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

Proposed Action & Alternatives for Scoping

NUMBER: DOI-BLM-CO-N05-2014-0035-EA

PROJECT NAME: Piceance-East Douglas Herd Management Area New Fence Construction Projects

LEGAL DESCRIPTION by Segment:

State Highway 64:	Township 2 North, Range 97 West, Sections 18 – 20 Township 2 North, Range 98 West, Section 13
Rio Blanco County Road 5:	Township 1 North, Range 97 West, Sections 2, 11, 14, 15
Barcus Creek Area:	Township 1 North, Range 99 West, Section 26
Duck Creek Area:	Township 1 South, Range 98 West, Sections 9, 10, 15, 16
Tommy's Draw Area:	Township 3 South, Range 100 West, Sections 9 – 11 and 14 – 16

APPLICANT: Bureau of Land Management (BLM), White River Field Office (WRFO)

PURPOSE & NEED FOR THE ACTION:

The purpose of the action is to improve management of wild horses within the Piceance-East Douglas Herd Management Area (HMA) and to address resource concerns associated with wild horses gaining access to areas outside of the designated HMA boundary. The need for the action is that sections of the 137 mile perimeter of the HMA is not adequately fenced and wild horses can travel from inside to outside the HMA because: 1) portions of it have never been fenced, 2) an existing fence has been damaged or destroyed so that it is no longer functional, or 3) there are not effective topographic barriers to deter wild horses from leaving the HMA

In addition to concerns about other natural resource conflicts (e.g., listed plant species, riparian areas), there are also concerns about the welfare of people and the wild horses. Along State Highway 64 and Rio Blanco County Road 5, wild horses have been injured or killed by vehicles. Vehicle collisions with wild horses also pose a risk to human health and safety. In the Main Barcus Creek area, a gap was created when a new fence was constructed after a wildfire

destroyed the original allotment boundary; this gap allows both livestock and wild horses to gain access to lands outside of the HMA boundary which complicates management of two grazing allotments which are operated by different permittees. The current fence in the Duck Creek area has been non-functional for years and allows wild horses access to private land along County Road 91; the current fence also bisects a large area of a federally threatened plant population. In the Tommy's Draw area, wild horses are able to travel to areas previously unoccupied by wild horses and also onto to private land.

Decision to be Made: The WRFO will decide whether or not to approve some or all of the proposed new fence segments, and if so, with what terms and conditions.

Project Area:
In general, the project area is the HMA boundary (although the fence segments do not necessarily follow the boundary but are located as close as possible to the boundary with the proposed fences to be located where the fences will be effective and result in the least impacts to other resources). The project area does not include fencing located within the interior of the designated HMA boundary. The perimeter of the designated boundary is estimated at 137 miles and is located approximately 20 miles west and south of Meeker, Colorado within the BLM's Northwest District of Colorado. The HMA encompasses approximately 190,130 acres of federal, state, and private lands. The analysis area is located within all or portions of the Yellow Creek, Square S, Greasewood Gulch, and Cathedral Creek Grazing Allotments.

Background:
During the 2012 and 2013 field seasons, WRFO staff started conducting field reconnaissance of the HMA boundary for functionality, as well as for verification of fence location to aid in updating grazing allotment boundary mapping which also included the use of aerial photography and spot checking locations. The field reconnaissance also included checking other associated fencing associated with the HMA.

In order for the WRFO staff to complete the field reconnaissance approximately 40 miles remain of the 137 mile perimeter. The staff will continue to check the remaining sections of the perimeter during the next several field seasons. There may be additional sections of the HMA requiring some form of fencing work (either repair or new construction) and any new segments will be analyzed under a separate document.

