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-N05-2014-0076-EA

CASEFILE/GRAZING PERMIT NUMBER: 0504876

PROJECT NAME: Grazing Permit Change in Class of Livestock for the Little Toms Draw Allotment

LEGAL DESCRIPTION:

Township:	Range:	Section(s)/Lot(s)or Portions of:
2N	98W	1,12
2N	97W	1-18,20-28,34-36
2N	96W	29,30,31,32

APPLICANT: O.S. Wyatt Jr.

PURPOSE & NEED FOR THE ACTION: The purpose of the action is to authorize a change of livestock class from sheep to cattle permitted to graze on BLM administered lands within the Little Toms Draw grazing allotment. The need for the action is established by the BLM's responsibility under the Federal Lands Policy Management Act (FLPMA) and the Taylor Grazing Act, to respond to an applicant's request for a grazing authorization on public lands.

Decision to be Made: The Bureau of Land Management (BLM) will decide whether or not to approve a change in livestock class authorized to graze within the Little Toms Draw grazing allotment, and if so, under what 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 (WRFO) interdisciplinary team on 5/20/2014. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 5/20/2014.

Issues: No issues were identified during public scoping.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction:
The applicant holds two grazing permits within the WRFO, one authorizing sheep use and one which authorizes cattle use. In 2013 the applicant transferred the majority of their grazing preference for the sheep ranching operation to another operator. The applicant retained the grazing preference for the Little Toms Draw grazing allotment and still has a grazing permit which authorizes sheep grazing within that allotment, and has made application to change the class of livestock authorized to graze from sheep to cattle to incorporate this allotment into their cattle ranching operation.

Table 1. Allotment Included in Permit #0504876

Allotment Name	Number	BLM Acres	County Acres	Private Acres	Total Acres
Little Toms Draw	06603	13,225	178	939	14,342

The Little Toms Draw allotment is an in common allotment used by Mike Lopez and Wyatt Ranches (Map1). Currently use by Mr. Lopez occurs in the spring within the Tom Little pasture and is generally well below what is authorized, livestock use primarily occurs on private land at the southeast border of the allotment, the private land is unfenced from public land allowing some livestock to utilize a portion of this pasture (approximately 318 acres). This incidental use by Mr. Lopez is expected to continue as long as access to the private land is retained through leases. If the private land becomes unavailable, the use by Mr. Lopez would follow the grazing schedule as outlined for Wyatt Ranches in the Proposed Action. The authorized use for Mr. Lopez would be 60 cattle from 4/20 to 5/19 in the Tom Little pasture the first two years and in the Wray Gulch pasture the third year of the rotation, as analyzed in DOI-BLM-CO-110-2011-0083-EA.

Proposed Action (Alternative A):

The Proposed Action is a change in the type of livestock authorized to graze within the Little Toms Draw Allotment (06603), from sheep to cattle. The proposed grazing schedule includes a rotation between three pastures to provide complete growing season rest one in three years for each of the pastures. No range improvement projects are necessary to implement the Proposed Action.

Table 2. Proposed Grazing Permit/Lease for the Little Toms Draw Allotment

Allotment		Livestock		Grazing Period		Total AUMs	%PL*	Type Use	BLM AUMs
Number	Name	Number	Kind	Begin	End				
6603	Little Toms Draw	470	Cattle	4/15	5/31	726	92	Active	668
		188	Cattle	10/15	11/30	291	92	Active	268
		Total				**1,040**			**936**

*Percent Public Land (%PL) is the forage production for public land divided by the total forage production for the entire allotment on public and private lands, %PL by pasture and the forage production for public and private lands is calculated within the Rangeland Management section of this document.

Table 3. Proposed Grazing Schedule – Years 1,4,7,10

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUMs	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little Toms Draw	Tom Little	313	Cattle	4/15	5/31	47	484	92	445	39
	Smizer	157	Cattle	4/15	5/31	47	243	92	223	20
	Wray Gulch	188	Cattle	10/15	11/30	47	290	92	267	23
						Total	**1,017**		**935**	**82**

Table 4. Proposed Grazing Schedule – Years 2,5,8

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUMs	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little Toms Draw	Tom Little	270	Cattle	4/15	5/31	47	417	92	384	33
	Wray Gulch	200	Cattle	4/15	5/31	47	309	92	284	25
	Smizer	188	Cattle	10/15	11/30	47	290	92	267	23
						Total	**1,016**		**935**	**81**

Table 5. Proposed Grazing Schedule – Years 3,6,9

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUMs	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little Toms Draw	Wray Gulch	160	Cattle	4/15	5/31	47	247	92	227	20
	Smizer	180	Cattle	4/15	5/31	47	278	92	256	22
	Tom Little	318	Cattle	10/15	11/30	47	491	92	452	39
						Total	**1,016**		**935**	**81**

Continuation of Current Management (Alternative B): The current grazing permit which authorizes sheep grazing and rotational grazing plan as analyzed in Environmental Assessment CO-110-2007-154-EA is shown in Tables 6-9. Under this alternative, a change in authorized use from sheep to cattle would not be approved. Livestock grazing would continue to occur within the Little Toms Draw allotment as outlined in the current authorization and effective until 2/28/2019.

Table 6. Current Grazing Permit for the Little Toms Draw Allotment

Allotment		Livestock		Grazing Period		Total AUMs	%PL	Type Use	BLM AUMs
Number	Name	Number	Kind	Begin	End				
6603	Little Toms Draw	2,700	Sheep	4/15	5/31	835	80	Active	668
		1,700	Sheep	11/1	11/30	335	80	Active	268
					Total	**1,170**			**936**

Table 7. Current Grazing Schedule – Year 1

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUMs	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little Toms Draw	Tom Little	1,700	Sheep	4/15	5/31	47	525	80	420	105
	Wray Gulch	1,000	Sheep	4/15	5/31	47	309	80	247	62
	Smizer	1,000	Sheep	11/1	11/30	30	197	80	158	39
						Total	**1,031**		**1,031**	**206**

Table 8. Current Grazing Schedule – Year 2

Allotment		Livestock		Grazing Period		# Days	Total	%PL	BLM	Pvt
Name	Pasture	Number	Kind	Begin	End	Grazed	AUMs		AUMs	AUMs
Little Toms Draw	Tom Little	1,700	Sheep	4/15	5/31	47	525	80	420	105
	Smizer	1,000	Sheep	4/15	5/31	47	309	80	247	62
	Wray Gulch	1,000	Sheep	11/1	11/30	30	197	80	158	39
						Total	**1,031**		**825**	**206**

Table 9. Current Grazing Schedule – Year 3

Allotment		Livestock		Grazing Period		# Days	Total	%PL	BLM	Pvt
Name	Pasture	Number	Kind	Begin	End	Grazed	AUMs		AUMs	AUMs
Little Toms Draw	Smizer	1,000	Sheep	4/15	5/31	47	309	80	247	62
	Wray Gulch	1,000	Sheep	4/15	5/31	47	309	80	247	62
	Tom Little	1,700	Sheep	11/1	11/30	30	335	80	268	67
						Total	**953**		**762**	**191**

Grazing Permit Terms and Conditions Applicable to Alternatives A and B:
Livestock grazing permits and leases must specify terms and conditions pursuant to 43 CFR 4130.3, 4130.3-1, and 4130.3-2. The Standard Terms and Conditions that are applied to every permit in Colorado are listed in Appendix A.

Livestock grazing permits may also contain site-specific terms and conditions "determined by the authorized officer to be appropriate to achieve management and resource conditions objectives", to ensure conformance with Colorado Public Land Health Standards and Fundamentals of Rangeland Health, and to "assist in the orderly administration of the public rangelands" (43 CFR 4130.3, 4130.3-2). The following terms and conditions would apply to both Alternatives A and B. Additional terms and conditions may be identified through the impacts analysis in this EA as mitigation measures necessary to meet resource objectives and may be added to the grazing permit in the final decision.

1. Livestock use will occur as outlined in the Grazing Schedule in the Proposed Action portion of the Environmental Assessment document DOI-BLM-CO-N05-2014-0076-EA that analyzes grazing on the Little Toms Draw Allotment in accordance with 43 CFR 4120.2(d).

2. In order to improve livestock distribution on the public lands, no salt blocks and/or mineral supplements will be placed within 1/4 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated though a written agreement or decision in accordance with 43 CFR 4130.3-2(c).

3. All new water sources require prior BLM approval and NEPA analysis due to the potential to change livestock distribution and to create concentration areas.

4. The permittee shall submit an Actual Use form within 15 days after completing their annual grazing use as outlined in 43 CFR 4130.3-2(d).

5. 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.

6. 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 authorized officer (AO). The permittee/lessee 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 permittee/lessee, 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.

7. The permittee/lessee is responsible for informing all persons who are associated with allotment operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the permittee/lessee must immediately contact the appropriate BLM representative.

8. As outlined in the 1997 White River ROD/RMP, utilization rates of key forage plant species by livestock, as determined by the BLM will be limited to: 1) 40% averaged utilization for the grazing period from April 1 to June 15 each grazing year for key forage plants, 2) 40-60% averaged utilization on key forage plants for the grazing period from June 16 through September 14 each grazing year, 3) 60% averaged utilization of key forage plants for the grazing period September 15 to March 31 each grazing year.

9. Maintenance of all structural rangeland improvements (RI) and other projects are the responsibility of the permittee to which they have been assigned. Maintenance will be in accordance with cooperative agreements and/or range improvement permits (43 CFR 4120.3-1). Failure to maintain assigned projects in a satisfactory/functional condition may result in withholding authorization to graze livestock until maintenance is completed. Construction of new RI on BLM administered lands is prohibited without approval from the authorized officer.

Limits of Flexibility

The permittee will be provided flexibility during the grazing year from the submitted plan of operation which does not require prior approval from the BLM, however prior notification of the change to the plan of operation is required. This flexibility will be limited to on or off dates and number of animals to adjust to changing climatic changes, forage variability, and operational needs. This flexibility will be limited to 10 days either side of the on or off dates provided total

days of use do not exceed 10 days from the schedule approved in the permit/lease. The permittee will also be able to adjust number of animals by 10 percent (+/-) from the annual plan of operation provided the total AUMs used does not exceed the AUMs scheduled.

Flexibilities that require approval by the BLM are adjustments made beyond the above criteria. BLM-approved flexibilities and/or changes to this plan may be required due to such factors as forage influences from grazing, drought, fire, and/or water availability.

No Livestock Grazing (Alternative C): Under this alternative, the proposed change from sheep to livestock would not be approved, the current grazing permit authorizing sheep to graze within the Little Toms Draw allotment would be cancelled, and no livestock grazing would occur within the allotment.

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: 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).*"

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). Table 10 summarizes the assessment of each public land health standard for each allotment. The findings are located in specific elements listed below.

Table 10. Summary of Assessment of the Standards for Public Land Health[a]

	Current Situation			With Proposed Action		With No Grazing	
Standard	**Achieving or Moving Towards Achieving**	**Not Achieving**	**Causative Factors**	**Achieving or Moving Towards Achieving**	**Not Achieving**	**Achieving or Moving Towards Achieving**	**Not Achieving**
#1-Upland Soils							
Little Toms Draw	9,734	1,919	Annual dominated communities	9,734	1,919	9,734	1,919
#2-Riparian Systems							
Little Toms Draw	N/A	N/A	N/A	N/A	N/A	N/A	N/A
#3-Plant Communities							
Little Toms Draw	9,734	1,919	Annual dominated communities	9,734	1,919	9,734	1,919
#3-Animal Communities							
Little Toms Draw	9,734	1,919	Annual dominated communities	9,734	1,919	9,734	1,919
#4-Special Status, T&E Species							
Little Toms Draw	9,779	1,874	Annual dominated communities	9,779	1,874	9,779	1,874
#5-Water Quality (Stream Miles)[b]							
Little Toms Draw	26	0		26	0	26	0

[a] The total acres shown for each standard are the acres within the allotment that are classified as range sites, the areas within the allotment which are classified as non-range sites (1,572 acres) are not included in the table

[b] The allotment contains several ephemeral drainages which drain into the White River Segment 12. White River segment 12 is fully meeting water quality standards Based on Status of Water Quality in Colorado – 2008 The Update to the 2002, 2004, and 2006, 305(b) Reports, http://www.cdphe.state.co.us/op/wqcc/Resources/waterstatus_305_b/305bUpdate08.pdf

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 11 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 Little Toms Draw allotment. 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 11. 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 Stabilization and Rehabilitation	X	X	X
Wind Energy Met Towers	No	No	No
Oil and Gas Development: Well Pads Access Roads Pipelines Gas Plants Facilities	X	X	X
Power Lines	X	X	X
Oil Shale	No	No	No
Seismic	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 12 lists the resources considered and the determination as to whether they require additional analysis.

Table 12. Resources and Determination of Need for Further Analysis

Determination[1]	Resource	Rationale for Determination
	Physical Resources	
PI	Air Quality	See discussion below.
NI	Geology and Minerals	Changing livestock type for grazing use would result in no changes to the geologic or mineral resources.
PI	Soil Resources*	See discussion below.
NI	Surface and Ground Water Quality*	Surface Water: The allotment is comprised of several ephemeral drainages including Smizer Gulch, White River, Kendal Gulch, Short Gulch, Tom Little Draw, Wray Gulch, and Oil Well Gulch. These ephemeral channels drain into the White River Segment 12. Segment 12 of the White River has been determined capable of sustaining a wide variety of warm water biota (Warm I), is not designated as

Determination[1]	Resource	Rationale for Determination
		protected for recreation, and designated as providing a beneficial use for recreation, agriculture, and water supply. There are no surface waters listed on the Colorado List of Impaired waters or on the Monitoring and Evaluation List (WQCC 2012) within the allotment boundaries. Ground Water: Two named springs are located within the allotment, Tom Little Spring and Indian Valley #2 which have existing water rights 99CW0923 and 85CW0405, respectively. These springs provide beneficial use to wildlife and livestock. Long-term impacts from bank destabilization could include increased sediment suspension/transport during intense summer rainfall events impacting surface water quality of higher order perennial streams. The proposed pasture rotation schedule will minimize these impacts. If excessive impacts to springs are observed, fencing of spring source should be considered.
Biological Resources		
NI	Wetlands and Riparian Zones*	There are no known wetlands and/or riparian zones on BLM lands within the Little Toms Draw Allotment.
PI	Vegetation*	See discussion below.
PI	Invasive, Non-native Species	See discussion below.
PI	Special Status Animal Species*	See discussion below.
NI	Special Status Plant Species*	No special status plant species (SSPS) are known to occupy land within the Little Toms Draw allotment. The nearest known occurrence for the federally threatened species Dudley Bluffs twinpod (*Physaria obcordata*) occurs approximately one mile away to the southwest. Approximately 812 acres of prime potential habitat for Dudley Bluffs twinpod (*Physaria obcordata*) occur within the designated allotment. Potential habitat for the BLM sensitive species Debris Milkvetch (*Astragalus detritalis*) also occurs within and adjacent to the Little Toms Draw allotment. Livestock grazing is expected to have little to no effect on either of the special status plant species, their associated habitats or potential range for expansion.
PI	Migratory Birds	See discussion below.
PI	Aquatic Wildlife*	See discussion below.
PI	Terrestrial Wildlife*	See discussion below.
NP	Wild Horses	The Little Toms Draw allotment is not located within the Piceance-East Douglas Herd Management Area or either of the Herd Areas (North Piceance or West Douglas) therefore there are no impacts to wild horses.
Heritage Resources and the Human Environment		
PI	Cultural Resources	There are 25 identified areas of livestock concentration in the allotment totaling 72 acres. All but 6 of the concentration areas have been surveyed for cultural resources. These 6 concentration areas will be surveyed totaling approximately 30 new acres of Class III inventory in the allotment. In addition, 5 Eligible, and 18 potentially Eligible sites, with previously documented grazing impacts, will be revisited to determine how cultural sites are being impacted from

Determination[1]	Resource	Rationale for Determination
		grazing activities.
PI	Paleontological Resources	See discussion below.
PI	Native American Religious Concerns	See discussion below.
NI	Visual Resources	The grazing of either sheep or cattle at the levels and times described in the Proposed Action and other alternatives is consistent with the existing character of the landscape found throughout the WRFO. The Proposed Action and other alternatives do not change the Visual Resource Inventory Class and meets Visual Resource Management Objectives for this area.
NI	Hazardous or Solid Wastes	There are no known hazardous wastes on the subject lands. No hazardous materials are known to have been used, stored or disposed of at sites included in the project area.
NI	Fire Management	Changing the class of livestock would result in no impacts to the fire management plan.
NI	Social and Economic Conditions	There would not be any substantial changes to local social or economic conditions.
NP	Environmental Justice	According to the most recent Census Bureau statistics (2010), there are no minority or low income populations within the WRFO.
NI	Lands with Wilderness Characteristics	The Proposed Action includes approximately 350 acres of the allotment that overlaps with lands identified as having wilderness characteristics unit 19 (North Colorow Mountain). The grazing of sheep or cattle as described in the Proposed Action and other alternatives does not impact any wilderness characteristics for lands with wilderness characteristics unit 19.
	Resource Uses	
NI	Forest Management	A change in livestock class is not expected to have any impacts to forests or forest management within the Little Toms Draw allotment.
PI	Rangeland Management	See discussion below.
NI	Floodplains, Hydrology, and Water Rights	The Proposed Action is not located in a FEMA floodplain. Two named springs are located within the Tom Little Draw including Tom Little Spring and Indian Valley #2 which have existing water rights 99CW0923 and 85CW0405, respectively. With proper grazing management, minimal to no changes are expected in hydrologic processes within the Proposed Action and surrounding drainages.
NI	Realty Authorizations	There are existing rights-of-way within the grazing allotment but no impacts are anticipated as a result of the Proposed Action.
PI	Recreation	See discussion below.
NI	Access and Transportation	The Proposed Action and other alternatives would not change the existing access to public lands in this area and or result in any noticeable change to the existing transportation system in this area.
NP	Prime and Unique Farmlands	There are no Prime and Unique Farmlands within the project area.
	Special Designations	
NI	Areas of Critical Environmental Concern	Parcels of the White River Riparian ACEC are bordered by the southern and western edges of the allotment. The White River Riparian area is designated an ACEC for its biological plant

Determination[1]	Resource	Rationale for Determination
		diversity, bald eagle nesting sites and habitat for the Colorado River pike minnow (*Ptychochelius lucius*). Grazing is not expected to have adverse impacts on the biological resources of the White River Riparian ACEC.
NP	Wilderness	There are no designated wilderness areas or wilderness study areas (WSA) located within the allotment in this proposal. Black Mountain WSA is the closest WSA and is located approximately 2 miles to the east.
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

AIR QUALITY

Affected Environment: The Little Toms Draw allotment is within an attainment area for national and state air quality standards, based on a review of designated non-attainment areas for criteria pollutants, published by the Environmental Protection Agency (EPA 2013). Non-attainment areas are areas designated by U.S. Environmental Protection Agency (EPA) as having air pollution levels that persistently exceed the national ambient air quality (NAAQ) standards. The Dinosaur National Monument is the closest special designation area (designated Class II airshed with Prevention of Significant Deterioration (PSD) with thresholds for sulfur oxides and visibility).

