U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

ENVIRONMENTAL ASSESSMENT

NUMBER: DOI-BLM-CO-110-2012-0055-EA

PROJECT NAME: Skull Creek Allotment Stock Tank

LEGAL DESCRIPTION: Township 4 North, Range 101 West, SESE13

APPLICANT: Kim Banning

PURPOSE & NEED FOR THE ACTION: The purpose for the action is to provide adequate water on the Skull Creek grazing allotment to improve grazing distribution. The need for the action is established by the Bureau of Land Management's (BLM's) responsibility under the Federal Lands Policy and Management Act (FLPMA) and the Taylor Grazing Act to respond to permittee's requests for range improvements to enhance grazing management on public lands.

Decision to be Made: The BLM White River Field Office (WRFO) will decide whether to issue a range improvement permit authorizing the placement of a stock tank, and if so, with what terms and conditions.

SCOPING, PUBLIC INVOLVEMENT, AND ISSUES:

Scoping: Scoping was the primary mechanism used by the BLM to initially identify issues. Internal scoping was initiated when the project was presented to the White River Field Office interdisciplinary team on 02/21/2012. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 02/28/2012.

Issues: No issues were identified during public scoping.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction: The Skull Creek allotment (06322) is a 14,288 acre allotment located in the Skull Creek Basin in western Moffat County (see Figure 1). Access to the allotment is off of Colorado State Highway (SH) 40 approximately one mile west of Massadona, Colorado.

The northern and eastern boundary of the allotment runs along the top of the Skull Creek Rim. The western portion of the allotment starts on Lone Mountain and runs south down Miller Creek

and then turns west for a short span before continuing south down Rock Wall Draw. The southern boundary of the allotment is SH 40.

Elevation on the allotment ranges from 5,500-7,200 feet with average precipitation of 8-12 inches annually. Dinosaur National Monument (DNM) Visitor Center, which is approximately 13 miles west of the allotment (Dinosaur, Colorado), is situated at an elevation of 5,935 feet, and has an average annual precipitation of 11.56 inches. Historic records indicate the months that receive the greatest amount of precipitation during the year are April, May, and October.

Currently the only reliable water on the allotment is on the southern half of the allotment on a State Land Board section in the Skull Creek drainage. The only other water present on the allotment is in small stock ponds that only have water in the spring during snow runoff and after heavy rain storms.

Proposed Action: The Proposed Action is for the placement of a 10 foot diameter fiberglass stock tank with a molded in bird ramp on the northeast corner of the allotment. Placement of the tank will require minimal ground leveling using only hand shovels. T-posts will be placed around the stock tank on three sides and then wooden poles will be placed across the top of the tank forming a triangle. This will anchor the tank in place, and prevent livestock from jumping into the tank causing damage. Water will be hauled to the tank using a water truck daily while livestock are in the allotment from October 15th to May 20th. When livestock are not on the allotment, no water will be hauled. Access to the tank will be on Moffat County Road (MC Rd) 95 to an existing two-track used to access private lands. All motorized travel will be on existing roads and two-tracks.

No Action Alternative: Under the No Action Alternative, no stock tank will be placed on BLM land for livestock watering, and no hauling of water would occur on public lands.

ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD: None.

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

Name of Plan: White River Record of Decision and Approved Resource Management Plan (White River ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-23

Decision Language: "With minor exceptions, livestock grazing will be managed as described in the 1981 Rangeland Program Summary (RPS). That document is the Record of Decision for the 1981 White River Grazing Management Final Environmental Impact

Statement (Grazing EIS). These documents along with the RPS updates issued in 1981 and 1984, address five major actions:

1) allocation of forage among predominant grazing animals and other uses;
2) initiation of intensive grazing management;
3) continuation of exiting intensive grazing management practices;
4) minimum period of rest for each allotment; and
5) identification of range improvements to enhance rangeland productivity and management."

Decision Number/Page: 2-25

Decision Language: "Range improvements are necessary to control livestock use and improve rangeland condition. Anticipated improvement needs will include approximately 200 miles of fencing and about 700 water developments, including reservoirs, wells, springs with associated troughs, tanks and pipelines."

AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

Standards for Public Land Health: In January 1997, the Colorado BLM approved the Standards for Public Land Health. These standards cover upland soils, riparian systems, plant and animal communities, special status species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. Because a standard exists for these five categories, a finding must be made for each of them in an environmental analysis (EA). These findings are located in specific elements listed below.

Cumulative Effects Analysis Assumptions: Cumulative effects are defined in the Council on Environmental Quality (CEQ) regulations (40 CFR 1508.7) as "...the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions." Table 1 lists the past, present, and reasonably foreseeable future actions within the area that might be affected by the Proposed Action; for this project the area considered was the Natural Resources Conservation Service (NRCS) 5th Level Watershed. However, the geographic scope used for analysis may vary for each cumulative effects issue and is described in the Affected Environment section for each resource.

Table 1. Past, Present, and Reasonably Foreseeable Actions

Action Description	STATUS		
	Past	**Present**	**Future**
Livestock Grazing	X	X	X
Wild Horse Gathers	No	No	No
Recreation	X	X	X
Invasive Weed Inventory and Treatments	X	X	X
Range Improvement Projects : Water Developments Fences & Cattleguards	X	X	X
Wildfire and Emergency	X	X	X

Action Description	STATUS		
	Past	Present	Future
Stabilization and Rehabilitation			
Oil and Gas Development: Well Pads Access Roads Pipelines Gas Plants Facilities			X
Power Lines	X	X	X
Vegetation Treatments	X	X	X

Affected Resources:

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

Table 2. Resources and Determination of Need for Further Analysis

Determination[1]	Resource	Rationale for Determination
Physical Resources		
NP	Air Quality	The Proposed Action of installing a stock tank would have no effects on air quality.
NP	Geology and Minerals	The Proposed Action of installing a stock tank would have no effects on the geologic or mineral resources.
NI	Soil Resources*	Disturbance at the site of the tank from cattle use and the placement of the tank will occur, but would no impacts to soil productivity in other areas is anticipated.
NI	Surface and Ground Water Quality*	With the proper placement of the tank and maintenance, no impacts to surface or groundwater quality is expected.
Biological Resources		
NP	Wetlands and Riparian Zones*	There are no riparian zones located in the vicinity of the Proposed Action.
PI	Vegetation*	See analysis below.
PI	Invasive, Non-native Species	See analysis below.
NP	Special Status Animal Species*	There are no animal species listed or proposed under the Endangered Species Act that are known to inhabit or derive important use from the project area. See discussion on Brewer's sparrow in the Migratory Bird section.
NP	Special Status Plant Species*	The Proposed Action would have no conceivable influence on special status species or associated habitats.

Determination[1]	Resource	Rationale for Determination
PI	Migratory Birds	See discussion below.
NP	Aquatic Wildlife*	There are no aquatic habitats capable of supporting higher order aquatic species within several miles of the project location. The Proposed Action would have no conceivable influence on aquatic wildlife or associated habitats.
PI	Terrestrial Wildlife*	See discussion below.
NP	Wild Horses	There are no Herd Management Areas (HMAs) or Herd Areas (Has) in the vicinity of the Proposed Action.
Heritage Resources and the Human Environment		
NP	Cultural Resources	The proposed project area was inventoried in a 7.75-acre Class III cultural resource inventory (Loomis 2011). No historic properties are located within the project area. See Analysis below for mitigation measures related to the discovery of cultural resources.
NP	Paleontological Resources	The project area is mapped as Weber Sandstone (Tweto 1979) potential Fossil Yield Classification 3 and is not known to produce fossils (c f. Armstrong and Wolny 1989).
NP	Native American Religious Concerns	No Native American religious concerns are known in the area, and the Ute Tribe of the Uintah and Ouray Reservation has expressed the desire to not be consulted with on small range projects such as this.
NI	Visual Resources	The Proposed Action is consistent with VRM Class II standards and is of such a small nature that no impacts to visual resources are expected.
NI	Hazardous or Solid Wastes	The Proposed Action is not anticipated to create any hazardous or solid wastes.
NI	Fire Management	It is not anticipated to have any negative impacts on Fire Management.
NI	Social and Economic Conditions	There would not be any substantial changes to local social or economic conditions.
NP	Environmental Justice	According to recent Census Bureau statistics (2000), there are no minority or low income populations within the WRFO.
Resource Uses		
NP	Forest Management	There are no impacts to woodlands associated with the Proposed Action.
PI	Rangeland Management	See analysis below.
NI	Floodplains, Hydrology, and Water Rights	Water would be hauled to the site which is not located in a floodplain. The source of water would be from existing sources on private lands, therefore no impacts to hydrology or water rights are expected.
NI	Realty Authorizations	There is an authorized right-of-way (COC64005) for the access road from Moffat County Road 95 to private land. The Proposed Action is not anticipated to negatively impact the road right-of-way.
NI	Recreation	The Proposed Action is not anticipated to have any negative impacts on recreation.
NI	Access and Transportation	The Proposed Action is not anticipated to negatively impact access or transportation in the vicinity of the project area.
NP	Prime and Unique Farmlands	There are no Prime and Unique Farmlands within the project area.