State Highway 64:
The new fence along State Highway 64 (Highway 64) would be for the purpose of human health and safety, as well as for wild horse safety. Highway 64 is fenced on the north side of the highway only which allows wild horses access to the highway in this section. Instances of wild horses being found on and/or hit by vehicles on this section are becoming increasingly frequent. Coordination will also need to be conducted with the oil and gas operator in the area regarding gate access along Highway 64; gates are currently left open or are not functional. This portion of the project will require coordination with Colorado Department of Transportation (CDOT), Rio Blanco County Road & Bridge (RBCRB), White River Trail Association (WRTA), Koch Exploration Company LLC (Koch), U.S. Fish and Wildlife Service (FWS), and private

landowners. Under Alternative B only, all old fence sections located within the project area will be removed.

County Road 5 (Piceance Creek):
The new fence along and Rio Blanco County Road 5 would be for the purpose of human health and safety, as well as for wild horse safety. County Road 5 is fenced on the east side of the road only which allows wild horses access to this section of road. Instances of wild horses being found on and/or hit by vehicles on this section are becoming increasingly frequent. This portion of the project will require coordination with Colorado Parks and Wildlife (CPW) and the Rio Blanco County Road and Bridge Department. No old fence sections are known to exist in the project area.

Main Barcus Creek Area:
This gap in the boundary fence was created when a new fence was constructed after a wildfire destroyed the original allotment boundary fence; in order to reduce the amount of fence required, the replacement fence was relocated to a topographic rim. This realignment created a topographic gap of approximately 1 mile which allows wild horses to gain access to lands outside of the HMA. It also allows both wild horses and livestock the ability gain access to two different allotments which currently have two different operators. Both grazing permittees will be coordinated with on this section of fence.

Duck Creek Area:
This area currently allows wild horses the ability to access those lands located outside of the HMA. There is a historic fence in this area (see Map 5, "not carried forward 2") that has been non-functional for years with cedar posts rotted and laying on the ground along with the barbed wire. This historic fence bisects a large area with a known population of Dudley Bluffs twinpod and would not be removed in order to minimize impacts to the plants. New fence construction will require consultation with the FWS, as well as, coordination with the other landowner in the area, Shell Frontier (Shell).

Tommy's Draw Area:
This area is the unfenced Tommy's Draw Pasture of the Cathedral Bluffs Allotment. A new fence would retain wild horses within the HMA and restrict their ability to travel to areas previously unoccupied by wild horses (i.e., Lake and Soldier Creeks) and resolve continuing conflicts of the wild horses accessing private lands in the area. All alternatives will require coordination with RBCRB and the permittee/private land owner. No old fence sections are known to exist in the project area.

Issues:
One proposed fence segment would cross through a known population of Dudley bluffs twinpod (*Physaria obcordata*). The twinpod is listed as threatened under the Endangered Species Act and construction of the fence in this area requires consultation with U.S. Fish and Wildlife Service (FWS).

In order to form an effective boundary, portions of the proposed fence segments would need to leave BLM lands and cross private property. The BLM will need to coordinate with landowners

to receive approval for construction of these fence segments on private, state and county lands. The BLM plans to coordinate with the following landowners: CPW, Koch, CDOT, RBCRB, O.S. Wyatt Ranches, BOPCO, John R. Pierce Revocable Trust, and Shell.

For the proposed fence construction adjacent to State Highway are also used to trail livestock. The BLM will coordinate with the White River Trail Association (WRTA) to ensure that viable trailing routes are maintained.

The BLM would also coordinate with other permitted users in these areas including the various livestock grazing permittees: Burke Brothers Ranch, O.S. Wyatt Ranches, and Powell 4A Ranch and right-of-way holders: Tri-State Power Line Company (Tri-State), U.S. West Communications (U.S. West), Northwest Pipeline Corporation (Northwest), Koch, and White River Electric Association (WREA).

SCOPING, PUBLIC INVOLVEMENT, AND ISSUES:

Scoping: Scoping is the primary mechanism used by the BLM to identify issues. Internal scoping was initiated when the project was preliminarily presented to the WRFO interdisciplinary team on January 7, 2014 for an initial review. External scoping is being conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on February 24, 2014 for 15 days. During scoping, the BLM is looking for feedback from the public regarding issues, impacts, and potential alternatives that should be addressed in the environmental assessment (EA).

DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES:

Introduction:
All proposed fence locations are based on where fence construction and maintenance would work best due to the landscape, grazing allotment delineations, and how the fence aids in containing wild horse populations within the designated HMA boundary. Consideration was also given to impacts to other resources (see Map1 – Overview).

The WRFO staff recommends a two phased approach where the proposed fence construction would be as follows:

- Constructed in 2014: fence segments along Highway 64, County Road 5 and Tommy's Draw area
- Constructed in 2015: fence segments in the Duck Creek and Main Barcus Creek areas .

Features Common to All Alternatives:
Future fence maintenance responsibilities will be designated and agreed upon by and between those parties associated with the different segments of fence through a Range Improvement Agreement, where applicable.

The fence construction would be accomplished by a fence building crew utilizing equipment such as the following: a hand, two-man or skidster mounted auger in order to set wooden posts where necessary; an ATV or small tractor type vehicles to haul materials and possibly stretch the barbed wire; pickup trucks to haul material, as well as, get to the fencing project location; T-posts will be 5 foot long and pounded into the ground with a hand post pounder at a depth of approximately 12 to 15 inches depending on soils in the area; and much of the work will consist of additional people traffic to the specific location during construction of the fence.

Design Features:

1. All fences will be a 4 strand barbed wire fence (Type D) construction as per BLM guidance (refer to Diagram 1).
2. No new roads or ways would be constructed in order to build or maintain any of the new fence segments.

State Highway 64:

Alternative A (Preferred):
Under Alternative A, the BLM would construct a fence that runs along a two-track road on the south end then cross country on the plateau just above Highway 64 and then drops back down to Highway 64 and ties in to the existing fence on the north end for approximately 2.6 miles (see Map 2).

Alternative B:
Under Alternative B, the BLM would construct a new fence within the Highway 64 right-of-way for approximately 2.82 miles where the current fence line is in a nonfunctional state (see Map 2).

County Road 5 (Piceance Creek):

Alternative A (Preferred):
Under Alternative A, the BLM would construct 5 different segments of “drift” fence built on the west side of County Road 5 using topographic features for approximately 1.1 miles (see Map 3).

Alternative B:
Under Alternative B, the BLM would construct a new fence on the west side of Rio Blanco County Road 5 for approximately 2.0 miles (see Map 3).

Special Design Features for Both Alternatives:
If constructed on slopes over 10%, the BLM would use a three-wire fence design with the bottom wire starting at 20 inches from the ground, as well as that bottom wire being a smooth wire instead of a barbed wire.

Main Barcus Creek Area:

Alternative A (Preferred):
Under Alternative A, the BLM would construct a new fence that is a direct or straight line of fence section connecting to the corner of the existing fence located at a two-track road for approximately 0.75 mile (see Map 4). The portion of the fence from the gate to the cliff rim would be removed.

Alternative B:
Under Alternative B, the BLM would construct a new fence on the uplands and would follow the topographic edge until reaching the fence from the south that was constructed to the rim for approximately 0.79 miles (see Map 4).

Duck Creek Area:

Alternative A (Preferred):
Under Alternative A, the BLM would construct a new fence adjacent to a livestock/wild horse/big game trail which takes off from the water gap on Duck Creek south for approximately 0.80 miles with the exact location to be determined during a field tour (see Map 5). This location would approximately 450 meters west of the historic fence's location within the Dudley Bluffs twinpod population but still remains within the boundaries of the mapped population.

Note that there are no other alternatives currently being considered for detailed analysis within the Duck Creek area. Refer to Map 5 as well the Alternatives Considered but Not Carried Forward section for discussion of three alternative fence routes that were considered but dropped for detailed analysis.