The Little Toms Draw allotment is in Rio Blanco County within the Western Counties Monitoring Region of Colorado. The 2010 CDPHE monitoring assessment showed four gaseous pollutant monitoring sites and 11 particulate monitoring sites in the Western Counties area (CDPHE-APCD 2010). Local air quality parameters including particulates are being measured at monitoring sites located at Meeker, Rangely, Dinosaur, and Maybell. The closest location for an Interagency Monitoring of Protected Visual Environments (IMPROVE) site is near the Flat Tops Wilderness. IMPROVE sites are designed to measure the visibility impairment from air borne particles.

Environmental Consequences of the Proposed Action (Alternative A and B):

Direct and Indirect Effects: The environmental consequences to air quality from the proposal to continue current livestock grazing (sheep or cattle) would include the periodic and local production of dust due to livestock trailing and emissions from vehicles used to manage grazing. Dust levels may be noticeable locally and especially during drier times. The Colorado Air Pollution Control Division (APCD) estimates the maximum particulate matter 10 micrometers or less (PM_{10}) levels (24-hour average) in rural portions of western Colorado to be near 50 micrograms per cubic meter ($\mu g/m^3$). The increase in airborne particulate matter expected from continued livestock grazing within the allotment is not expected to exceed Colorado ambient air quality (CAAQ) or NAAQ standards on an hourly, 8-hour average or daily

basis. Emissions from existing sheep camps would include wood or coal smoke to heat the sheep trailer and vehicle emissions to place the trailer.

Cumulative Effects: Statewide, more than 70 percent of PM_{10} (coarse particles) are created from windblown dust and soil from roads, fields, and construction sites. A smaller percentage of coarse particles comes from automobile and diesel engine exhaust, soot from wood and coal fires, and sulfates and nitrates from combustion sources such as industrial boilers (CDPHE-AQCC 2011). There have been several PM_{10} exceedances in recent years (past 10 years) in the Western Counties area. These exceedances were caused by dust storms from regional blowing dust/high wind events, which are natural and uncontrollable, and are likely "exceptional" events, and therefore would not require a change in regulation. Industrial facilities in White River Basin include coal mines, soda ash mines, and natural gas processing plants. Due to these industrial uses, increased population and oil and gas development in this region, emissions of air pollutants in the White River Basin due to exhaust emissions and dust (particulate matter) are likely to increase into the future. Despite increases in emissions, overall air quality conditions in the White River Basin are likely to continue to be good for some time.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: No changes in the overall air quality are expected by Alternative C.

Cumulative Effects: Overall air quality conditions in the White River Basin are likely to continue to be good for some time due to effective atmospheric dispersion conditions and limited transport of air pollutants from outside the area. No changes in the overall air quality are expected by Alternative C.

Mitigation: None.

SOIL RESOURCES

Affected Environment: The soils impacted by the Little Toms Draw allotment are listed in Figure 1. The predominant soils types are the Rentsac-Moyerson-Rock outcrop complex and Moyerson stony clay loam comprising 50 percent of the total acreage located within the allotment. These soils are characterized as shallow and well drained with slow to moderate permeability resulting in moderate to rapid runoff and moderate to high erosion characteristics (refer to Figure 2). These soil types are typically located in steep terrain. The next most prominent soil is Badland (10 percent). Badland soil is shallow and exhibits minimal soil characteristics consisting mainly of highly calcareous and gypsiferous shale and bentonite. The permeability is low, runoff is rapid, and surface water erosion is high.

Figure 1. Summary of soil types contained within the Little Toms Draw allotment

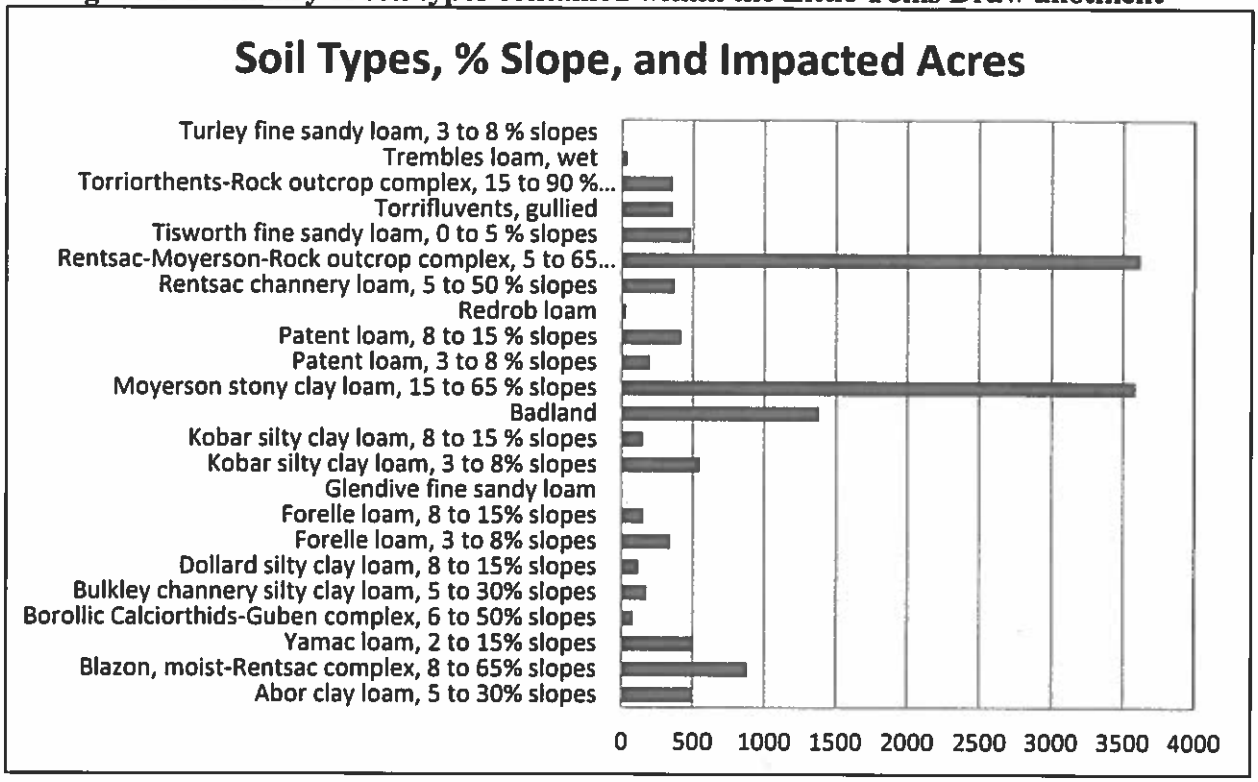
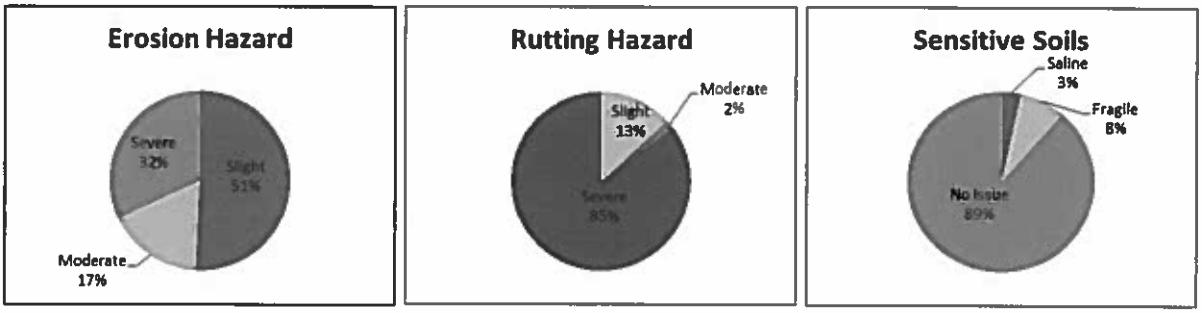


Figure 2. Potential hazards and sensitive soils classification - Little Toms Draw Allotment



Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Under this alternative, the type of livestock authorized to graze within the Little Toms Draw Allotment will change from sheep to cattle. The proposed grazing schedule includes a rotation between three pastures (Wray, Smizer, and Tom Little Draw) to provide complete growing season rest one in three years for each of the pastures. As previously discussed, 60 percent of the terrain located in this allotment contains slopes up to 65 percent. Cattle are not as likely to utilize this steeper terrain and will tend to concentrate in the ephemeral Wray, Smizer, and Tom Little Draw drainages. The impacts to the ephemeral channels in the drainages would be greater under this alternative including bank caving, hoof compaction, surface erosion, and subsequent rill/gully erosion. Localized, permanent modifications to bank structure and riparian vegetation are expected with concentration of cattle in ephemeral drainages. Long-term impacts from bank destabilization could include increased sediment suspension/transport during intense summer rainfall events impacting surface water

quality of higher order perennial streams. The proposed pasture rotation schedule will reduce these impacts.

Cumulative Effects: Future land uses such as oil and gas development and livestock grazing are expected to result in varying levels of disturbance. Livestock grazing, as currently permitted, occurs during periods when soils are drier and less susceptible to impacts from hoof action. On years with average precipitation, riparian and upland vegetation recovery is expected during non-grazing periods providing necessary litter for maintaining soil organic matter. Litter cover and subsequent organic matter is critical in maintaining the soil structure needed for proper water infiltration, reduced soil temperatures, increased moisture retention, and plant root mass necessary for soil retention. Localized, permanent modifications to bank soil structure are expected with concentration of cattle in ephemeral drainages.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Under this alternative, a change in authorized use from sheep to cattle would not be approved. Livestock grazing would continue to occur within the Little Toms Draw allotment as outlined in the current authorization and effective until 2/28/2019. Typically, sheep have the ability to graze steeper terrain compared to cattle. Given that 60 percent of the soils located in this allotment have slopes up to 65 percent; impacts from hoof compaction and trailing on these steep slopes could result in increased soil surface destabilization resulting in increased rill erosion or channeling and localized soil slumping. With this alternative, given that sheep are capable of utilizing a larger percentage of the available acreage, impacts in the ephemeral channels in the Wray, Smizer, and Tom Little Draw drainages should be limited and dispersed.

Cumulative Effects: Future land uses such as oil and gas development and livestock grazing are expected to result in varying levels of disturbance. Livestock grazing, as currently permitted, occurs during periods when soils are drier and less susceptible to impacts from hoof action. On years with average precipitation, riparian and upland vegetation recovery is expected during non-grazing periods providing necessary litter for maintaining soil organic matter. Litter cover and subsequent organic matter is critical in maintaining the soil structure needed for proper water infiltration, reduced soil temperatures, increased moisture retention, and plant root mass necessary for soil retention.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: With no livestock grazing, there would be no direct livestock related impacts to soils. Indirectly, soils would benefit from reduced disturbance associated with hoof action in wet soils, reduced trailing, and increased litter accumulation.

Cumulative Effects: Past and present impacts are similar to those analyzed in Alternatives A and B. Under the No Grazing Alternative, vegetative cover and litter would recover in and along areas impacted during grazing.

Mitigation: None.

Finding on the Public Land Health Standard #1 for Upland Soils: Localized, short-term reductions in soil surface infiltration characteristics will result from hoof compaction and trailing

by livestock. No impacts to subsurface soil permeability characteristics are expected as a result of any of the Proposed Actions. On years with average precipitation, upland vegetation recovery and subsequent soil surface infiltration characteristics recovery are expected during non-grazing rotations.

VEGETATION

Affected Environment: Table 13 lists the plant community appearance for the Ecological sites or woodland types within the Little Toms Draw allotment, along with the predominant plant species comprising the composition of each community. Forb species, though important to the diversity of a community and making up to 25 to 30 percent of the composition of several of the plant communities listed, are not presented in Table 13 because they generally are not contributors to the appearance or dominance of the community.

Table 13. Plant Community Appearance by Ecological Site

Ecological Site	Plant Community Appearance	Predominant Plant Species in the Plant Community
Alkaline Slopes	Sagebrush/grass Shrubland	Wyoming big sagebrush, winterfat, low rabbitbrush, wheat grasses, Indian rice grass, squirreltail
Clayey Foothills	Grass/Open Shrub Shrubland	Western wheatgrass, mutton grass, Indian rice grass, squirreltail, June grass, Wyoming big sagebrush, black sagebrush
Clayey Slopes	Grassland	Salina wildrye, mutton grass, western wheatgrass, June grass, squirreltail, shadscale
Deep Clay Loam	Grass/Open Shrub Shrubland	Western wheatgrass, slender wheatgrass, mutton grass, squirreltail, June grass, Letterman and Columbia needle grasses, mountain big sagebrush
Foothill Swale	Grass/Open Shrub Shrubland	Basin wildrye, western wheatgrass, slender wheatgrass, streambank wheatgrass, Indian rice grass, Nevada bluegrass, basin big sagebrush, fourwing saltbush, rubber rabbitbrush
Rolling Loam	Sagebrush/grass Shrubland	Wyoming big sagebrush, winterfat, low rabbitbrush, horsebrush, bitterbrush, western wheat grass, Indian rice grass, squirreltail, June grass, Nevada and Sandberg bluegrass
Salt Meadow	Grassland	Inland salt grass, western wheatgrass, slender wheatgrass, fourwing saltbush, rubber rabbitbrush
Stony Foothills	Grass/Open Shrub Shrubland	Beardless bluebunch wheatgrass, western wheatgrass, needle-and-thread, June grass, Indian rice grass, fringed sage, Wyoming big sagebrush, black sage, serviceberry, pinyon and juniper
Pinyon/Juniper	Pinyon/Juniper Woodland	Pinyon pine, Utah juniper, mountain mahogany, bitterbrush, serviceberry, Wyoming big sagebrush, beardless bluebunch wheatgrass, western wheatgrass, June grass, Indian rice grass, mutton grass

Figure 3 is a representation of the vegetation growth periods for different vegetation types found within the White River Field Office. These dates are based upon estimated averages and can vary from year to year dependent upon climatic conditions.

Figure 3.