Determination[1]	Resource	Rationale for Determination
Special Designations		
NP	Areas of Critical Environmental Concern	There are no ACECs near the Proposed Action.
NI	Wilderness	The Proposed Action is located outside of the Skull Creek Wilderness Study Area(WSA) and is not anticipated to have any negative impacts on management of the WSA nor its suitability for future designation as a Wilderness Area.
NP	Wild and Scenic Rivers	There are no Wild and Scenic Rivers in the WRFO.
NP	Scenic Byways	There are no Scenic Byways within the project area.

[1] NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.
* Public Land Health Standard

VEGETATION

Affected Environment: The Proposed Action is in a Sandy Juniper ecological site. Plants present in the area of the Proposed Action are two-needle juniper, Utah juniper, Indian ricegrass, bluebunch wheatgrass, antelope bitterbrush, big sagebrush, bottlebrush squirreltail, and needle-and-thread. Vegetation around the area of the Proposed Action is currently meeting land health standards for vegetative communities with good plant vigor, diversity, and high reproduction.

Vegetation within areas surrounding Proposed Action does have an increased level of cheatgrass that in some instances has crossed into a state of complete cheatgrass dominance. These areas are currently not meeting land health standards as a result of past heavy livestock use.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Placement of a stock-tank will create an area of heavy livestock congregation that will impact vegetation in an approximately 100 meter radius around the tank. Impacts to vegetation will include trampling and heavy grazing which could result in little or no understory vegetation around the tank. This level of high use does create an opportunity for cheatgrass and other invasive species to establish in the area. The vegetation that is remaining will generally have low plant vigor and limited opportunity for seed head production due to repeated heavy use.

Placement of the stock-tank will relieve grazing pressure on other parts of the allotment where use is currently very high. The only other reliable water on the allotment is to the south along Skull Creek where almost all of the current use on the allotment takes place. Placing water in this stock tank will draw livestock out of the skull creek drainage to the north and create more even use on the allotment benefiting the vegetation along skull creek and on the southern half of the allotment.

Cumulative Effects: Historic grazing practices along with current human development have impacted vegetation within the Skull Creek allotment in the past. There are areas where cheatgrass is the dominate vegetation and these areas are currently not meeting land health

standards. Placement of the stock tank will increase use of vegetation by livestock on the northern portion of the allotment, but will alleviate grazing use on the southern half of the allotment where use is currently very high. Placement of the stock tank will create an area of heavy livestock use, but the overall benefit to the entire allotment outweighs the impacts that will be created from the placement of a stock tank.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: The No Action Alternative will minimize impacts to vegetation around the proposed stock tank location; however use on the southern part of the Skull Creek allotment will continue to be high with no water on the northern portion of the Skull Creek allotment. Impacts on the southern half of Skull Creek will be decreased plant vigor, above ground production, and decreased reproduction from repeated heavy use.

Cumulative Effects: Cumulative effects on the southern portion of the skull creek allotment with the No Action Alternative would be the shift of vegetative communities from diverse healthy plant communities to a state of complete annual plant domination. Invasive annual species provide little forage value to wildlife and livestock, and have limited root structures that often can't adequately stabilize soils.

Use on the northern portion of the skull creek allotment will continue to be minimal and should continue to meet land health standards. However placement of the proposed stock tank will more evenly distribute livestock across the entire allotment benefiting vegetation in the entire area.

