic
Ken Holsinger	Biologist	TE&S Wildlife Terrestrial, Terrestrial Wildlife, Migratory Birds, Forestry
Jedd Sondergard	Hydrologist	Soils, Floodplains, Surface Water
Amanda Clements	Ecologist	Vegetation, Riparian/Wetlands
Edd Franz	Recreation Planner	Wild and Scenic Rivers, Wilderness
Glade Hadden	Archaeologist	Cultural
Lynae Rogers	Rangeland Management Specialist	Invasive, Non-Native Species

Alan Kraus
Linda Reed

Haz Mat Specialist
Realty Specialist

Wastes, Hazardous or Solid
Realty Authorizations

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