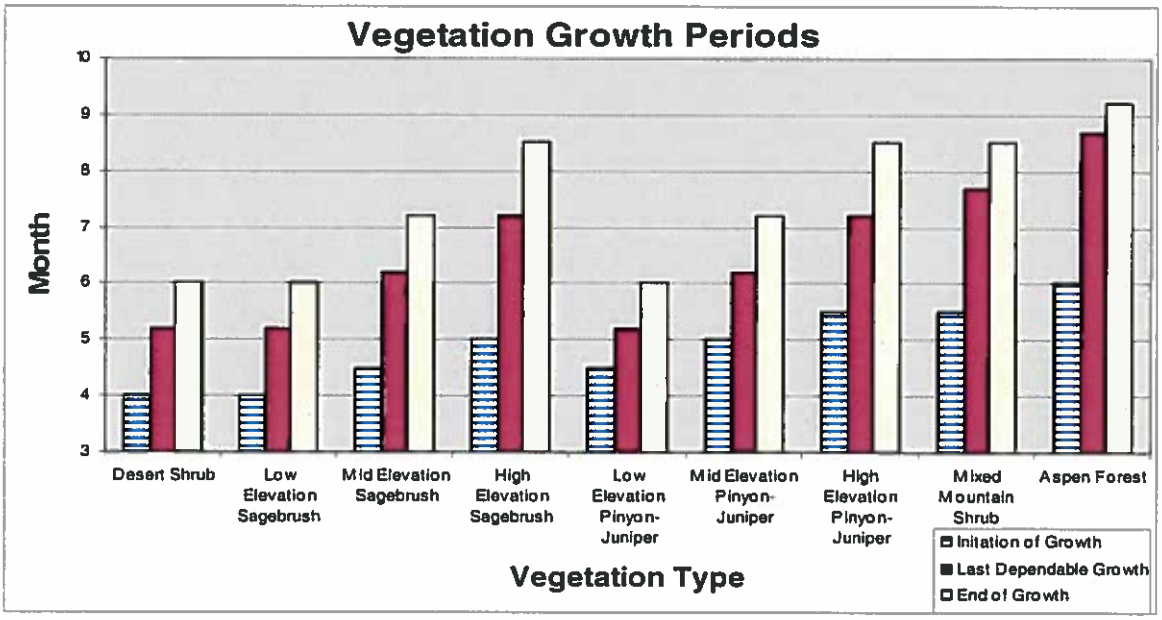


Table 14 shows the seral rating used by the BLM to rate rangeland vegetation communities in comparison to the Potential Natural Plant Community (PNC) for a particular ecological site.

Table 14. Ecological Site Similarity Ratings

Seral Rating	% Similarity to the Potential Natural Plant Community (PNC)
Potential Natural community (PNC)	76-100% composition of species in the PNC
Late-Seral	51-75% composition of species in the PNC
Mid-Seral	26-50% composition of species in the PNC
Early-Seral	0-25% composition of species in the PNC

Table 15 shows an estimate of the public land acreage falling within one of the seral ratings for each ecological site within the allotment. These estimates are based upon professional judgments of the Rangeland Management Specialist educated on the use of the rating system. Nearly all ecological sites were visited during the 2007 field seasons for a plant community assessment of the Colorado Public Land Health Standards for each allotment. Historical grazing practices (spring use, over utilization, etc.) and prolong drought conditions have created the situation of early seral plant communities not meeting the rangeland health standards. The early seral sites not meeting standards have crossed a threshold and are nearly irreversible regardless of the livestock management without some form of disturbing activity such as fire or chemicals.

Table 15. Ecological Site Similarity Rating (Little Toms Draw)

Ecological Site	Total BLM ACRES	PNC	Late Seral	Mid Seral	Early Seral	BLM Acres Classified
Alkaline Slopes	421	74	153	128	66	**421**
Clayey Foothills	623	395	108	87	33	**623**
Clayey Slopes	3,199	990	427	914	868	**3,199**
Deep Clay Loam	634	93	127	158	256	**634**
Foothill Swale	1	0	1	0	0	**1**
None (Rock outcrop, Steep, etc.)[1]	1,572	N/A	N/A	N/A	N/A	**0**
PJ woodlands/None	4,818	2,705	1,588	304	221	**4,818**
River Bottom	10	6	2	2	0	**10**
Rolling Loam	1,530	303	381	408	438	**1,530**
Salt Meadow	6	3	2	0	1	**6**
Stoney Foothills	356	155	101	64	36	**356**
Stoney Foothills/Rolling Loam	55	29	19	7		**55**
Total:	**13,225**	**4,753**	**2,909**	**2,072**	**1,919**	**11,653**
% BLM Acres Classified:		**41%**	**25%**	**18%**	**16%**	

[1]These acres are not classified within the seral ratings as these areas are considered non-rangesites which do not support vegetation communities.

As shown in Table 15, Little Toms Draw allotment, 84 percent (9,734 BLM acres) of the ecological sites that were classified represent plant communities within acceptable thresholds for healthy communities and within acceptable ranges for desired plant communities (mid seral to PNC) as defined in the White River ROD/RMP (page 2-11). Vegetative production and species composition on these sites provide adequate cover for soil protection and forage production to meet ecological and livestock demands.

Rangelands rated as late seral to PNC are typically found in landscapes with hillsides and slopes of varying levels of gradient, such as the PJ Woodlands, Clayey Slopes, and Alkaline Slopes ecological sites. Mid seral sites are typically on a threshold for improvement or decline of rangeland health, dependent on livestock management practices, and are frequently found in Rolling Loam, Clayey Slopes, and Alkaline Slope ecological sites. These mid seral sites still contain the basic structural plant communities, yet individual species occur at varying levels within the overall vegetative composition.

The remaining acres are considered early seral and are not meeting Colorado Public Land Health Standards principally due to a lack of appreciable perennial plant cover and excessive erosion rates. These sites generally have altered structural/functional plant communities with the plant community understory dominated by invasive, non-native plant species (e.g., cheatgrass, *Bromus tectorum*) and/or noxious weeds that are highly competitive with native vegetation.
Early seral sites are typically valley bottoms, valley toe-slopes, benches, and/or areas of gentle terrain which have been degraded from drought and historical and current influences of livestock grazing (e.g., spring use, heavy utilization, livestock concentration areas, etc.). As shown, the majority of early seral acres are located within Clayey Slopes, Rolling Loam, and Deep Clay ecological sites.

Cheatgrass is an invasive, non-native, and highly competitive plant species that grows in degraded rangelands and other areas of disturbance (early seral ecological sites). It is an annual species that typically germinates in the fall, remains dormant through the winter, and then produces seed early in the spring before the native plant communities have an opportunity to produce seed. Compared to native perennial grasses, cheatgrass has limited resource or forage value. It has a shallow root system that does not adequately stabilize soils. Its aggressive growth and reproduction capabilities allow it to out-compete many other species especially in early seral communities or areas where desirable native species lack vigor and are unable to compete effectively. In terms of forage value, cheatgrass produces far less biomass than native grasses and it develops sharp protruding awns which quickly cure out and make it unpalatable to livestock and wildlife alike.

Cheatgrass and a number of introduced annual forbs (i.e., bur buttercup and redstem filaree) are the dominant understory throughout considerable areas of Swizer Gulch and Tom Little Gulch particularly within the uplands, terraces, and benches. Cheatgrass is also present in areas of Wray Gulch along County Road 71, Kissinger Gulch, and Short Gulch. These 1,919 BLM acres rated as early seral and not meeting land health standards typically have understories within Wyoming big sagebrush (*Artemisia tridentata* ssp. *wyomingensis*) and/or greasewood (*Sarcobatus vermiculatus*) communities that have converted from western wheatgrass (*Agropyron smithii*), bottlebrush squirrel tail (*Sitanion hystrix*), Indian ricegrass (*Oryzopsis hymenoides*), June grass (*Koeleria cristata*), Sandberg bluegrass (*Poa secunda*), and needle-and-thread grass (*Stipa comata*) to cheatgrass and/or Sandberg bluegrass dominated understories. Cheatgrass can account for approximately 25-45 percent of the species composition or 15-30 percent of the canopy-cover in these areas (see Invasive, Non-native Species section).

Overall, these early seral communities do not meet the Colorado Public Land Health Standards for a healthy plant community because they lack adequate species diversity and have altered plant functional and structural groups.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Under this alternative, cattle use during the spring critical growing season (typically 5/1-6/15) is deferred within one pasture each year during the three year rotating grazing schedule, resulting in complete growing season rest within each pasture one in three years. This rest period allows perennial vegetation to complete their vegetative growth, seed production, and litter accumulation for increased reproduction and protection of the soils once every three years and will help improve land health.

Use April 15 through May 31, during the critical growing season, would occur in two of the three pastures within the allotment, the proposed use period will allow plants to initiate growth before livestock grazing use occurs as well as provide approximately two weeks of regrowth opportunity during a typical year following grazing use. Impacts would be limited during the winter use period while vegetation is dormant. Dormant season use has less impact to individual plant vigor, reproduction, and vegetative growth as opposed to use during the growth period or during summer months. Utilization is targeted to stay within 40-60 percent of available forage outlined in the 1997 White River ROD/RMP which will help maintain plant community health.

Overall, the proposal benefits ecological sites that are not currently occupied by the desired vegetation community, but are transitioning to the desired community through an increase in perennial plant cover. Within ecological sites currently occupied by the desired vegetation community, a neutral to slightly positive impact will occur as these sites are already meeting or exceeding the standards for public land health. On most early seral sites, the present situation will typically continue at their current state unless some influencing agent was implemented such as fire/seeding because most of these sites have crossed a threshold of cheatgrass/annual invasive domination. Current early seral ecological sites within the allotment are a result of historic critical growing season use and prolonged drought conditions. Therefore, these situations have created an opportunity for cheatgrass establishment and dominance within early seral communities.

Cumulative Effects: Past and current livestock use on the allotment has created some impacts to soils within the grazing allotments. Historical grazing practices have created trails and areas of erosion where soils are exposed and do not have vegetation with root masses adequate to protect them from rainfall impact and overland flow. Grazing is expected to continue into the future and implementation of the existing grazing schedule is expected to provide opportunity for protection of vegetation into the future. The proposed change in livestock and grazing use would occur in common with another permittee within the Little Toms Draw allotment, however the total authorized grazing use is not expected to exceed the estimated carrying capacity, and has been scheduled to allow for complete growing season rest from both operators (see Range Management Section for further discussion). There are not expected to be any cumulative impacts to vegetative communities from continued grazing with a change in the class of livestock coupled with other impacts within the analysis area which affect the ability of these vegetation communities to continue to meet or move toward meeting land health standards.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Impacts would be similar to that of the Proposed Action as the proposed grazing schedule and authorized AUMs are the same as the current authorization which permits sheep grazing. The primary difference would be less use on steeper slopes as cattle tend to utilize slopes less than sheep, as well as decreased use of shrub species as the diet of cattle consists of less browse species than that of sheep which readily and efficiently utilize shrub species as forage.

Cumulative Effects: Impacts of this alternative would be similar to that of the Proposed Action as livestock grazing would continue to occur within the allotment at the same level and use period as under the Proposed Action.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: Under a no grazing by livestock alternative, most localities that are currently being grazed by sheep would experience a short-term increase in both perennial plant cover and soil surface litter accumulation. Mid seral ecological sites would likely experience the greatest benefit of increased perennial plant cover. On early seral ecological sites such as the monocultures of sagebrush or greasewood (*Sarcobatus vermiculatus)* and on saltdesert rangelands dominated by cheatgrass, the majority of areas are not expected to change in perennial plant cover because they have crossed a threshold of total sagebrush and/or annual

plant domination. The PNC ecological sites would continue to meet standards and experience minimal changes in plant species composition and diversity.

Cumulative Effects: Past and present impacts are similar to those analyzed in Alternative A. Under the No Grazing Alternative, there would be no influence from livestock grazing to cumulative impacts to vegetative communities if this alternative was implemented.

Mitigation: None.

Finding on the Public Land Health Standard #3 for Plant and Animal Communities: The early seral communities are mostly not meeting the Standards due to the significant composition of cheatgrass, an invasive annual grass, and due to the mono-cultures in some greasewood and sagebrush communities. All other seral communities (Mid – PNC) are currently meeting standards and make up the bulk of classified acres on all allotments. Implementation of all Alternatives will enhance the ability of the rangelands to meet the Standards in the future.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: The following section constitutes a risk assessment as described in BLM Manual 9015 in compliance with the White River Resource Management Plan of 1997. WRFO policy is to actively eradicate small isolated infestations of noxious weeds to prevent spread and reduce long-term control costs. In areas with more extensive infestations of noxious weeds, policy is to control these plants to a maintenance level. Non-native, invasive plant populations reduce rangeland productivity of desired forage and negatively alter plant communities and negatively impact wildlife species as the native plants to which they are adapted are displaced. As noxious weeds infestations increase in occurrence, control costs also increase.

The noxious weed perennial pepperweed (*Lepidium latifolium*) occurs on areas of the small tributaries of the White River along the Little Toms Draw allotment. The invasive shrub salt cedar (*Tamarix* spp.) occurs around ponds and other water developments within the allotment associated with this permit renewal. Canada thistle (*Cirsium arvense*) and Bull Thistle (*Cirsium vulgare*) are scattered throughout the allotment in places where disturbance such as heavy livestock use and oil and gas development have occurred. The invasive cheatgrass (*Bromus tectorum*) occurs on a variety of ecological sites throughout the allotment. In general, its occurrence and distribution is a consequence of historical livestock grazing practices and un-revegetated soil disturbance associated with roads and mechanical equipment.

The majority of rangelands rated as early seral are rated as such due to cheatgrass dominance and/or to the occurrence of noxious weeds. These infested acres have sufficient non-native, invasive plant species to limit the ability of native vegetation to effectively compete for resources in a sustainable manner. Therefore, the capacity of these acres to fully function is limited due to the presence of noxious weeds which hampers meeting Public Land Health Standards.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: The Proposed Action will enable native plant communities within the Little Toms Draw allotment a greater competitive interaction with invasive plants through reduced use by livestock and deferred livestock use during the critical growth period as compared to the current grazing plan. Grazing at a utilization level of 41-60 percent (moderate) or less allows native vegetation to more effectively resist establishment of weeds and reduces soil surface disturbance. In rangeland management, accumulation of residual plant matter plays an integral role in providing soil surface protection, reducing erosion and increasing infiltration and retention of soil moisture, all of which result in improved plant vigor, increased seed production and increased plant propagation.

The Proposed Action will also provide a greater opportunity for the replenishment of root reserves, biomass accumulation, and plant propagation of native species; which will aid in the rangeland's ability to naturally compete with invasive, non-native species. This effect would be greatest in Smizer Gulch, Tom Little Gulch, Short Gulch, and Wray Gulch where weeds are readily established and invading into adjacent, un-infested rangelands and in the lower elevation where native plant communities are present.

Based on plant community composition documented during Land Health Assessments it is likely that mid seral sites with cheatgrass populations and early seral communities with reduced native plants will experience the greatest improvement in rangeland health through implementation of the Proposed Action. With proper grazing management the native plant populations in these areas are sufficient to provide an effective competitive interaction against invasive, non-native plants species (cheatgrass). Delayed on-set of grazing and reduced grazing pressure under the Proposed Action will improve the potential of the remaining desirable native forage species to increase their presence throughout these sites.

Early seral ecological sites with monocultures of cheatgrass and non-measurable native plant populations have crossed a threshold to annual plant domination. Changes in grazing practices are not expected to improve perennial cover in these areas. These areas include the greasewood dominated bottoms in the lower elevation pastures. A human induced disturbance (mechanical, chemical, etc.) followed by re-vegetation efforts would be required to reverse this situation and enable desirable native perennial vegetation to become established.

Overall, under the Proposed Action, grazing management is designed to limit the establishment or spread of noxious weeds through improved livestock management in each pasture and through reduced grazing pressure. The Proposed Action promotes resistance to invasive non-native plants and increased rangeland productivity.

Cumulative Effects: Past and current land uses from dispersed recreation, oil and gas development, and livestock grazing have all contributed to the introduction of noxious and invasive weeds into the analysis area. Continuation of livestock grazing would have the potential to introduce new populations of weeds into the analysis area, but there are no anticipated cumulative effects that impact the ability of native vegetative communities and create greater opportunity for establishment or expansion of invasive, non-native species. Continuation of

livestock grazing with a change in livestock class is not anticipated to impact the implementation or effectiveness of integrated pest management within the WRFO.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Impacts would be similar to that of the Proposed Action as the authorized use level and timing of grazing would be unchanged.

Cumulative Effects: Cumulative impacts for this alternative would be similar to those discussed for the Proposed Action.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: The impact of adopting this alternative would generally result in more robust native plant communities with improved ability to resist invasion of noxious weeds. The proliferation of cheatgrass and noxious weeds would be reduced as the interspersed native grass community would have improved ability to complete a full growth cycle without being grazed by livestock. Thus the native community would have a greater ability to compete against non-native, invasive plant species as compared to the action alternatives.