Mitigation: None.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: The proposed stock tank placement is in a Sandy Juniper ecological site. There are no known invasive/non-native species known to occur within the immediate vicinity of the Proposed Action; however there are three State of Colorado List B species and three List C species known to occur within the vicinity. Salt cedar (*Tamarix ramosissima*), hoary cress (*Cardaria draba*), bull thistle (*Cirsium vulgare*), and Canada thistle (*Cirsium arvense*), occur in the area around the Skull Creek and Miller Creek drainages. There is also spotted knapweed (*Centaurea maculosa*) that is present in the Wolf Creek drainage approximately 5 miles from the proposed tank placement.

Cheatgrass (*Anasantha tectorum*), halogeton (*Halogeton glomeratus*), and common mullein (*Verbascum thapsus*) are List C species that occur in the area. Cheatgrass is an annual invasive species that can form monocultures on rangelands and drastically reduce rangeland health and production. Cheatgrass is scattered throughout the skull Creek allotment particularly on private lands south and east of the Proposed Action. Halogeton and common mullein is present in very small amounts on the allotment mainly in areas of heavy past livestock use or on raw shale hillsides.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Placement of a stock tank will create a congregation area for livestock that will impact vegetation in approximately a 100 meter radius around the tank (see analysis in the Vegetation Section). Established native vegetation is a critical component for preventing the establishment of invasive/non-native species. Impacts to vegetation around the stock tank will create a potential pathway for the establishment of non-native species around the tank.

Livestock in the area also has the potential to transport weeds onto the site when seeds and propogules get caught in animal fur or in fecal material. Weeds can also be brought on site on vehicles that are hauling water to the tank.

Cumulative Effects: Historic livestock use along with some human development in the area has disturbed vegetation and transported weeds onto the area surrounding the proposed livestock tank. Authorization of the livestock tank does create an opportunity for more weeds to potentially brought on site, or establish in the area. With proper weed management, impacts from noxious weeds are expected to be minimal due to the placement of the stock tank.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: The No Action Alternative will result in no increased impacts to the project area from heavy livestock use. This will minimize impacts to vegetation therefore minimizing the opportunity for weeds to be brought onto and establish in the area.

Cumulative Effects: Invasive and non-native weeds are present in the area from past livestock grazing and some human development in the area. The No Action Alternative will minimize the risk of further weeds establishment in the Skull Creek allotment.

Mitigation:

1. The applicant will be responsible for monitoring and managing weeds that establish in the area as a result of the Proposed Action.

2. If the applicant uses herbicide to manage weeds, a Pesticide Use Proposal (PUP) must be submitted and approved by the White River Field Office before application can occur.

MIGRATORY BIRDS

Affected Environment: The proposed stock tank is located approximately 25 meters off an infrequently used dirt road. The surrounding area is broadly encompassed by open-canopied juniper woodlands interspersed with small, sagebrush parks. The understory contains a strong perennial component (see Vegetation Section), however cheatgrass, an annual invasive is common throughout the allotment. There are several species of migratory birds that fulfill nesting functions in the sagebrush and woodland communities during the migratory bird breeding season (typically mid-May through mid-July), including juniper titmouse and Brewer's sparrow (BLM-sensitive), both considered to be Birds of Conservation Concern (BCC) by the US Fish and Wildlife Service.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: The Proposed Action would result in strong reductions in vegetation in the immediate vicinity (100 meters) of the stock tank with heavier utilization patterns up to 400 meters. Much of the use will occur during the dormant season, but would involve nearly all of the initial growing season. Livestock removal by mid-May would allow for a couple weeks of regrowth opportunity. Most birds would have begun nesting in earnest by this time and strong reductions in cover availability would likely suppress nest densities in an approximate eight acre area (immediately surrounding the stock tank). Reductions in ground cover would have the most noticeable influence on ground or low shrub nesting species including Brewer's sparrow, however these reductions would be fairly localized and would likely impact roughly four nesting pairs. Livestock removal by May 20th would avoid nearly all of the migratory bird nesting season therefore there would be little impact from trampling, etc. Woodland associates would likely not be strongly influenced by grazing activities.