Tommy's Draw Area:

Alternative A (Preferred):
Under Alternative A, the BLM would construct new fence for approximately 2.75 miles in length with sections of the new fence constructed adjacent to Rio Blanco County Road 28 (Cathedral Creek) while other sections of the fence would be constructed to create a water gap for both livestock and wild horses (see Map 6).

Alternative B:
Under Alternative B, the BLM would construct a new fence for approximately 2.88 miles on the designated current HMA boundary (see Map 6).

Alternative C (No Action):
The WRFO would continue to manage wild horses within the HMA boundary, however none of the proposed fence segments would be constructed. Without construction of additional perimeter

fence segments, wild horses will continue to be able to gain access to lands outside of the HMA boundary.

ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD:

HMA Boundary: The BLM considered constructing these five segments of fence exactly along the designated HMA boundary. However, this alternative was not carried forward for detailed analysis because the designated boundary line is not always the best place to build and maintain a fence when consideration is given to topography, land ownership, and impacts to other resources.

The BLM also considered constructing a continuous fence along the entire perimeter of the HMA boundary. This alternative was not carried forward for detailed analysis due to the expense of such an undertaking and because it would not be necessary to construct a fence where there are effective topographic barriers. Attempting to construct a fence across some of those topographic barriers would result in additional impacts to other resources.

The BLM considered modifying the designated HMA boundary to match the location of the new fence segments. This alternative was also not carried forward because, as discussed above, the BLM has yet to complete the field reconnaissance of approximately 40 miles of the 137 mile perimeter (29%).

State Highway 64: An alternative was considered to construct a new fence within a pipeline or a power line right-of-way for approximately 3.53 miles just west and south of State Highway 64 which would reduce the HMA as well as the Rocky Ridge Pasture of the Yellow Creek Grazing Allotment by approximately 890 acres therefore this alternative was dropped from further consideration.

Duck Creek Area: A second alternative was considered to construct a new fence for approximately 0.97 miles that would be located where the historic non-functional fence is located (see Map 5, “not carried forward 2”). However, this fence is located nearly in the middle of a large, known population of Dudley Bluffs twinpod and would result in adverse effects to the threatened plants due to the surface disturbance associated with removing the old fence and constructing a new fence.

The BLM also considered constructing a new fence for approximately 1.3 miles adjacent to County Road 91 (Stake Springs) with approximately 95% of the fence construction located on private lands owned by Shell (see Map 5, “not carried forward 3”). However, at this time, Shell cannot support the BLM constructing a fence along this portion of their property.

A final alternative was considered to repair an existing fence for approximately 1.7 miles on the east side of the Yellow Creek drainage which parallels County Road 91 (Stake Springs) tying into the northern fence located in Township 1 South, Range 98 West, Section 10 and the southern fence located in Township 1 South, Range 98 West, Section