The no grazing alternative also greatly reduces a seed vector (livestock) to disperse noxious weed seeds. Establishment of noxious weeds in many areas of the Little Toms Draw allotment is attributable to soil disturbances related to range improvements, livestock trails, congregation areas, etc. Without livestock grazing these livestock related disturbances would no longer occur.

For cheatgrass threatened rangelands, positive rangeland health effects as described above would occur principally in mid seral plant communities that have not fully crossed a threshold to annual plant domination. Without livestock grazing these rangelands would be allowed the full expression of native plant communities, thus giving them an improved competitive advantage over non-native, invasive plants.

Early seral plant communities that have crossed a threshold to cheatgrass domination would show little change with no livestock grazing. Intensive management projects followed by seeding of adapted perennial grasses to preempt the return of cheatgrass would be required in order for these sites to progress to a point of meeting the standards for public land health. Without an outside influence of some form of intensive treatment these sites will remain degraded, unchanged, and produce well below their potential.

Livestock grazing permittees can be beneficial in the control of noxious weeds through their detection and eradication efforts. Under the no grazing alternative it is unlikely that the grazing permittee (landowner) would participate in weed control on public lands. Improved rangeland condition would allow native plant communities to compete more effectively against noxious weeds, resulting in reduced spread of noxious weeds. However without the grazing permittee, noxious weed control would be entirely the responsibility of the BLM. With continued treatment by the BLM, the number of acres infested and the spread of noxious weeds on public lands would decline, although treatments would be long term to combat new infestations resulting from spread of noxious weed infestations on private lands.

Cumulative Effects: Past and present impacts are similar to those analyzed in Alternative A. Implementation of the No Livestock Grazing Alternative would remove the potential for domesticated livestock to introduce new weeds into the analysis area. The potential for noxious and invasive species establishment and proliferation within the Little Toms Draw allotment would not be eliminated however; livestock grazing would not be a contributing action under this alternative.

Mitigation: Noxious weed infestations on the Little Toms Draw allotment shall be treated in a manner consistent with BLM protocol as outlined in the White River ROD/RMP. For noxious weed populations on BLM administered lands, weeds will be treated by a certified pesticide applicator either by the BLM or permittee. If livestock grazing practices result in the establishment and/or spread of noxious weeds, the permittee will be responsible for controlling these weeds as directed by the BLM.

SPECIAL STATUS ANIMAL SPECIES

Affected Environment: Listed and Candidate Species: Less than 200 meters of the White River and roughly 21 acres (distributed along the channel in small, isolated 2 -3 acre patches) of the 100-year floodplain lie within the allotment. The White River and its 100-year floodplain from Rio Blanco Lake to the Utah state line are designated critical habitat for the endangered Colorado pikeminnow. Occupied habitat is located below the Taylor Draw dam, approximately 26 valley miles downstream.

The allotment contains approximately 1,874 acres of preliminary general habitat (PGH) for the greater sage-grouse. The greater sage-grouse is a candidate for listing under the Endangered Species Act (ESA) and a species considered sensitive by the BLM. Nearly all of the BLM administered lands in the Wray Gulch pasture are classified as PGH (~1,600 acres) with a small amount (274 acres) overlapping into the southeast portion of the Tom Little Gulch pasture.

An active lek is located less than one mile from the allotment boundary. Although male attendance at this lek is low (2-5 birds), it has consistently supported grouse since 2010. Historically, this area has supported a small number of grouse and it is suspected that over the past two decades the population has remained static or declined. Roughly 80 percent of nesting occurs within four miles of leks (Colorado Greater Sage-Grouse Steering Committee). Good quality breeding habitat generally has sufficient sagebrush canopy cover; however, herbaceous ground cover is extremely important as well. Herbaceous understory (both the height and horizontal component) appear to be an important factor in nest success. Several studies have shown nest sites to have more and taller grass cover than random sites (Holloran 1999, Lyon 2000, Slater 2003). Adequate residual herbaceous cover is also an important component as it provides concealment from predators during the early nesting period. Breeding generally takes place from March through late-May, with nesting taking place from mid-April to June. Most young have hatched by mid-June.

In general, the current understory conditions in the Wray Gulch pasture do not provide adequate vegetative conditions (composition, density etc.) to support the reproductive functions of sage-

grouse. This pasture is largely dominated by annual grasses and forbs such as cheatgrass and Russian thistle. Perennial grass species, while present, are uncommon, exhibit low vigor/productivity and largely do not provide the appropriate structural component to provide adequate concealment from predators.

BLM sensitive species

Brewer's sparrow

Brewer's sparrows are common and widely distributed in virtually all big sagebrush, greasewood, saltbush, and mixed brush communities throughout the project area. These birds are typically one of the most common members of these avian communities and breeding densities generally range between 10-40 pairs per 100 acres. Although most abundant in extensive stands of sagebrush, the birds appear regularly in small (one to two acre) sagebrush parks scattered among area woodlands. Typical of most migratory passerines in this area, nesting activities normally take place between mid-May and mid-July.

Midget faded rattlesnake

The midget faded rattlesnake is the smallest member of the western rattlesnake species complex. This subspecies is thought to be generally confined to the Green River geologic formation in southeast Wyoming, eastern Utah and western Colorado, and appears to have very narrow preference for bedded sandstone outcrops with fallen mid-slope slabs on south to southeast exposures below 7,000 feet in elevation. Midget faded rattlesnakes occur in small discrete groups and exhibit classic metapopulation distribution. These snakes display strong fidelity to and remain closely associated with hibernacula for overwintering and reproductive activities.

Northern goshawk

Based on BLM's experience, goshawks nest at low densities throughout the WRFO in mature pinyon-juniper woodlands above 6,500 ft and Douglas-fir and aspen stands. Goshawks establish breeding territories as early as March and begin nesting by the end of April. Nestlings are normally fledged and independent of the nest stand by mid-August. It is unlikely the allotment contains mature stands extensive enough to support nesting goshawk (see discussion on woodland raptors in Terrestrial Wildlife section).

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: The proposed grazing schedule would not be expected to have any effective influence on the Colorado pikeminnow or the 100-year floodplain due mainly to the limited amount of BLM administered riverine habitat involved. Pikeminnow do not occur within the allotment boundary and floodplain involvement is in small, isolated 2-3 acre patches scattered along the channel. As such, grazing would not be expected to negatively influence this species or floodplain habitats.

It is unlikely the Proposed Action would result in any substantial impacts to midget-faded rattlesnakes.

The proposed grazing schedule would likely have the greatest influence on greater sage-grouse and Brewer's sparrow. Impacts to Brewer's sparrow would be similar to those discussed below in the Migratory Bird section.

Nearly all the suitable sage-grouse nesting habitat is confined to the Wray Gulch pasture. As proposed, grazing would take place from mid-April through late-May, encompassing a large portion of the sage-grouse nesting season two out of three years. As stated above, herbaceous cover (both vertical and horizontal) is an important factor in nesting habitat and nest success. Reductions in herbaceous ground cover have the potential to negatively influence nesting activities (initiation, success etc.) if nest sites are more exposed to predators or environmental conditions. Although growing season use intensity would decrease by 11 percent, it is unlikely the Proposed Action would provide any substantial improvements in ground cover conditions in those areas occupied by sage-grouse as these communities are largely dominated by annual grasses and forbs. Furthermore, change of livestock class from sheep to cattle would be expected to have a greater influence on herbaceous ground cover in those areas that support sage-grouse as cattle tend to make more prolonged and concentrated use of gentler slopes and valley bottoms. Use during April and May would result in reductions of herbaceous ground cover throughout much of the sage-grouse nesting season. In those years when livestock use is deferred during the critical growing season, herbaceous ground cover would be allowed to develop without any grazing influences. Under this alternative, dormant season use would increase from 44 (year three) to 48 (years one and two) percent. This would be expected to reduce the amount of residual cover available for the following nesting season. Overall, the proposed grazing schedule would likely result in a neutral to slight negative influence on vegetative communities that support sage-grouse breeding functions.

Cumulative Effects: In addition to grazing, infrastructure associated with fluid mineral extraction (well pads, roads, pipelines etc.) is dispersed largely throughout the Wray Gulch and Tom Little pastures. These activities result in the reduction, modification or complete removal of forage and cover resources for sage-grouse and other special status species. This allotment is an in common allotment which currently only receives incidental use of the Tom Little pasture by the other operator. There is however potential for the grazing system of the second operator to change, allowing use of 60 cattle from 4/20 to 5/19 throughout the entire allotment (see Background/Introduction). The addition of 60 head of cattle, particularly in the Wray Gulch pasture which supports the majority of sage-grouse nesting habitat, would result in further reductions in herbaceous ground cover and may prompt further undesirable shifts in vegetation composition (decline in perennial ground cover).

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Impacts would be similar to those discussed above in the Proposed Action. Livestock use would likely be less concentrated (particularly around water sources and valley bottoms) as sheep are generally herded throughout the allotment. Additionally, use would be more dispersed as sheep tend to make greater use of steeper slopes. Utilization of shrubs would tend to be higher under the current grazing system as sheep generally make greater use of browse species than cattle. This would likely be most noticeable during the fall use period.

Cumulative Effects: Cumulative impacts would be similar to those discussed above under the Proposed Action.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: Removal of livestock use from the allotment would allow for the full development of ground cover expression across much of the allotment. It is unlikely there would be any notable improvements in vegetative condition in those areas that currently support or may potentially support sage-grouse nesting and brood-rearing functions (roughly 1900 acres), as historical, concentrated livestock use has converted the plant community to one dominated by invasive, annuals (cheatgrass). Improvements in understory condition would be most noticeable, in the approximately 2,100 acres of mid seral and 2,900 acres of late seral communities.

Cumulative Effects: Because this is an in common allotment, some incidental livestock use of the Tom Little pasture would still occur. Any other reductions in ground cover would be attributed to wild ungulate use and oil and gas activity in the immediate area. In general, removing livestock use would stabilize or lead to progressive improvement in the condition and function of reproductive habitats for special status species (namely Brewer's sparrow) throughout portions of the allotment (largely the 2,100 acres of mid seral communities). This effect would remain localized, but would contribute incrementally toward the achievement of desirable habitat and population objectives for affected shrubland species in the WRFO and northwest Colorado. It is unlikely that livestock removal would have a substantive influence on the roughly 2,000 or so acres that are currently dominated by cheatgrass and other annual species, and that largely support nesting and brood-rearing functions of greater sage-grouse.

Mitigation: None.

Finding on the Public Land Health Standard #4 for Special Status Species: Most of the vegetative communities that have the potential to support greater sage-grouse nesting and brood-rearing functions are currently dominated by annual grasses and forbs. It is unlikely that any of the alternatives would be capable of enhancing ground cover conditions in these early seral communities. It is suspected that the Proposed Action may lead to further declines in understory condition in these areas as cattle tend to make heavier and prolonged use of valley bottoms than do sheep. The Proposed Action would be expected to result in incremental improvements in those mid seral communities and those ecological sites common to hillsides and steeper gradients. Similarly, livestock removal would be expected to allow for full development of herbaceous understory throughout much of the allotment, however minimal improvements would be expected in those communities that currently support sage-grouse nesting and brood-rearing functions.

MIGRATORY BIRDS

Affected Environment: The allotment spans a wide range of elevations and vegetative communities. Elevation ranges from roughly 5,700 to 6,400 feet. The Wray Gulch pasture is largely comprised of Wyoming big sagebrush, with basin big sagebrush and greasewood dominated bottoms. Pinyon-juniper woodlands are a minor component and largely confined to isolated ridges. The Tom Little Gulch and Smizer Gulch pastures have a substantial pinyon-juniper component, with sagebrush and greasewood comprising the flats and valley bottoms.

Although there are isolated areas of intact native grass communities, cheatgrass is pervasive throughout the entire allotment, with heavy concentrations in Smizer Gulch and the lower elevations of Wray Gulch and Tom Little pastures. Much of the native grass is suppressed and lacks vigor. In general, understories dominated by cheatgrass provide suboptimal cover and forage resources for most migratory bird species.

These grassland, shrubland and woodland communities provide nesting habitat for a wide array of migratory birds during the breeding season. Sagebrush and greasewood communities provide nesting habitat for species such as Brewer's sparrow, vesper sparrow, horned lark, meadowlark, blue-gray gnatcatcher and spotted towhee. Pinyon-juniper woodlands provide habitat for species such as gray flycatcher pinyon jay, juniper titmouse, Bewick's wren and black-throated gray warbler. Rock outcrops and cliffs provide nesting habitat for rock wrens and white-throated swifts.

There are no specialized or narrowly endemic species known to inhabit the allotment. However, the U.S. Fish and Wildlife Service (FWS) recognize several species that inhabit the allotment as birds of conservation concern (BOC), including juniper titmouse, pinyon jay, and Brewer's sparrow. The BOC list identifies birds that, without conservation actions, may become candidates for listing under the ESA. In general, most birds return to breed by late-April or early-May and begin nesting in earnest by the middle of May. Most young are fledged by mid to late July.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Under the proposed grazing schedule livestock class would change from sheep to cattle with grazing extended for a two week period in the fall (10/15 – 11/30 vs. 11/1 – 11/30). Overall, the proposed grazing schedule will result in an 11 percent reduction in intensity during the growing season and a 48 percent (years 1 and 2) and 44 percent (year 3) increase in intensity during the dormant season.

Because cattle are typically not actively herded as sheep are, they tend to make more prolonged use of areas in close proximity to water (up to 400 meters) as well as areas with gentler terrain (valley bottoms, toe slopes etc.). Currently these areas are heavily degraded (dominated by invasive annuals) and even with a reduction in intensity, it is unlikely the current grazing schedule will allow for any improvements in understory condition. Rest during the critical growing season every third year would not be expected to improve the condition (e.g., increase in perennial grass/forb species) of those early seral communities (~2,000 acres). Nominal improvements may be expected in the approximately 2,100 acres classified as mid seral communities but overall, ground cover conditions would likely remain static. In those years when livestock use occurs during the fall months (every third year), grazing periods would not coincide with and would have no potential to directly influence migratory bird nesting activities. A nearly 50 percent increase in fall use would be expected to reduce the amount of residual cover remaining for the subsequent nesting season. This would likely have the most notable influence on migratory birds in those years where spring and fall use are consecutive, as further reductions in ground cover would be expected from roughly one month of spring use (4/15 – 5/15) prior to the nesting season.

Livestock grazing would coincide with the early portions of the migratory bird breeding season two out three years for each pasture ([4/15 – 5/31] - See Table 5 for dates). The last dependable growth for low elevation sagebrush is typically through early May, with the end of the growing season extending through late May. Although there would be little physical overlap between livestock use and the migratory bird nesting season (~two week period from mid to late May), grazing use throughout April and May would likely leave little opportunity for regrowth prior to and during the nesting season. Reductions in herbaceous ground cover may lead to decrease in forage availability (seeds or invertebrates) and cover which provides concealment from predators. Reductions in ground cover would have the most noticeable effect on ground or low shrub nesting birds. It is unlikely that those species more closely associated with woodland types would be negatively influenced. In those years when grazing does not coincide with the migratory bird breeding season (every third year) an increase in herbaceous ground cover would be expected. A higher survival rate of young for that particular year may be expected.

Cumulative Effects: In addition to grazing, infrastructure associated with fluid mineral extraction (well pads, roads, pipelines etc.) is dispersed largely throughout the Wray Gulch and Tom Little pastures. These activities result in the reduction, modification or complete removal of forage and cover resources for migratory birds. The Proposed Action would result in reductions in herbaceous ground cover immediately prior to and during the early portions of the migratory bird nesting season. This allotment is an in common allotment which currently only receives incidental use of the Tom Little pasture by the other operator. There is however potential for the grazing system of the second operator to change, allowing use of 60 cattle from 4/20 to 5/19 throughout the entire allotment (see Background/Introduction). The addition of 60 head of cattle would result in further reductions in herbaceous ground cover and may prompt further undesirable shifts in vegetation composition (decline in perennial ground cover) which, in the long term, would not be expected to promote optimal habitat conditions for nesting and brood-rearing.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Impacts would be similar to those discussed above in the Proposed Action. Livestock use would likely be less concentrated (particularly around water sources) as sheep are generally herded throughout the allotment. Additionally, use would be more dispersed as sheep tend to make greater use of steeper slopes. Utilization of shrubs would tend to be higher under the current grazing system as sheep generally make greater use of browse species than cattle. This would be expected to have minimal impacts to shrub nesting species.