Cumulative Effects: The Proposed Action is not anticipated to contribute substantially to existing or proposed disturbances, nor is expected to have any measureable influence on local migratory bird populations. While strong reductions in vegetation would be expected in the immediate vicinity of the stock tank, improvements in livestock distribution would likely benefit herbaceous understory as a whole throughout the allotment. This alternative would allow for a more even distribution of livestock throughout the northern and southern portions of the allotment. Reductions in grazing pressure in the southern portion of the allotment should allow for improvements in plant vigor and composition, particularly in the mid seral communities. This would likely provide minor benefit to migratory bird species over time in regards to cover and forage availability.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Under this alternative, strong reductions in herbaceous cover and potential shifts in plant communities (from a stronger perennial component to a more annual dominated type) in the immediate vicinity of the stock tank would not occur. The southern portion of the allotment would continue to receive heavy grazing use with limited potential for improvements in herbaceous understory. Nest densities would likely remain suppressed to some degree, particularly in the early seral communities.

Cumulative Effects: Much of the southern portion of the allotment would remain in an early seral or mid seral state without any opportunity for improvement. Although there would be noticeable reductions in vegetation, these would be localized (immediate vicinity of the stock tank). More evenly distributed livestock use patterns should promote improvements in vegetation composition and overall plant vigor across the entire allotment which would benefit ground and low shrub nesting bird species in particular. Due to historical grazing practices, there will still be inclusions of annual dominated communities that will not meet the Land Health Standards and subsequently will not support strong numbers of nesting birds.

Mitigation: None.

TERRESTRIAL WILDLIFE

Affected Environment: The project area is largely encompassed by juniper dominated woodlands interspersed with small, discontinuous sagebrush parks. This area is classified by Colorado Parks and Wildlife as mule deer general winter range. These ranges are typically occupied from October through January or later depending on environmental conditions.

The open-canopied juniper-dominated woodlands surrounding the project area typically do not provide adequate nesting substrate for woodland raptors. There are no cliffs or rock outcrops in the general vicinity that may provide nesting habitat for golden eagle or red-tailed hawks.

Limited information exists on small mammal use and distribution however it is suspected that nongame species using the allotment's habitats are typical and widely distributed in extensive like habitats across the Resource Area and northwest Colorado. There are no narrowly endemic or highly specialized species known to inhabit those lands potentially influenced by this action.

Environmental Consequences of the Proposed Action:

Direct and Indirect Effects: Currently, livestock grazing occurs from October 15 – May 20, encompassing much of the dormant season. Strong reductions in vegetation would be expected within the immediate vicinity (~100 meters) of the stock tank with heavier utilization patterns up to 400 meters. Removal of livestock by May 20th would still allow for 2-3 weeks of consistent growth opportunities. Much of the big game use would be coincident with the grazing period; however placement of the stock tank is not expected to have any measureable influence on big game populations. This additional water source would help redistribute livestock within the allotment, alleviating heavy grazing pressure in the southern portion and providing improvements in vegetative condition throughout the allotment as a whole. Improvements in understory conditions would benefit big game species, but would likely provide the greatest benefit to small mammal and nongame bird species by increasing cover and forage availability.

Cumulative Effects: See discussion in the Migratory Bird Section.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: Concentrated livestock use would continue in the southern portion of the allotment and consequently vegetative conditions would remain static with little chance for improvement. This would likely have no noticeable influence on big game populations however; degraded vegetative conditions would likely continue to suppress nest densities and potentially continue to reduce small mammal abundance and diversity.

Cumulative Effects: See discussion in the Migratory Bird Section.

Mitigation: None.

Finding on the Public Land Health Standard #3 for Plant and Animal Communities:
The project area is generally meeting the Land Health Standards for terrestrial animal communities although inclusions of early seral (annual dominated) communities are prevalent throughout the allotment. Vegetation within the immediate vicinity of the stock tank will almost

certainly experience substantial grazing use resulting in a heavily degraded understory. This would impact an approximate eight acre area (0.06% of allotment). Benefits of the Proposed Action (redistribution of livestock resulting in improvements in vegetation composition and condition throughout the allotment) would offset these minor vegetation alterations.

CULTURAL RESOURCES

Affected Environment: No cultural resources are located within the project area; therefore the Proposed Action will have no effect to historic properties. However, it is possible that cultural resources may be discovered in the future. Therefore, the following mitigation is appropriate.

Mitigation: 1.The permittee is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.

2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

3. Pursuant to 43 CFR 10.4(g), the permittee must notify the AO, by telephone and 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), the permittee must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

RANGELAND MANAGEMENT

Affected Environment: The proposed stock tank is going to be placed on the Skull Creek (06322) grazing allotment. The grazing schedule for this allotment is shown in Table 3.

Table 3. Skull Creek Allotment Grazing Schedule

ALLOTMENT		LIVESTOCK		GRAZING PERIOD				
Number	**Name**	**Number**	**Kind**	**Begin**	**End**	**%PL**	**Type Use**	**AUMs**
06322	Skull Creek	35	Cattle	10/15	2/28	89	Active	140
06322	Skull Creek	36	Cattle	3/1	5/20	89	Active	85

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Placement of the stock tank will provide better dispersal of livestock to the northern portion of the grazing allotment. Currently, water is available only on the southern portion of the allotment in the state land board section in Skull Creek. Water is only available to livestock on the northern portion of the allotment if there is snow on the ground. This has led to heavy use by livestock on the southern areas of the allotment and limited use on the northern half of the allotment.

Placement of the stock tank will create an area of livestock congregation around the stock tank. These areas generally have limited vegetation growth and also provide a pathway for invasive/noxious weed establishment. Creation of this congregation area will out-weigh the impacts on the impacts of not placing a stock tank by alleviating pressure on the lower end of the skull creek drainage and will also improve riparian health along the lower portions of Skull Creek.

Cumulative Effects: The Proposed Action is not anticipated to substantially impact livestock grazing, and should improve rangeland health on the Skull Creek allotment by more evenly distributing livestock use on the allotment. This will improve vegetation and rangeland health on the southern portion of the allotment, and improve rangeland health so vegetative communities can continue to meet land health standards.

Environmental Consequences of the No Action Alternative:

Direct and Indirect Effects: The No Action Alternative will result in continued heavy use by livestock on the southern half of the Skull Creek allotment. This could result in decreased rangeland and riparian health in the future if livestock used continues to be concentrated in these areas.

Cumulative Effects: Continued heavy utilization along the southern portion of the Skull Creek allotment could lead to deteriorated rangeland health and a decline in the ability of the allotment to meet rangeland health standards for vegetation into the future.

Mitigation: None.

REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Loomis, Brian W.

2011 Class III Cultural Resource Inventory For the Skull Creek Water Storage Project in Moffat County, Colorado, MF.LM.NR1225 (BLM # 11-10-16). Manuscript on file at BLM White River Field Office.

Tweto, Ogden
1979 Geologic Map of Colorado. Unites States Geologic Survey, Department of the Interior, Reston, Virginia.