Cumulative Effects: Cumulative effects would be similar to those discussed above under the Proposed Action.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: Removal of livestock use from the allotment would allow for the full development of ground cover expression and would ostensibly provide sustained optimal habitat conditions for migratory bird reproductive functions. It is unlikely there would be any improvements in vegetative condition in those roughly 2,000 acres where historical concentrated livestock use has converted the plant community to one dominated by invasive, annuals (cheatgrass). Improvements in understory condition would be most noticeable, and would likely

provide the greatest benefit to nesting birds in the approximately 2,100 acres of mid seral and 2,900 acres of late seral communities.

Cumulative Effects: Because this is an in common allotment, some incidental livestock use of the Tom Little pasture would still occur. Any other reductions in ground cover would be attributed to wild ungulate use and oil and gas activity in the immediate area. In general, removing livestock use would stabilize or lead to progressive improvement in the condition and function of reproductive habitats for migratory birds throughout portions of the allotment (largely the 2,100 acres of mid seral communities). It is unlikely that livestock removal would have a substantive influence on the roughly 2,000 or so acres that are currently dominated by cheatgrass and other annual species. This effect would remain localized, but would contribute incrementally toward the achievement of desirable habitat and population objectives for affected shrubland species in the WRFO and northwest Colorado.

Mitigation: None.

AQUATIC WILDLIFE

Affected Environment: There are roughly a dozen small stock ponds/reservoirs scattered throughout the allotment which may provide habitat for tiger salamanders, leopard frogs and western chorus frogs. Tiger salamanders inhabit a diverse array of habitats as long as there is a suitable body of water nearby for breeding. Salamanders are known to use cattle stock ponds for breeding and are often tolerant of water that may otherwise seem degraded due to livestock manure and lack of vegetation. Chorus frogs typically breed in still water with both emergent and submerged vegetation. Northern leopard frogs are typically found in wet meadows or along the edges of ponds, lakes and reservoirs. Both frog species have been documented within the allotment. These ponds vary in vegetative and hydrologic condition. Several ponds contain water nearly year-round and support emergent vegetation such as bulrush and cattails (see Riparian and Wetlands section). Other ponds are ephemeral, with little to no obligate riparian vegetation.

See discussion regarding lotic systems in the Special Status Animal Species section.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: The proposed grazing system would allow each pasture to be rested during the growing season one out of three years. Dormant season use would occur every third year (see Tables 3-5). Cattle will likely make more prolonged use of these water sources than would sheep (due to herding practices). As a result, reductions in vegetative cover (denuding of emergent vegetation), impacts from trampling and changes in water quality may be more pronounced under this alternative, although it is not expected to have a substantive influence on amphibian populations. Removal of cattle by the end of May would be expected to provide adequate time for regrowth opportunities throughout the remainder of the growing season.

Cumulative Effects: The Proposed Action would result in reductions in herbaceous ground cover on a broad scale (~13,200 acres of public land). Reductions in upland ground cover

and shifts in understory composition (to largely annual dominated communities) may lead to increased sediment contribution to certain reservoirs. There is a high density of oil & gas infrastructure, particularly in the Wray Gulch pasture and the eastern portion of the Tom Little Gulch pasture; however this has had minimal impacts on aquatic systems as most of the vegetation loss/alteration has been in upland habitats. The proposed grazing system may result in the short-term reduction of riparian vegetative cover; however it is not expected to have a substantial influence on aquatic species or habitats.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Impacts from current management practices would be similar to those discussed above, although likely not as pronounced. Based on an allotment inspection conducted in August 2014, riparian plants appeared vigorous with minimal noticeable impacts from livestock.

Cumulative Effects: Cumulative impacts for this alternative would be similar to those discussed for the Proposed Action.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: Livestock removal would allow for full vegetative expression resulting in better developed cover/breeding habitat for aquatic species. Impacts associated with vegetation trampling would be greatly reduced (limited to wild ungulate use). Conversely, without livestock grazing, maintenance of these range improvements (stock ponds) may cease resulting in increased sedimentation and a reduction in water availability over the long term.

Cumulative Effects: Under this alternative, livestock grazing would not contribute to reductions in riparian vegetation or changes in water quality as a form of cover/breeding habitat for aquatic wildlife. Overall, livestock removal would eliminate grazing influences on roughly 13, 200 acres of public lands, allowing for gradual improvements in upland habitats which potentially may improve the function and condition of these aquatic systems (decrease sediment loads, improved vegetative conditions etc.).

Mitigation: None.

Finding on the Public Land Health Standard #3 for Plant and Animal Communities: On a landscape scale the public land health standard for aquatic communities is generally being met. While both the proposed and continued actions would result in reductions in herbaceous cover and potential shifts in upland vegetation, impacts to aquatic wildlife and aquatic habitats are expected to be nominal.

TERRESTRIAL WILDLIFE

Affected Environment: Nearly all of the allotment's low elevation sagebrush and pinyon-juniper woodlands are classified by Colorado Parks and Wildlife (CPW) as mule deer severe winter range. Severe winter range is an important limiting habitat on the landscape since it is, by definition, where 90 percent of the herd congregates in the most severe winters (heavy snowfall, extreme cold). These ranges generally receive the most concentrated use from January through

April. The extreme northern edge of the Smizer Gulch and Tom Little Gulch pastures are categorized as mule deer general winter range. In general, these ranges receive the heaviest use from October through May.

Mature components of woodland habitat may provide suitable nesting substrate for woodland raptors including red-tailed hawk, sharp-shinned hawk, Cooper's hawk, northern goshawk as well as several owl species. Cliffs and rock outcrops may also provide nesting habitat for golden eagle, prairie falcon, great-horned owl and red-tailed hawk. The majority of woodland habitat is located in the Smizer Gulch and Tom Little Draw pastures.

Limited information exists on small mammal use and distribution within the allotment. Recent trapping efforts undertaken throughout Piceance Basin indicate a high tendency in both sagebrush and pinyon-juniper communities for more generalized species such as deer mouse and least chipmunk and it is suspected that these species would be relatively abundant in the project area. It is unlikely that nongame populations occur at the appropriate densities due to the prevalence of cheatgrass throughout much of the bottomlands. There are no small mammal species that are narrowly endemic or highly specialized species known to inhabit the project area.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Under the Proposed Action, livestock class would change from sheep to cattle. Livestock distribution would be expected to shift under this grazing system as cattle tend to make heavier use in areas of gentle terrain (valley bottoms, toe slopes) as well as more prolonged and concentrated use in close proximity to water sources. In contrast sheep, which are generally herded throughout the allotment, utilize steeper slopes and generally remain in a specific area for a shorter period of time. Sheep also tend to make greater use of browse species than do cattle.

The livestock period of use would be similar to the current schedule (with the exception of a two week extension in fall) however, overall intensity would be reduced by 11 percent during the growing season with a 48 percent (years 1 and 2) and 44 percent (year 3) increase in intensity during the dormant season. Use would occur during the growing season two out of three years, with dormant season use taking place one out of three years. Currently much of the valley bottoms and toe slopes are heavily degraded and dominated by invasive, annual species (i.e., cheatgrass). It is unlikely the proposed grazing system will allow for improvements in understory condition in the roughly 2,000 acres of early seral communities. In general, annual dominated communities provide suboptimal forage and cover resources for big game and nongame species (particularly nongame birds and small mammals). Because cheatgrass provides limited forage, native grasses are more heavily utilized by big game and livestock. Cattle would be expected to make heavier use of these currently degraded areas further suppressing the expression of native bunchgrasses. In general, the Proposed Action would be expected to lead to a progressive downward trend in native herbaceous cover throughout the valley bottoms. In contrast, incremental improvements in understory composition would be expected in those mid seral communities (~2,100 acres) and across the hillsides and steeper slopes that are largely dominated by pinyon-juniper woodlands. Reduced intensity during the critical growing season as well as limited use by cattle would be expected to result in improvements in understory composition.

The proposed grazing system will likely have little influence on nesting raptors. Much of the woodlands within the Smizer Gulch and Tom Little Gulch are younger-aged, open canopied and generally considered suboptimal breeding habitat. In general, cattle tend to concentrate their use in close proximity to water and in areas with gentler terrain. Although cattle do make occasional use of rugged, wooded areas, forage production is often lower in these communities and this generally limits any concentrated or long-term use. While there would be some concurrent use during the early portions of the nesting season, cattle would be removed prior to the core nesting period.

Cumulative Effects: In addition to grazing, infrastructure associated with fluid mineral extraction (well pads, roads, pipelines etc.) is dispersed largely throughout the Wray Gulch and Tom Little pastures. These activities result in the reduction, modification or complete removal of forage and cover resources for big game and nongame species. The Proposed Action would result in reductions in herbaceous ground cover during the critical growing season, with little opportunity for regrowth. Additionally, this allotment is an in common allotment which currently only receives incidental use of the Tom Little pasture by the other operator. There is however potential for the grazing system of the second operator to change, allowing use of 60 cattle from 4/20 to 5/19 throughout the entire allotment (see Background/Introduction). The addition of 60 head of cattle, particularly in the Wray Gulch pasture, which is heavily dominated by annual grasses and forbs, would result in further reductions in herbaceous ground cover and may prompt further undesirable shifts in vegetation composition (decline in perennial ground cover).

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Impacts would be similar to those discussed in the Proposed Action with less pronounced/concentrated use in the valley bottoms. Currently livestock and big game use is concurrent during the spring two out of three years. There are no extensive or chronic big game-livestock forage competition issues that are known to occur within the allotment.

Cumulative Effects: Cumulative impacts would be similar to those discussed in the Proposed Action.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: It is unlikely that livestock removal would have any effective influence on those annual dominated communities that comprise much of the allotments bottomlands (roughly 2,000 acres). Although removing livestock may allow for greater expression and increased vigor of those perennial species that are interspersed throughout, in most instances, these communities have crossed a threshold that can only be altered by some form of management action (fire, herbicide, reseeding). The most noticeable influence from removing livestock would likely be in those mid seral communities (~ 2,100 acres) that still support a diverse composition of grasses and forbs. Overall, livestock removal would allow for increased plant vigor and shifts in plant composition and would be expected to promote optimal habitat conditions for small mammals and nongame bird populations that inhabit these areas.

Cumulative Effects: Because this is an in common allotment, some incidental livestock use of the Tom Little pasture would still occur. Any other reductions/removal in ground cover would be attributed to wild ungulate use and oil and gas activity in the immediate area. Livestock removal would eliminate domestic grazing influences on approximately 13,200 acres of public lands, allowing for progressive remediation of certain rangeland attributes that are important in the support of seasonal forage production for big game and other resident wildlife. This effect would be localized and small in scale, but would contribute incrementally toward the achievement of desirable habitat and population objectives for big game in the WRFO and northwest Colorado. It is unlikely that livestock removal would have a substantive influence on the roughly 2,000 or so acres that are currently dominated by cheatgrass and other annual species.

Mitigation: None.

Finding on the Public Land Health Standard #3 for Plant and Animal Communities: Overall, much of this allotment is not considered to be meeting the public land health standards for animal communities due the pervasiveness of annual dominated rangelands resulting from historical grazing practices. The Proposed Action would be expected to allow for incremental improvements in rangeland conditions across the 2,100 acres of mid seral communities and throughout the woodland communities (confined mainly to Smizer and Tom Little pastures). Due largely to the change in livestock class, there is potential for the grazing system to contribute to further declines in understory composition throughout the allotments valley bottoms. Rangeland conditions would be expected to remain static under the current grazing system. Livestock removal would be expected to improve the density and diversity of plant communities in those mid and late seral communities, however little improvements would be expected in those early seral communities largely confined to the Wray Gulch pasture.

CULTURAL RESOURCES

Affected Environment: Grazing permit renewals are undertakings under Section 106 of the National Historic Preservation Act. Range improvements associated with the allotment (e.g., fences, spring improvements) are subject to compliance requirements under Section 106 and will undergo separate standard cultural resources inventory and evaluation procedures. The assessments follow the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessments are summarized in Table 16.

Sites in the Little Toms Draw allotment represent sites from as early as Paleo-Indian (perhaps as much as 1,200 years ago) to the Historic Ute occupation (late 1880's). Current data suggest that there is a moderate to high potential for the occurrence of potentially Eligible or Eligible sites in the allotment. Sites in the allotment include lithic scatters, temporary camps, extended camps, rock art, wickiups, culturally scarred trees, hunting sites, kill/butchering sites, processing areas, tree platforms, trails, roads, water resource sites, homesteads, ranches, cabins, trash dumps, isolated artifacts, and graves to name a few. Many of these sites have the potential to be directly and indirectly affected and impacted by livestock grazing. Continued grazing may cause

substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to significant cultural properties. Cultural resources are fragile, non-renewable and significant sites and are protected by law and various regulations

A review of the BLM, WRFO files and the Colorado OAHP Compass on-line database indicated that 94 inventories for cultural resources have been conducted within a 100 meter buffer around the Little Toms Draw allotment, primarily from energy development, resulting in the identification of 115 archaeological sites, 25 paleontological sites, and 145 isolated occurrences. Current GIS data shows a total of 6,672.52 acres of the allotment have been surveyed to date covering 46 percent of the allotment. However, these surveys do not necessarily represent Class III surveys that were done to current standards. The most recent Class III inventory in the allotment occurred in 2011 (e.g., White River Dome 3D Geophysical Exploration Project) resulting in 3,213.55 acres surveyed within the allotment. Previous surveys have recorded 23 sites that are Eligible or potentially Eligible for listing on the National Register of Historic Places (NRHP) within the allotment; however the 2011 White River Dome 3D Geophysical Exploration Project did not make eligibility determinations for sites at that time which could increase the amount of register Eligible sites in the allotment.

Twenty-five livestock concentration areas (a total of 72 acres) were identified in 2011 by Matt Dupire, BLM WRFO Range Specialist. There are 23 historic properties within the allotment and of the 23 Eligible sites 5 of these sites have noted grazing impacts. An additional 18 sites currently do not have enough information recorded and have to be treated as potentially Eligible have been identified as being impacted or threatened by livestock grazing in the allotment and need to be monitored before the end of the regular ten year permit period.

Table 16. Cultural Resource Literature Review Results

Allotment Number	Percent of Allotment Previously Inventoried	Number of Sites Known in Allotment	Additional Inventory Required	High Potential of Historic Properties	Number of Historic Properties to be Visited
06603	~ 46 %	115 Sites (23 Eligible) 145 – Isolated Occurrence's 25 – Paleontological	Yes	Yes	5
Management Recommendations (Additional inventory required and/or historic properties to be visited).			There are 25 identified areas of livestock concentration in the allotment totaling 72 acres. All but 6 of the concentration areas have been survey for cultural resources. These 6 concentration areas were surveyed totaling approximately 30 new acres of Class III inventory in the allotment. In addition, 5 Eligible, and 18 potentially Eligible sites, with previously documented grazing impacts, will be revisited to determine how cultural sites are being impacted from grazing activities before the end of the regular ten year permit period.		

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Impact to cultural resources are essentially similar except that cows tend to be heavier with a larger hoof print which sinks deeper in to moist soils and causes potential artifact and feature displacement whereas sheep though lighter with smaller

hooves are generally more numerous for the same number of AUMs and can have impacts generally similar and as severe as cattle. The impacts discussed and identified in the CO-110-2007-154-EA would essentially be the same as those that could be expected under the current Proposed Action.

Although cattle use on the allotment is generally dispersed, cattle may congregate near springs, water sources and other facilities (e.g., wells, tanks, troughs, and corrals) where cultural resources are known to occur. Potential impacts to cultural resources (e.g., artifact damage, artifact displacement, loss of site integrity and soil erosion) will be highest in these congregation areas where range improvement projects have been constructed and lowest in open range areas. Consequently, livestock grazing has the potential to impact important cultural resources within a grazing allotment, particularly at developed springs, corrals, water troughs, and mineral supplement locations where archaeological sites and grazing activities may co-occur.

Soil hardness, moisture, and vegetation cover are factors that influence the level and types of impacts attributable to cattle grazing activities. Erosion is an indirect impact resulting from grazing that can also have impact cultural sites. In zones where livestock are more dispersed, such as upland locations away from water sources, impacts would be restricted to surface displacement and anticipated to be minimal and would not impair site eligibility. In rock areas and zones that lack plants grazed by livestock, minimal impacts to cultural resources are likely to occur.

Cumulative Effects: Past and present land uses such as livestock grazing and foraging by deer, elk, and wild horses are expected to continue to occur in the future. The livestock impacts described above, such as increased wind and water erosion, trampling, and so on will continue.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Direct impacts that may occur where livestock concentrate include trampling, chiseling and churning of site soils, cultural features and artifacts, artifact breakage and impacts from standing, leaning and rubbing against above ground features and rock art. Indirect impacts may include soil erosion, gullying and increased potential for unlawful collection and vandalism. In areas where cultural site presence coincides with areas of livestock concentration, continued grazing may contribute to substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to sites. If the current management is continued there would be no change to the level or intensity of impacts to cultural resources that is currently occurring as a result of grazing.