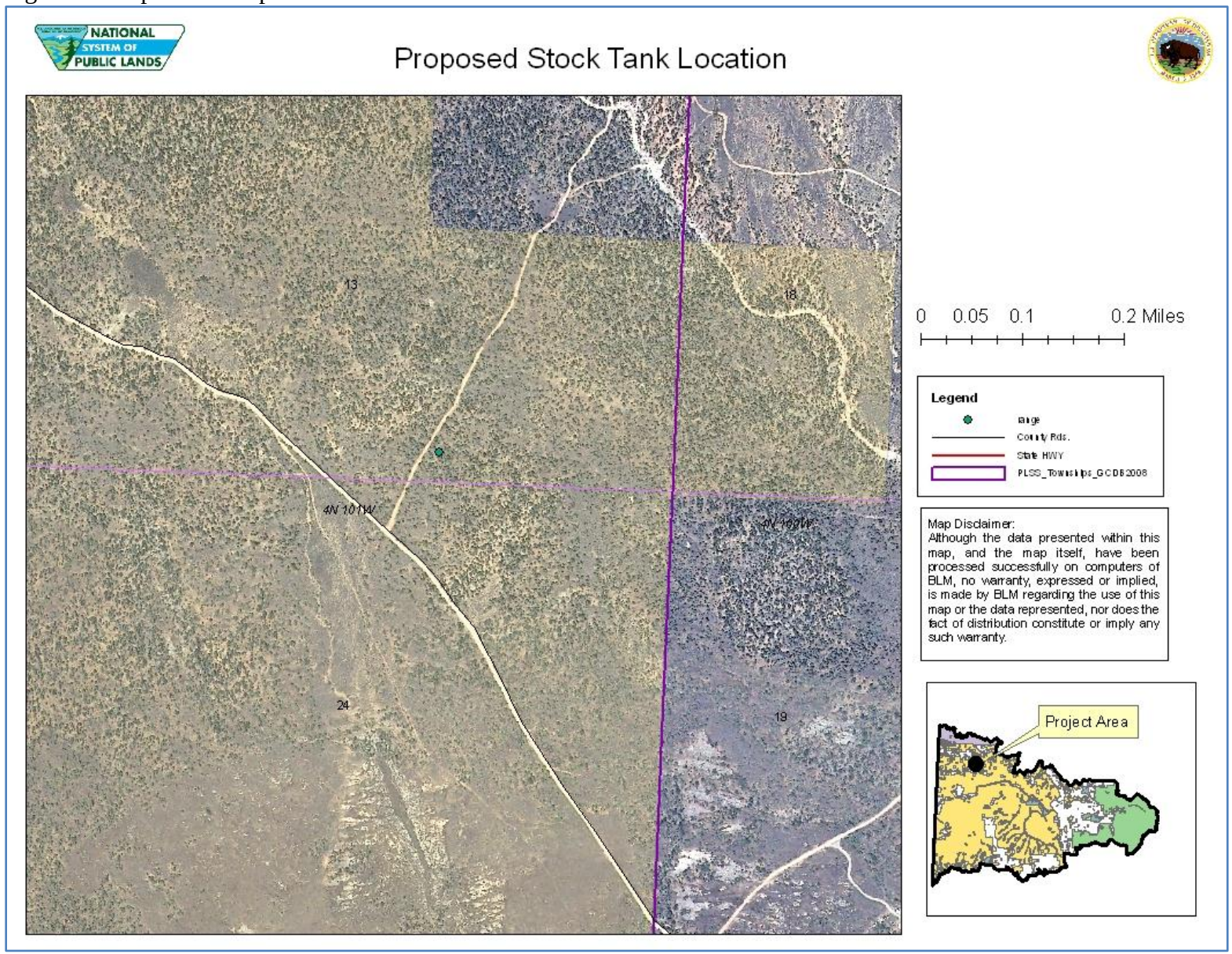
TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED: None.

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Signed
Bob Lange	Hydrologist	Air Quality; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Soils	07/09/2012
Zoe Miller	Ecologist	Areas of Critical Environmental Concern; Special Status Plant Species; Forest Management	2/24/2012
Michael S. Wolfe	Archaeologist	Cultural Resources; Native American Religious Concerns	06/06/2012
Michael Selle	Archaeologist	Paleontological Resources	06/18/2012
Matthew Dupire	Rangeland Management Specialist	Invasive, Non-Native Species; Vegetation; Rangeland Management	08/22/2012
Lisa Belmonte	Wildlife Biologist	Migratory Birds; Special Status Animal Species; Terrestrial and Aquatic Wildlife; Wetlands and Riparian Zones	07/31/2012
Matthew Dupire	Rangeland Management Specialist	Hazardous or Solid Wastes	08/22/2012
Chad Schneckenburger	Outdoor Recreation Planner	Wilderness; Visual Resources; Access and Transportation; Recreation,	07/11/2012
Jim Michels	Fire Management Specialist	Fire Management	07/16/2012
Paul Daggett	Mining Engineer	Geology and Minerals	07/02/2012
Stacey Burke	Realty Specialist	Realty	7/12/2012
Melissa J. Kindall	Range Technician	Wild Horse Management	07/25/2012
Matthew Dupire	Rangeland Management Specialist	Project Lead – Document Preparer	09/11/2012
Heather Sauls	Planning & Environmental Coordinator	NEPA Compliance	03/19/2013

ATTACHMENTS:
Figure 1: Map of the Proposed Stock Tank Location

Figure 1: Map of the Proposed Stock Tank Location



U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

Finding of No Significant Impact (FONSI)

DOI-BLM-CO-110-2012-0055-EA

BACKGROUND

The Proposed Action is for the placement of a 10 foot diameter fiberglass stock tank for livestock watering. Water will be hauled to the tank via a water truck while livestock are in the grazing allotment.

FINDING OF NO SIGNFICANT IMPACT

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

Context

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

Intensity

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

1. Impacts that may be both beneficial and adverse.

Placement of the livestock tank will create an area of localized livestock congregation; however, overall dispersal of livestock on the allotment will be improved alleviating heavy grazing use on the southern half of the Skull Creek grazing allotment.