Cumulative Effects: Past and present land uses such as livestock grazing and foraging by deer, elk, and wild horses are expected to continue to occur in the future. The livestock impacts described above, such as increased wind and water erosion, trampling, and so on will continue.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: Under the no grazing alternative there would be no impacts to cultural resources from grazing, trampling, rubbing and scratching on vertical surfaces or soil chiseling by livestock.

Cumulative Effects: None, there would be no potential for grazing impacts.

Mitigation: The 5 Eligible and 18 potentially Eligible sites will be revisited over the ten-year term of the permit. The BLM will determine if grazing activities will adversely affect the properties. Mitigation measures, identified in consultation with the Colorado State Historic Preservation Officer (SHPO), will be implemented within the ten-year period of the permit.

PALEONTOLOGICAL RESOURCES

Affected Environment: This allotment is underlain primarily by Wasatch Formation, as identified by Tweto (1979). The BLM, WRFO has classified this formation from potential fossil yield classification (PFYC) 5. This classification means the formation have very high occurrence of containing significant fossils. During the recent cultural survey of livestock concentration areas (see Cultural Resources section above), one new fossil locality was located on the ground surface. This new locality (5RB.8487) is currently being impacted by livestock trailing and will need a mitigation plan to protect the locality from further livestock damage.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: In general, paleontological materials (fossils) are not considered to be endangered by normal grazing activities. Direct impacts to fossil materials may occur in areas of livestock concentration. Direct impacts include damage or destruction of fossils, and the disturbance of the stratigraphic context in which they are located. Since in situ fossils are seldom encountered in alluvial areas where cattle tend to concentrate, the potential for damage to undisturbed fossil remains is low. Indirect impacts may include soil erosion, gullying and increased potential for unlawful collection and vandalism.

Cumulative Effects: Past and present land uses such as livestock grazing and foraging by deer and elk are expected to continue to occur in the future. The allotment is in a remote location, seldom visited, with difficult access. However, there should be minimal if any cumulative effects to fossil resources from livestock grazing.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: In general, paleontological materials (fossils) are not considered to be endangered by normal grazing activities. Direct impacts to fossil materials may occur in areas of livestock concentration (identified during cultural resource investigation—see above). Direct impacts include damage or destruction of fossils, and the disturbance of the stratigraphic context in which they are located. Since in situ fossils are seldom encountered in alluvial areas where cattle tend to concentrate, the potential for damage to undisturbed fossil remains is low. Indirect impacts may include soil erosion, gullying and increased potential for unlawful collection and vandalism.

Cumulative Effects: Past and present land uses such as livestock grazing and foraging by deer and elk are expected to continue to occur in the future. The allotment is in a remote location, seldom visited, with difficult access. However, there should be minimal if any cumulative effects to fossil resources from livestock grazing.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: Direct and indirect impacts to paleontological resources from grazing activities would cease. Exposed fossil materials would still be subject to foraging by deer and elk and other natural processes. These include any activities directly or indirectly caused by humans, and chemical, physical, and biological processes of the natural environment.

Cumulative Effects: Cattle will not continue to contribute to cumulative impacts to fossil resources.

Mitigation: 1. Paleontological locality (5RB.8487) is currently being impacted by livestock trailing and will need a mitigation plan developed (such as constructing a fence around the site) to protect the locality from further livestock damage.

2. The permittee is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the permittee must immediately contact the appropriate BLM representative

NATIVE AMERICAN RELIGIOUS CONCERNS

Affected Environment: In accordance with the National Historic Preservation Act (NHPA), NEPA, FLPMA, the American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, and EO 13007, the BLM must provide affected tribes an opportunity to comment and consult on the Proposed Action. The BLM must attempt to limit, reduce, or possibly eliminate any negative impacts to Native American traditional, cultural, or spiritual sites, activities, and resources.

In summary, these requirements, in concert with other provisions require that the federal government carefully and proactively take into consideration traditional and religious Native American culture and life and ensure, to the degree possible, that access to sacred sites, the treatment of human remains, the possession of sacred items, the conduct of traditional religious practices, and the preservation of important cultural properties are considered and not unduly infringed upon. In some cases, these concerns are directly related to "historic properties" and "archaeological resources". In some cases, elements of the landscape without archaeological or other human material remains may be involved. Identification of these concerns is normally completed during the land use planning efforts, reference to existing studies, or via direct consultation.

At least one cultural resource identified as of importance to Ute tribes is located in this grazing allotment. This suggests that the project area holds special significance for Native Americans for traditional or religious purposes. The project would not alter or limit any access if there were traditional uses that are not known to the agency. Accordingly, Native American Indian consultation was previously conducted with the Ute Indian Tribe of the Uintah and Ouray Reservation in June 2013. Tribal authorities have indicated that the area of concern is to be

treated as a cultural landscape and that any ground disturbing activities within the boundaries of the cultural landscape are to be avoided.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Under the Proposed Action alternative, livestock grazing would likely have direct and indirect effects to sites or areas that have Native America religious concerns, by changing the landscape from that known by Traditional Utes. There are specific sites of concern identified in the project area, and these along with the broader continued change that modern culture brings to the landscape could impact Native American religious concerns

Cumulative Effects: Under the Proposed Action alternative, livestock grazing would contribute to cumulative impacts from past, present, and reasonably foreseeable actions by changing the landscape from that known by Traditional Utes. There are specific sites of concern identified in the project area, and these along with the broader continued change that modern culture brings to the landscape could impact Native American religious concern.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Under the Proposed Action alternative, livestock grazing would likely have direct and indirect effects to sites or areas that have Native America religious concerns, by changing the landscape from that known by Traditional Utes. There are specific sites of concern identified in the project area, and these along with the broader continued change that modern culture brings to the landscape could impact Native American religious concerns

Cumulative Effects: Under the Proposed Action alternative, livestock grazing would contribute to cumulative impacts from past, present, and reasonably foreseeable actions by changing the landscape from that known by Traditional Utes. There are specific sites of concern identified in the project area, and these along with the broader continued change that modern culture brings to the landscape could impact Native American religious concern.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: If the proposed livestock grazing were not allowed in this allotment, then there would be no impacts to Native American religious concerns.

Cumulative Effects: If the proposed livestock grazing were not allowed in this allotment, then there would be no impacts to Native American religious concerns.

Mitigation: 1. Tribal authorities have requested photo monitoring at sites previously identified as having cultural or religious significance. At this time, grazing activities are not affecting these sites. If at any point in the period of the grazing permit livestock impacts are noted to sites of cultural or religious significance further consultation will be initiated to develop a treatment plan to protect these sites.

2. If new information is provided by Tribal Authorities during the EA process, additional or edited terms and conditions for mitigation may have to be negotiated or enforced to protect resource values.

RANGELAND MANAGEMENT

Affected Environment: Currently the Little Toms Draw (06603) allotment is used for winter and spring sheep grazing. Little Toms Draw had been used entirely for lambing purposes in the spring prior to a change in grazing schedule in 2009 to allow for growing season rest for each pasture one in three years.

Tables 17-28 are a summarization of the individual Livestock Grazing Capacity tables, which are broken down by surface ownership (BLM, Private), soil units and Acres/AUM for each allotment and pasture. An AUM is the amount of forage necessary for the sustenance of 1 cow/calf pair for a period of 1 month. The Acres & AUM table shows an estimated carrying capacity (AUMs) of livestock for land ownership within the Little Toms Draw allotment. Tables 17-28 contain separate grazing capacity estimates for ecological site which occur on slopes less than 35 percent and those within areas of slope 35-50 percent, the grazing capacity for ecological sites which occur within the 35-50 percent range is discounted 25-50 percent to account for reduced use by cattle due to slope as cattle tend to begin avoiding use in these areas as steepness and distance upslope increase. The grazing capacity for areas with slope greater than 50 percent are not included as these areas generally provide little opportunity for grazing use by cattle. Also, grazing capacity is based upon a moderate stocking level that is generally less than the stocking rates recommended by the Natural Resources Conservation Service (NRCS) for the specific ecological sites. The reason for this is in consideration of a moderate stocking level that meets Public Land Health Standards in relation to the rangeland's carrying capacity and current rangeland conditions. Table 29 includes the total acres which contribute to the livestock grazing capacity as well as the total estimated AUMs per pasture.

Wyatt Ranches submitted *Grazing Schedule Application* as part of their application for preference transfer and change in livestock class, based on the authorized preference within the Little Toms Draw allotment. From this application, BLM in coordination with the applicant developed a grazing schedule based on the authorized preference, estimated grazing capacity, and incorporation of a period of complete growing season rest for each of the pastures within the allotment. The livestock grazing capacity analysis of forage production, were used to determine the rangeland's available forage contribution (AUMs), even though in certain instances the estimated grazing capacity exceeds that within the proposed grazing schedule. Reasons for the higher livestock carrying capacity AUMs are that the application and Proposed Action take into consideration such factors as available water distance from water to foraging areas and cattle distribution which can lower the available AUMs for livestock from the livestock carrying capacity.

Table 17.

Little Toms Draw Allotment (Smizer Gulch Pasture) Slope less than 35% Livestock Grazing Capacity (BLM)				
Soil Unit	**Ecological Site**	**BLM Acres**	**Acres / AUM**	**BLM AUMs**
Tisworth fine sandy loam	Alkaline Slopes	173.25	8	21.7
Abor Clay Loam	Clayey Foothills	167.00	5	33.4
Moyerson stony clay loam	Clayey Slopes	163.10	7	23.3
Kobar silty clay loam	Deep Clay Loam	127.38	7	11.9
Badland	None	60.54	0	0.0

Torrifluvents, gullied	None	167.93	0	0.0
Water	None	1.75	0	0.0
Rentsac channery loam,	Pinyon Juniper woodlands	15.41	15	1.0
Bulkley channery silty clay loam	Pinyon-Juniper woodlands	19.66	15	1.3
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	1,573.36	15	104.9
Forelle loam	Rolling Loam	95.34	6	15.9
Patent loam	Rolling Loam	332.93	6	32.3
Yamac Loam	Rolling Loam	5.21	6	0.9
Trembles loam, Wet	Salt Meadow	2.00	6	0.3
Borollic Calciorthids-Guben Complex	Stony Foothills/Rolling Loam	50.48	6	8.4
	Total	**2,955.34**		**285**

Table 18.

Little Toms Draw Allotment (Smizer Gulch Pasture) Slope less than 35%				
Livestock Grazing Capacity (Private)				
Soil Unit	**Ecological Site**	**Private Acres**	**Acres / AUM**	**Private AUMs**
Turley fine sandy loam	Alkaline Slopes	2.75	8	0.3
Moyerson stony clay loam	Clayey Slopes	13.31	7	1.9
Badland	None	48.90	0	0.0
Water	None	13.70	0	0.0
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	11.86	15	0.8
Redrob loam	Riverbottom	1.02	15	0.1
Forelle loam	Rolling Loam	1.79	6	0.3
Patent loam	Rolling Loam	4.11	6	0.7
Trembles loam, Wet	Salt Meadow	10.10	6	1.7
Borollic Calciorthids-Guben Complex	Stony Foothills/Rolling Loam	18.26	6	3.0
	Total	**125.80**		**9**

Table 19.

Little Toms Draw Allotment (Smizer Gulch Pasture) Slope 35%-50%				
Livestock Grazing Capacity (BLM)				
Soil Unit	**Ecological Site**	**BLM Acres**	**Acres / AUM**	**BLM AUMs**
Abor Clay Loam	Clayey Foothills	2.06	10	0.2
Moyerson stony clay loam	Clayey Slopes	38.91	14	2.8
Badland	None	34.24	0	0.0
Torrifluvents, gullied	None	3.14	0	0.0
Water	None	0.3	0	0.0
Bulkley channery silty clay loam	Pinyon-Juniper woodlands	3.32	23	0.0
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	108.3	23	4.7
Forelle loam	Rolling Loam	0.18	12	0.0
Patent loam	Rolling Loam	1.42	12	0.1
Yamac Loam	Rolling Loam	0.28	12	0.0
Borollic Calciorthids-Guben Complex	Stony Foothills/Rolling Loam	3.88	12	0.3
	Total	**196.03**		**8**

Table 20.

Little Toms Draw Allotment (Smizer Gulch Pasture) Slope 35%-50%				
Livestock Grazing Capacity (Private)				
Soil Unit	**Ecological Site**	**Private Acres**	**Acres / AUM**	**Private AUMs**
Moyerson stony clay loam	Clayey Slopes	2.43	14	0.2
Badland	None	20.26	0	0.0
Water	None	0.31	0	0.0
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	3.43	23	0.1
Borollic Calciorthids-Guben Complex	Stony Foothills/Rolling Loam	5.47	12	0.5
	Total	**31.90**		**1**

Table 21.

Little Toms Draw Allotment (Tom Little Pasture) Slope less than 35%				
Livestock Grazing Capacity (BLM)				
Soil Unit	**Ecological Site**	**BLM Acres**	**Acres / AUM**	**BLM AUMs**
Tisworth fine sandy loam	Alkaline Slopes	27.67	9	3.1
Abor Clay Loam	Clayey Foothills	327.04	6	54.5
Moyerson stony clay loam	Clayey Slopes	1,726.46	8	215.8
Kobar silty clay loam	Deep Clay Loam	455.99	8	57.0
Badland	None	524.84	0	0.0
Torrifluvents, gullied	None	174.45	0	0.0
Water	None	4.73	0	0.0
Rentsac channery loam	Pinyon Juniper woodlands	310.75	15	20.7
Blazon, moist-Rentsac Complex	Pinyon-Juniper woodland	464.40	15	31.0
Bulkley channery silty clay loam	Pinyon-Juniper woodlands	115.49	15	7.7
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	1,234.80	15	82.3
Forelle loam	Rolling Loam	312.52	6	52.1
Patent loam	Rolling Loam	268.78	6	44.8
Yamac Loam	Rolling Loam	160.98	6	26.8
Trembles loam, Wet	Salt Meadow	3.56	6	0.6
Torriorthents-RockOutcrop, complex	Stoney Foothills	209.53	8	26.2
	Total	**6,321.99**		**623**

Table 22.

Little Toms Draw Allotment (Tom Little Pasture) Slope less than 35%				
Livestock Grazing Capacity (Private)				
Soil Unit	**Ecological Site**	**Private Acres**	**Acres / AUM**	**Private AUMs**
Moyerson stony clay loam	Clayey Slopes	34.55	8	4.3
Kobar silty clay loam	Deep Clay Loam	3.78	8	0.5
Badland	None	20.05	0	0.0
Water	None	13.20	0	0.0
Blazon, moist-Rentsac Complex	Pinyon-Juniper woodland	9.42	15	0.6
Redrob loam	Riverbottom	2.29	15	0.2
Yamac Loam	Rolling Loam	1.08	6	0.2
Trembles loam, Wet	Salt Meadow	15.76	6	2.6
	Total	**100.12**		**8**

Table 23.

Little Toms Draw Allotment (Tom Little Pasture) Slope 35%-50%				
Livestock Grazing Capacity (BLM)				
Soil Unit	**Ecological Site**	**BLM Acres**	**Acres / AUM**	**BLM AUMs**
Abor Clay Loam	Clayey Foothills	7.98	12	0.7
Moyerson stony clay loam	Clayey Slopes	299.85	16	18.7
Kobar silty clay loam	Deep Clay Loam	19.73	16	1.2
Badland	None	204.07	0	0.0
Torrifluvents, gullied	None	8.17	0	0.0
Water	None	0.2	0	0.0
Rentsac channery loam	Pinyon Juniper woodlands	33.75	23	1.5
Blazon, moist-Rentsac Complex	Pinyon-Juniper woodland	111.45	23	4.8
Bulkley channery silty clay loam	Pinyon-Juniper woodlands	31.83	23	1.4
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	196.98	23	8.6
Patent loam	Rolling Loam	4.96	12	0.4
Yamac Loam	Rolling Loam	2.02	12	0.2
Torriorthents-RockOutcrop, complex	Stoney Foothills	88.71	16	5.5
	Total	**1,009.70**		**43**

Table 24.

Little Toms Draw Allotment (Tom Little Pasture) Slope 35%-50%				
Livestock Grazing Capacity (Private)				
Soil Unit	**Ecological Site**	**BLM Acres**	**Acres / AUM**	**BLM AUMs**
Moyerson stony clay loam	Clayey Slopes	3.49	9	0.4
Kobar silty clay loam	Deep Clay Loam	1.45	9	0.2
Badland	None	7.02	0	0.0
Water	None	0.28	0	0.0
Blazon, moist-Rentsac Complex	Pinyon-Juniper woodland	4.24	23	0.2
	Total	**16.48**		**1**

Table 25.

Little Toms Draw Allotment (Wray Gulch Pasture) Slope less than 35%				
Livestock Grazing Capacity (BLM)				
Soil Unit	**Ecological Site**	**BLM Acres**	**Acres / AUM**	**BLM AUMs**
Tisworth fine sandy loam	Alkaline Slopes	209.56	9	23.3
Dollard silty clay loam	Clayey Foothills	115.58	6	19.3
Moyerson stony clay loam	Clayey Slopes	776.63	8	97.1
Kobar silty clay loam	Deep Clay Loam	26.31	8	3.3
Badland	None	68.26	0	0.0
Blazon, moist-Rentsac Complex	Pinyon-Juniper woodland	91.63	15	6.1
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	219.43	15	14.6
Forelle loam	Rolling Loam	90.47	6	15.1
Patent loam	Rolling Loam	5.18	6	0.9
Yamac Loam	Rolling Loam	239.56	6	39.9
Torriorthents-RockOutcrop	Stoney Foothills	5.80	8	0.7
	Total	**1,848.41**		**220**

Table 26.

Little Toms Draw Allotment (Wray Gulch Pasture) Slope less than 35%				
Livestock Grazing Capacity (Private)				
Soil Unit	**Ecological Site**	**Private Acres**	**Acres / AUM**	**Private AUMs**
Tisworth fine sandy loam	Alkaline Slopes	47.71	9	5.3
Dollard silty clay loam	Clayey Foothills	4.50	6	0.7
Moyerson stony clay loam	Clayey Slopes	445.51	8	55.7
Kobar silty clay loam	Deep Clay Loam	20.81	8	2.6
Kobar silty clay loam	Deep Clay Loam	40.99	8	5.1
Badland	None	9.13	0	0.0
Blazon, moist-Rentsac Complex	Pinyon-Juniper woodland	0.06	15	0.0
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	66.36	15	4.4
Yamac Loam	Rolling Loam	73.17	6	12.2
Torriorthents-RockOutcrop, complex	Stoney Foothills	4.43	8	0.6
	Total	**712.66**		**87**

Table 27.

Little Toms Draw Allotment (Wray Gulch Pasture) Slope 35%-50%				
Livestock Grazing Capacity (BLM)				
Soil Unit	**Ecological Site**	**BLM Acres**	**Acres / AUM**	**BLM AUM's**
Tisworth fine sandy loam	Alkaline Slopes	7.48	18	0.4
Dollard silty clay loam	Clayey Foothills	0.77	12	0.1
Moyerson stony clay loam	Clayey Slopes	23.34	16	1.5
Badland	None	32.82	0	0.0
Blazon, moist-Rentsac Complex	Pinyon-Juniper woodland	7.81	23	0.3
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	51.35	23	2.2
Patent loam	Rolling Loam	0.8	12	0.1
Yamac Loam	Rolling Loam	8.61	12	0.7
Torriorthents-RockOutcrop, complex	Stoney Foothills	5.91	16	0.4
	Total	**138.89**		**6**

Table 28.

Little Toms Draw Allotment (Wray Gulch Pasture) Slope 35%-50%				
Livestock Grazing Capacity (Private)				
Soil Unit	**Ecological Site**	**Private Acres**	**Acres / AUM**	**Private AUMs**
Tisworth fine sandy loam	Alkaline Slopes	3.32	18	0.2
Dollard silty clay loam	Clayey Foothills	0.04	12	0.0
Moyerson stony clay loam	Clayey Slopes	37.53	16	2.3
Kobar silty clay loam	Deep Clay Loam	0.88	16	0.1
Badland	None	11.5	0	0.0
Rentsac-Moyerson-RockOutcrop, complex	PJ Woodlands/Clayey Slopes	12.32	23	0.5
Yamac Loam	Rolling Loam	2.4	12	0.2
Torriorthents-RockOutcrop, complex	Stoney Foothills	2.02	16	0.1
	Total	**70.01**		**3**

Table 29.

Acre and AUM Totals by Pasture						
Pasture	BLM		Private		Total AUMs	%PL
	Acres	AUMs	Acres	AUMs		
Smizer	3,151.37	293	157.7	10	303	97%
Tom Little	7,331.69	666	116.6	9	675	99%
Wray Gulch	1,987.30	226	782.67	90	316	72%
Total	12,470.36	1,172	1,056.97	109	1,281	92%

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: Implementation of this action would alleviate heavy to severe use during the critical growing season on historic lambing grounds within the Little Toms Draw allotment (See Vegetation Section for further vegetative impacts). This alternative would allow complete growing season rest one in three years for each of the pastures within the allotment at the grazing preference level applied for in the grazing schedule application. The stocking rate within the proposed schedule would be below the estimated carrying capacity within all pastures except fall use within the Smizer pasture during year 2 which would be 8 AUMs over the estimated carrying capacity, this level of exceedance is not expected to impair rangeland health as the use will occur during vegetation dormancy and is only marginally (2.8 percent) above the estimated carrying capacity. Continued monitoring will need to take place to evaluate the effectiveness of this rotation, and if it does not appear rangeland health is improving, more changes in grazing management will need to be made.

Livestock grazing has occurred for years on the Little Toms Draw allotment and surrounding areas. The White River ROD/RMP recommends a rest rotation for this allotment from 3/16 through 6/1 every other year. While implementation of the proposed grazing schedule would not fully implement this, rather complete growing season rest occurs 1 in 3 years as this allotment is currently comprised of three separately fenced pastures. The proposed schedule is not expected to create any adverse impacts to BLM lands within the Little Toms Draw allotment.

Cumulative Effects: Past and present livestock use within this grazing allotment has resulted in some areas not meeting Land Health Standards primarily due to concentrated use within historic lambing grounds and no critical growing season rest prior to implementation of the current rest rotation grazing schedule in 2009. The Little Toms Draw allotment is an in common grazing allotment used by two grazing permittees, currently use by the other operator is incidental spring use within the Tom Little pasture by livestock which primarily utilize adjacent private land but are able to access public land within the of the pasture. The grazing authorization for the other operator permitted within the Little Toms Draw allotment is currently undergoing revision, the grazing schedule for that authorization as well as the proposed grazing schedule for Wyatt Ranches were developed concurrently to incorporate complete growing season rest by both operators 1 in 3 years for each pasture, also the combined total proposed stocking rate for both operators is at or below the estimated grazing capacity, The authorized use for Mr. Lopez would be 60 cattle from 4/20 to 5/19 (59 AUMs) in the Tom Little pasture the first two years and in the Wray Gulch pasture the third year of the rotation, as analyzed in DOI-BLM-CO-110-2011-0083-EA. Livestock use into the future using the management described in Alternative A is not anticipated to create any cumulative impacts to vegetation or rangelands.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: Continuation of current management would not permit a change of class of livestock from sheep to cattle, impacts to rangeland resources would be similar to those described for the Proposed Action as the stocking rate and grazing schedule for each alternative are the same.

Cumulative Effects: Cumulative impacts for this alternative would be similar to those discussed for the Proposed Action.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: The No Livestock Grazing Alternative would give the greatest benefit to rangelands due to a lack of use from livestock. It also provides the greatest opportunity for plant growth, increased plant vigor, and seed head production. This alternative does violate the Taylor Grazing Act and 1997 White River ROD/RMP which identifies the Little Toms Draw allotment as an area available for livestock grazing, and describes grazing as an acceptable use on public lands.

Cumulative Effects: Past and present grazing has occurred on the allotment and is expected to continue into the future. The No Livestock Grazing Alternative would provide the greatest benefit to rangelands, and would not be expected to result in any cumulative effects detrimental to long-term rangeland health.

Mitigation: None.

RECREATION

Affected Environment: The primary recreational activity occurring in the proposed project area is big game hunting from late August through November each year. Other recreational activities in this area include a low amount recreational Off-Highway Vehicle use, a low amount of mountain lion hunting, and dispersed camping associated with big game hunting. There are three Special Recreation Permits (SRP) for the commercial guiding of big game hunters that overlap with portions of the allotment. There are 14 SRPs for commercial guiding of mountain lion hunting that are permitted throughout the entire WRFO. The allotment is located within Colorado Parks and Wildlife's Game Management Unit (GMU) 11. General public elk and mule deer licenses for this GMU are generally combined with several other GMUs offering a large geographic area to hunt in.

Environmental Consequences of the Proposed Action (Alternative A):

Direct and Indirect Effects: The Proposed Action includes the grazing of 193-320 cattle, depending on the year, from October 15-November 30 of each year, rotating each year across the three pastures. This grazing overlaps with all four general rifle elk hunting seasons and the two general rifle mule deer hunting seasons, which are the primary recreational activities in this area. However, the licenses for these hunting seasons typically provide hunters with multiple Game Management Units to hunt that offer hundreds of thousands of acres of public lands to hunt. Compared to Alternative B, the Proposed Action reduces the number animals from 1,000-1,700

sheep to 193-300 cattle. It is likely that the grazing of cattle in this allotment during this time will impact the desired hunting experience for very few overall hunters in very limited areas for short periods of time. There is potential for hunters to expect to pursue big game in an area that has a concentration of cattle grazing and be displayed to another area. However, there is likely to be a variety of opportunities in this area to gain the desired hunting experience on public lands.

Cumulative Effects: None identified as a result of the Proposed Action.

Environmental Consequences of Continuation of Current Management (Alternative B):

Direct and Indirect Effects: This alternative includes the grazing of 1,000-1,700 sheep, depending on the year, from November 1-November 30 of each year, rotating each year across the three pastures. This grazing overlaps with the third and fourth general rifle elk hunting seasons and the second general rifle mule deer hunting season, which are the primary recreational activities in this area. However, the licenses for these hunting seasons typically provide hunters with multiple Game Management Units to hunt that offer hundreds of thousands of acres of public lands to hunt. Compared to the Proposed Action, Alternative B increases the number animals from 193-300 cattle to 1000-1700 sheep, but has less overlap with the various hunting seasons. It is likely that the grazing of sheep in this allotment during this time will impact the desired hunting experience for very few overall hunters in very limited areas for short periods of time. There is potential for hunters to expect to pursue big game in an area that has a concentration of sheep grazing and be displayed to another area. There is likely to be a variety of opportunities in this area to gain the desired hunting experience on public lands.

Cumulative Effects: None identified as a result of this alternative.

Environmental Consequences of No Livestock Grazing (Alternative C):

Direct and Indirect Effects: By not grazing any livestock in this allotment there would be no impacts to desired big hunting experiences in this area. Compared to the Proposed Action and Alternative B, this alternative results in slightly less impacts to hunters because there would be no impact or potential impact of grazing on desired hunting experiences.

Cumulative Effects: None identified as a result of this alternative.

Mitigation: None.

REFERENCES CITED:

Holloran, M.J. 1999. Sage-grouse (*Centrocercus urophasianus*) seasonal habitat use near Casper, Wyoming. M.S. thesis, University of Wyoming, Laramie.

Lyon, A.G. 2000. The potential effects of natural gas development on sage grouse (*Centrocercus urophasianus*) near Pinedale, Wyoming. Thesis, University of Wyoming, Laramie, WY.

Slater, S.J. 2003. Sage-grouse (*Centrocercus urophasianus*) use of different-aged burns and the effects of coyote control in southwestern Wyoming. M.S. thesis. University of Wyoming. Laramie, Wyoming.

TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED:

In accordance with Section 106 of the National Historic Preservation Act, the BLM consulted with the State Historic Preservation Office (SHPO) and the various Native American Tribes. A letter for the proposed undertaking was send to the SHPO on December 8, 2014. Letters were sent to initiate consultation with the Eastern Shoshone Tribe, Ute Indian Tribe (Uintah & Ouray Reservation), Southern Ute Indian Tribe, and the Ute Mountain Ute Tribe on December 4, 2014. Based upon the responses received, the BLM has determined that the consulted tribes had a reasonable opportunity to identify their concerns about historic properties [36 CFR 800.2(c)(2)(ii)(A)], and based upon the consultations, the BLM has determined that there are no Native American concerns regarding NHPA issues surrounding this project as proposed.

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Signed
Keith Sauter	Hydrologist	Air Quality; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Soils	12/4/2014
Matt Dupire	Ecologist	Areas of Critical Environmental Concern; Special Status Plant Species, Forest Management	1/7/2015
Brian Yaquinto	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontological Resources	12/2/2014
Tyrell Turner	Rangeland Management Specialist	Invasive, Non-Native Species; Vegetation; Rangeland Management	12/15/2014
Lisa Belmonte	Wildlife Biologist	Migratory Birds; Special Status Animal Species; Terrestrial and Aquatic Wildlife; Wetlands and Riparian Zones	1/5/2015
Aaron Grimes	Outdoor Recreation Planner	Wilderness; Visual Resources; Access and Transportation; Recreation,	12/2/2014
Kyle Frary	Fire Management Specialist	Fire Management	9/8/2014
Paul Daggett	Mining Engineer	Geology and Minerals	7/25/2014
Stacey Burke	Realty Specialist	Realty	9/15/2014
Melissa J. Kindall	Range Technician	Wild Horse Management	7/17/2014
Tyrell Turner	Rangeland Management Specialist	Project Lead – Document Preparer	3/16/2015
Heather Sauls	Planning & Environmental Coordinator	NEPA Compliance	3/4/2015

ATTACHMENTS:

Appendix A: Standard Terms and Conditions
Map 1: Little Toms Draw Allotment

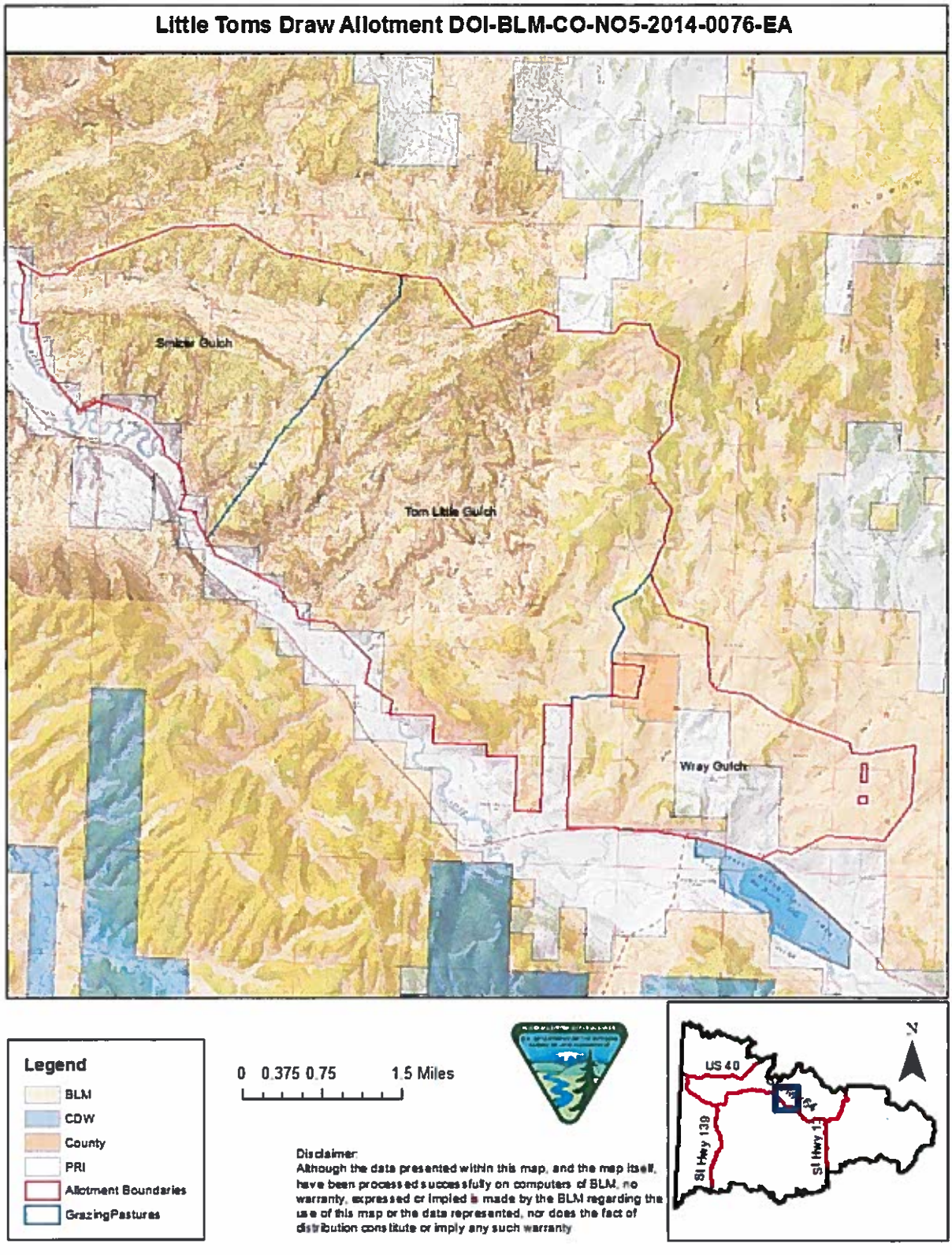
Appendix A. Standard Terms and Conditions

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
    a. Noncompliance by the permittee/lessee with rules and regulations.
    b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
    c. A transfer of grazing preference by the permittee/lessee to another party.
    d. A decrease in the lands administered by the BLM within the allotment described.
    e. Repeated willful unauthorized grazing use.
    f. Loss of qualifications to hold a permit or lease.
3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. The holder of this authorization must notify the authorized officer immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (cultural items), stop the activity in the area of the discovery and make a reasonable effort to protect the remains and/or cultural items.
11. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of $25 or 10 percent of the amount owed but not more than $250) will be assessed.
12. No Member of, Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C Sections 431-433, and 43 CFR Part 7,

enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

13. This grazing permit conveys no right, title or interest held by the United States in any lands or resources.
14. This grazing permit is subject to a) modification, suspension or cancellation as required by land plans and applicable law; b) annual review of terms and conditions as appropriate; and c) the Taylor Grazing Act, as amended, the Federal Land Policy and Management Act, as amended, the Public Rangelands Improvement Act, and the rules and regulations now or hereafter promulgated thereunder by the Secretary of the Interior.