2. The degree to which the Proposed Action affects public health or safety.

There would be no impact to public health and safety.

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

There are no park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas in the area of Proposed Action. There are also no historic or cultural resources present.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.
There are no highly controversial effects on the quality of the human environment that are likely to occur.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.
No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration. The 1997 White River ROD/RMP discusses the identification and construction of necessary range improvements to improve livestock management.

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

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
There are no NRHP eligible sites that will be affected by the Proposed Action.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973.
Neither the Proposed Action nor impacts associated with it adversely affect an endangered or threatened species or its habitat.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.
Neither the Proposed Action nor impacts associated with it violate any laws or requirements imposed for the protection of the environment.

SIGNATURE OF AUTHORIZED OFFICIAL: Kent E. Walter
Field Manager

DATE SIGNED: 03/25/13

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
White River Field Office
220 E. Market Street
Meeker. Colorado 81641

CO-110 (WRFO)
4120.3-2(a)

Certified Mail No. 7011 2970 0002 012303862
Return Receipt Requested

March 20, 2013

Kim Banning
PO Box 2605
Steamboat Springs, CO 80477

NOTICE OF PROPOSED DECISION

Dear Mr. Banning:

The BLM White River Field Office received your application for the placement of a stock tank on the Skull Creek (06322) allotment for livestock watering. To comply with the National Environmental Policy Act of 1969, as amended, this office conducted an Environmental Assessment (EA) for placement of the stock tank. This review has now been completed in an Environmental Assessment which analyzed potential impacts of placement of the stock tank. The EA resulted in a Finding of No Significant Impact. A copy of EA DOI-BLM-CO-110-2012-0055-EA is on file at the White River Field Office. The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3): White River Record of Decision and Approved Resource Management Plan (ROD/RMP), approved: July 1, 1997, pages 2-10 through 2-14, 2-22 through 2-26.

The EA analyzed two alternatives: The Proposed Action (Alternative A) and the No Action Alternative (Alternative B). The BLM is mandated by regulations to take appropriate action as soon as practicable but not later than the start of the next grazing year upon determining that existing grazing management practices or levels of grazing on public lands are significant factors in failing to achieve the Public Land Health Standards and conform with the Colorado Livestock Grazing Management Guidelines (43 C.F.R. 4180.2(c)).

PROPOSED DECISION

In conformance with 43 CFR 4160.1, my proposed decision is to implement the Proposed Action (Alternative), as mitigated in DOI-BLM-CO-110-2012-0055-EA authorizing the placement of a stock tank for livestock watering on the Skull Creek allotment.

This proposed decision is being issued to you as an affected party under authority of 43 CFR 4160.1, and as qualified applicants under 4120.3-2(a). The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3); White River Record of Decision and Approved Resource Management Plan (ROD/RMP), approved: July 1, 1997, pages 2-10 through 2-14, 2-22 through 2-26.

RIGHT OF PROTEST AND/OR APPEAL

Any applicant, permittee, lessee or other interested publics may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Kent Walter, Field Manager White River Field Office, 220 E. Market Street, Meeker, CO 81641 within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) why the *proposed decision* is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

In accordance with 43 CFR 4160.3 (b) upon a timely filing of a protest, after a review of protests received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal *(in writing)* in accordance with 43 CFR 4.470 and 43 CFR 4160.4. The appeal must be filed within 30 days following receipt of the final decision or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. The person/party must also serve a copy of the appeal on the Office of the Solicitor, Rocky Mountain Region, Denver Field Office, U.S. Department of the Interior, 755 Parfet Street, Room 151, Lakewood, CO 80215.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

(1) The relative harm to the parties if the stay is granted or denied.
(2) The likelihood of the appellant's success on the merits.
(3) The likelihood of immediate and irreparable harm if the stay is not granted, and
(4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and served in accordance with 43 CFR 4.471.

Any person named in the decision who receives a copy of a petition for a stay and/or an appeal, see 43 CFR 4.472(b) for procedures to follow if you wish to respond

If you have any questions, contact either Matt Dupire at 878-3839, or myself at 878-3873.

Sincerely,

Kent T. Walter

Kent Walter
Field Manager