Map 1:


Little Toms Draw Allotment DOI-BLM-CO-NO5-2014-0076-EA
Smoke Gulch
Tom Little Gulch
Wray Gulch
Legend
BLM
CDW
County
PRI
Allotment Boundaries
GrazingPastures
0 0.375 0.75 1.5 Miles
Disclaimer:
Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied is made by the BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty
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US 40
St Hwy 139
St Hwy 1

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-N05-2014-0076-EA

BACKGROUND

The applicant holds two grazing permits within the WRFO, one authorizing sheep use and one which authorizes cattle use. In 2013 the applicant transferred the majority of their grazing preference for the sheep ranching operation to another operator. The applicant retained the grazing preference for the Little Toms Draw grazing allotment and still has a grazing permit which authorizes sheep grazing within that allotment, and has made application to change the class of livestock authorized to graze from sheep to cattle to incorporate this allotment into their cattle ranching operation.

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. This project is focused on changing the class of livestock authorized to graze within the Little Toms Draw allotment, a grazing allotment identified as available for grazing through the White River ROD/RMP. The applicant is the current grazing preference holder for the allotment.

Intensity

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

1. Impacts that may be both beneficial and adverse.

The beneficial effects of the Proposed Action include support of the local livestock industry and increased stewardship of public lands. The authorized livestock operator has mandatory terms and conditions that must be met to maintain their grazing preference. This provides a certain level of stewardship of public lands in that if these lands were to become degraded by any activity or event, natural or human in origin, grazing and or other authorized uses would be terminated. This stewardship role of the livestock operator not only mandates proper livestock and forage management but also provides communication with the BLM as to other activities or

events that could cause degradation to public lands. Adverse effects include minor impacts to soils and vegetation that will be limited in scope and are expected to be insignificant.

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.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.
Livestock grazing has occurred for many years on the Little Toms Draw Allotment and surrounding areas. The White River ROD/RMP recommends a rest rotation for this allotment from 3/15 through 6/1 every other year. While the Proposed Action does not fully implement this, each of the three pastures within the allotment would not receive use 3/15-4/15 every year, and complete spring rest (3/15-6/1) every third year. Thus, the Proposed Action is similar to what has been recommended for this allotment is not expected to generate controversy.

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. Livestock grazing of the proposed allotment has been evaluated since at least the 1981 Grazing Management EIS.

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.
Within the allotment, there are 5 eligible and 18 potentially eligible cultural sites, as well as one paleontological site. Mitigation measures have been included to address any potential impacts to cultural or paleontological resources from livestock grazing activities.

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.
No special status plant species (SSPS) are known to occupy land within the Little Toms Draw allotment. The nearest known occurrence for the federally threatened species Dudley Bluffs twinpod (*Physaria obcordata*) occurs approximately one mile away to the southwest. Approximately 812 acres of potential habitat for Dudley Bluffs twinpod (*Physaria obcordata*) occur within the designated allotment. Livestock grazing is expected to have little to no effect on either of the special status plant species, their associated habitats or potential range for expansion.

Less than 200 meters of the White River and roughly 21 acres (distributed along the channel in small, isolated 2 -3 acre patches) of the 100-year floodplain lie within the allotment. The White River and its 100-year floodplain from Rio Blanco Lake to the Utah state line are designated critical habitat for the endangered Colorado pikeminnow. Occupied habitat is located below the Taylor Draw dam, approximately 26 valley miles downstream.

The proposed grazing schedule would not be expected to have any effective influence on the Colorado pikeminnow or the 100-year floodplain due mainly to the limited amount of BLM administered riverine habitat involved. Pikeminnow do not occur within the allotment boundary and floodplain involvement is in small, isolated 2-3 acre patches scattered along the channel. As such, grazing would not be expected to negatively influence this species or floodplain habitats.

The allotment contains approximately 1,874 acres of preliminary general habitat (PGH) for the greater sage-grouse. The greater sage-grouse is a candidate for listing under the Endangered Species Act (ESA) and a species considered sensitive by the BLM. Nearly all of the BLM administered lands in the Wray Gulch pasture are classified as PGH (~1,600 acres) with a small amount (274 acres) overlapping into the southeast portion of the Tom Little Gulch pasture. Overall, the proposed grazing schedule would likely result in a neutral to slight negative influence on vegetative communities that support sage-grouse breeding functions.

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: 03/29/2015

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

CO-110 (WRFO)
Sec 3. CF 0504876

Certified Mail No. 7014 0150 0000 5649 9021
Return Receipt Requested

March 20, 2015

Wyatt Ranches
c/o Davie Brooks
37669 Highway 64
Meeker, CO 81641

NOTICE OF PROPOSED DECISION

Dear Mr. Brooks:

Bureau of Land Management (BLM) White River Field Office (WRFO) has received your application for change in livestock class from sheep to cattle authorized within the Little Toms Draw allotment. The application has been reviewed for conformance with 43 CFR 4110.1(b)(2)(i), 4110.1(b)(2)(ii), and 4110.1(b)(2)(iii).

The proposed grazing schedule developed by WRFO in consultation with you was reviewed and analyzed during the permit issuance process. Land health assessments, field observations, and other information was evaluated and reviewed for this allotment. Information provided by you through consultation was also considered in development of the proposed grazing permit.

To comply with the National Environmental Policy Act of 1969, as amended, this office conducted an Environmental Assessment (EA) for the issuance of a new grazing permit to analyze and determine whether or not significant impacts would result from implementation of the proposed grazing permit. This review has now been completed in an Environmental Assessment which analyzed the proposed grazing programs as developed by BLM. The EA resulted in a Finding of No Significant Impact. A copy of DOI-BLM-CO-N05-2014-0076-EA is on file at the WRFO. 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 three alternatives: The Proposed Action (Alternative A), The Continuation of Current Management (Alternative B), and a No Grazing Alternative (Alternative C).
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)).

Below is a brief description of Alternatives A and B in the environmental assessment. Alternative A is a grazing schedule developed to maintain areas currently meeting land health standards or maintain a trajectory towards meeting land health standards. It involves the implementation of a three pasture rotation in the spring and takes into consideration the deferment requirements of the White River Field Office 1997 Record of Decision/Resource Management Plan (WRFO ROD/RMP) (D-14). This schedule also incorporates a change in livestock class from sheep to cattle. Alternative A addresses the number of livestock, season of use, duration, frequency, and intensity of grazing use to minimize impacts to vegetation and rangeland health (Guideline 2). The tables below outline Alternative A:

Table 1. Proposed Grazing Schedule – Years 1,4,7,10

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUMs	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little Toms Draw	Tom Little	313	Cattle	4/15	5/31	47	484	92	445	39
	Smizer	157	Cattle	4/15	5/31	47	243	92	223	20
	Wray Gulch	188	Cattle	10/15	11/30	47	290	92	267	23
						Total	**1,017**		**935**	**82**

Table 2. Proposed Grazing Schedule – Years 2,5,8

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUMs	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little Toms Draw	Tom Little	270	Cattle	4/15	5/31	47	417	92	384	33
	Wray Gulch	200	Cattle	4/15	5/31	47	309	92	284	25
	Smizer	188	Cattle	10/15	11/30	47	290	92	267	23
						Total	**1,016**		**935**	**81**

Table 3. Proposed Grazing Schedule – Years 3,6,9

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUMs	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little Toms Draw	Wray Gulch	160	Cattle	4/15	5/31	47	247	92	227	20
	Smizer	180	Cattle	4/15	5/31	47	278	92	256	22
	Tom Little	318	Cattle	10/15	11/30	47	491	92	452	39
						Total	**1,016**		**935**	**81**

Alternative B is a continuation current grazing management. This alternative also includes the three pasture rest rotation during the spring, but does not change the class of livestock authorized to graze within the Little Toms Draw allotment.

Table 4. Current Grazing Schedule – Years 1,4,7,10

Allotment		Livestock		Grazing Period		# Days Grazed	Total AUM's	%PL	BLM AUMs	Pvt AUMs
Name	Pasture	Number	Kind	Begin	End					
Little	Tom Little	1700	Sheep	4/15	5/31	47	656	80	525	131

Toms Draw	Wray Gulch	1000	Sheep	4/15	5/31	47	386	80	309	77
	Smizer	1000	Sheep	11/1	11/30	30	246	80	197	49
						Total	**1,288**		**1,031**	**257**

Table 5. Current Grazing Schedule – Years 2, 5, 8

Allotment		Livestock		Grazing Period		# Days	Total	%PL	BLM	Pvt
Name	Pasture	Number	Kind	Begin	End	Grazed	AUM's		AUMs	AUMs
Little Toms Draw	Tom Little	1700	Sheep	4/15	5/31	47	656	80	525	131
	Smizer	1000	Sheep	4/15	5/31	47	386	80	309	77
	Wray Gulch	1000	Sheep	11/1	11/30	30	246	80	197	49
						Total	**1,288**		**1,031**	**257**

Table 6. Current Grazing Schedule – Years 3,6,9

Allotment		Livestock		Grazing Period		# Days	Total	%PL	BLM	Pvt
Name	Pasture	Number	Kind	Begin	End	Grazed	AUM's		AUMs	AUMs
Little Toms Draw	Smizer	1000	Sheep	4/15	5/31	47	386	80	309	77
	Wray Gulch	1000	Sheep	4/15	5/31	47	386	80	309	77
	Tom Little	1700	Sheep	11/1	11/30	30	418	80	335	83
						Total	**1,190**		**953**	**237**

PROPOSED DECISION

In conformance with 43 CFR 4160.1, my proposed decision is to implement the Proposed Action (Alternative A), as mitigated in EA number DOI-BLM-CO-N05-2014-0076-EA for authorization of a change of livestock class the Little Toms Draw Allotment for a period of 10 years expiring on February 28, 2025 as supported by 43 CFR 4130.2(d)(3).

Standard Terms and Conditions

Livestock grazing permits and leases must specify terms and conditions pursuant to 43 CFR 4130.3, 4130.3-1, and 4130.3-2. The Standard Terms and Conditions that are applied to every permit in Colorado are as follows:

1. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
2. They are subject to cancellation, in whole or in part, at any time because of:
    a. Noncompliance by the permittee/lessee with rules and regulations.
    b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
    c. A transfer of grazing preference by the permittee/lessee to another party.
    d. A decrease in the lands administered by the BLM within the allotment described.
    e. Repeated willful unauthorized grazing use.
    f. Loss of qualifications to hold a permit or lease.

3. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits or leases when completed.
4. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
8. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
9. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
10. Pursuant to 43 CFR 10.4(g), the permittee/lessee 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 operator/holder/applicant must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
11. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of $25 or 10 percent of the amount owed but not more than $250) will be assessed.
12. No Member of, Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.
13. This grazing permit conveys no right, title or interest held by the United States in any lands or resources.
14. This grazing permit is subject to a) modification, suspension or cancellation as required by land plans and applicable law; b) annual review of terms and conditions as appropriate; and c) the Taylor Grazing Act, as amended, the Federal Land Policy and Management Act, as amended, the Public Rangelands Improvement Act, and the rules and regulations now or hereafter promulgated thereunder by the Secretary of the Interior.

Other Terms and Conditions

Livestock grazing permits may also contain site-specific terms and conditions "determined by the authorized officer to be appropriate to achieve management and resource conditions objectives", to ensure conformance with Colorado Public Land Health Standards and fundamentals of rangeland health, and to "assist in the orderly administration of the public rangelands" (43 CFR 4130.3, 4130.3-2). The following terms and conditions will also be added to the permit:

1. Livestock use will occur as outlined in the Grazing Schedule in the Proposed Action portion of the Environmental Assessment document DOI-BLM-CO-N05-2014-0076-EA that analyzes grazing on the Little Toms Draw Allotment in accordance with 43 CFR 4120.2(d).

2. In order to improve livestock distribution on the public lands, no salt blocks and/or mineral supplements will be placed within 1/4 mile of any riparian area, wet meadow, or watering facility (either permanent or temporary) unless stipulated though a written agreement or decision in accordance with 43 CFR 4130.3-2(c).

3. All new water sources require prior BLM approval and NEPA analysis due to the potential to change livestock distribution and to create concentration areas.

4. The permittee shall submit an Actual Use form within 15 days after completing their annual grazing use as outlined in 43 CFR 4130.3-2(d).

5. 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.

6. 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 authorized officer (AO). The permittee/lessee 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 permittee/lessee, 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.

7. The permittee/lessee is responsible for informing all persons who are associated with allotment operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations

under this authorization, the permittee/lessee must immediately contact the appropriate BLM representative.

8. As outlined in the 1997 White River ROD/RMP, utilization rates of key forage plant species by livestock, as determined by the BLM will be limited to: 1) 40% averaged utilization for the grazing period from April 1 to June 15 each grazing year for key forage plants, 2) 40-60% averaged utilization on key forage plants for the grazing period from June 16 through September 14 each grazing year, 3) 60% averaged utilization of key forage plants for the grazing period September 15 to March 31 each grazing year.

9. Maintenance of all structural rangeland improvements (RI) and other projects are the responsibility of the permittee to which they have been assigned. Maintenance will be in accordance with cooperative agreements and/or range improvement permits (43 CFR 4120.3-1). Failure to maintain assigned projects in a satisfactory/functional condition may result in withholding authorization to graze livestock until maintenance is completed. Construction of new RI on BLM administered lands is prohibited without approval from the authorized officer.

10. Noxious weed infestations on the Little Toms Draw allotment shall be treated in a manner consistent with BLM protocol as outlined in the White River ROD/RMP. For noxious weed populations on BLM administered lands, weeds will be treated by a certified pesticide applicator either by the BLM or permittee. If livestock grazing practices result in the establishment and/or spread of noxious weeds, the permittee will be responsible for controlling these weeds as directed by the BLM.

11. The 5 Eligible and 18 potentially Eligible sites will be revisited over the ten-year term of the permit. The BLM will determine if grazing activities will adversely affect the properties. Mitigation measures, identified in consultation with the Colorado State Historic Preservation Officer (SHPO), will be implemented within the ten-year period of the permit.

12. Paleontological locality (5RB.8487) is currently being impacted by livestock trailing and will need a mitigation plan developed (such as constructing a fence around the site) to protect the locality from further livestock damage.

13. The permittee is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the permittee must immediately contact the appropriate BLM representative

14. Tribal authorities have requested photo monitoring at sites previously identified as having cultural or religious significance. At this time, grazing activities are not affecting these sites. If at any point in the period of the grazing permit livestock impacts are noted to sites of cultural or religious significance further consultation will be initiated to develop a treatment plan to protect these sites.

15. If new information is provided by Tribal Authorities during the EA process, additional or edited terms and conditions for mitigation may have to be negotiated or enforced to protect resource values.

This proposed decision is being issued to you as an affected party under authority of 43 CFR 4160.1, and as qualified applicants under 4130.2(a) and (e). Changes being made to the existing permit, in the proposed grazing schedule are supported by regulation 43 CFR 4180.1(a) and (b) and 4180.2(c) which direct the authorized officer to take appropriate action as soon as practicable but not later than the next grazing year upon determination that existing grazing management needs to be modified to ensure the Fundamentals of Rangeland Health and Standards and Guidelines are being met. Proposed changes are also supported by 43 CFR 4180.2 (e) (1-7) and (10-12). Proposed decreases in permitted use are addressed in 43 CFR 4110.3-2(b). 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 Tyrell Turner at 878-3859, or myself at 878-3800.

Sincerely,

Kent E. Walter
Field Manager