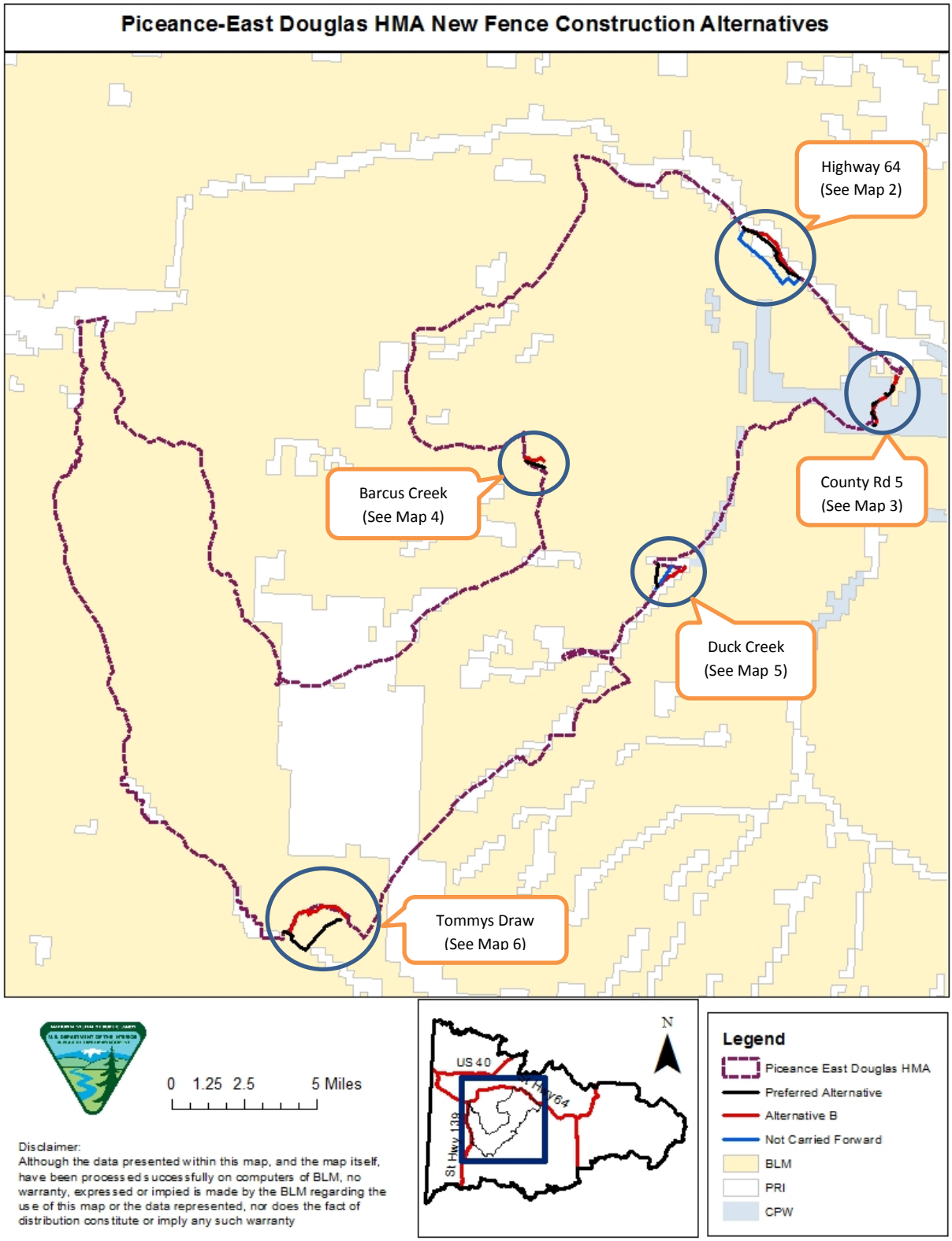
21 (see Map 5, “not carried forward 4”). On each end of this fence there would be cattle guards that would require maintenance. In addition, the northern end may require an additional section of new fence to be constructed on private property in the Yellow Creek drainage bottom due to the drying out of the drainage in the summer months which could allow wild horses to gain access outside of the HMA if not constructed. The BLM consulted with Shell but they do not support repair of this fence or construction of an additional shorter section of fence on their property at this time.

TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES TO BE CONSULTED:

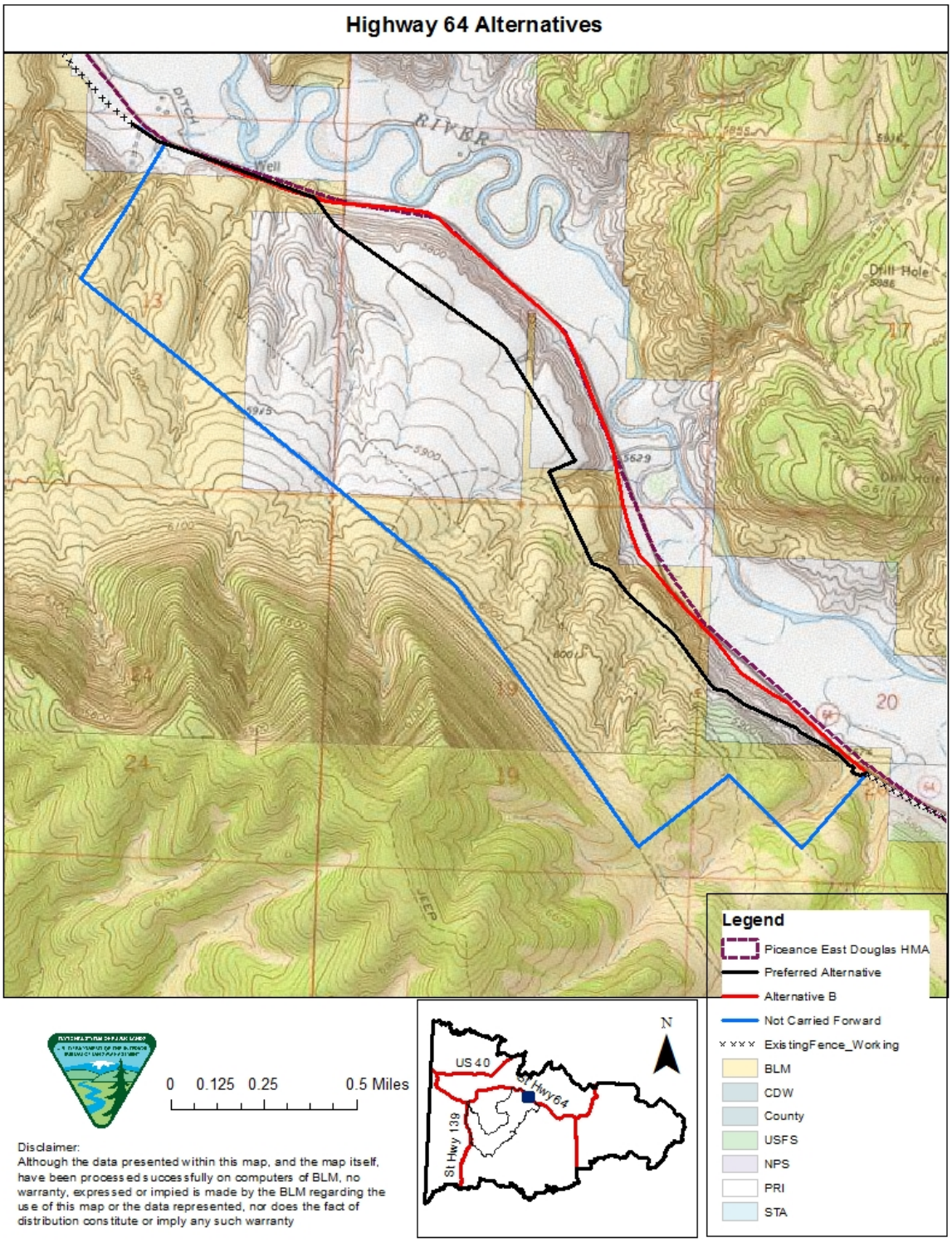
Colorado Parks and Wildlife
U.S. Fish and Wildlife Service
Colorado Natural Heritage Program
Rio Blanco County Road and Bridge
White River Trail Association
Shell Frontier
Koch Exploration
Colorado Department of Transportation
Tri-State Generation
White River Electric Association
BOPCO
Northwest Pipeline Corporation
U.S. West Communications
O.S. Wyatt Ranch
Burke Brothers Ranch
Powell 4A Ranch

ATTACHMENTS:
Map 1: Project Overview
Map 2: Highway 64 Alternatives
Map 3: County Road 5 Alternatives
Map 4: Barcus Creek Alternatives
Map 5: Duck Creek Alternatives
Map 6: Tommy’s Draw Alternatives
Diagram 1: Fence Design Diagram

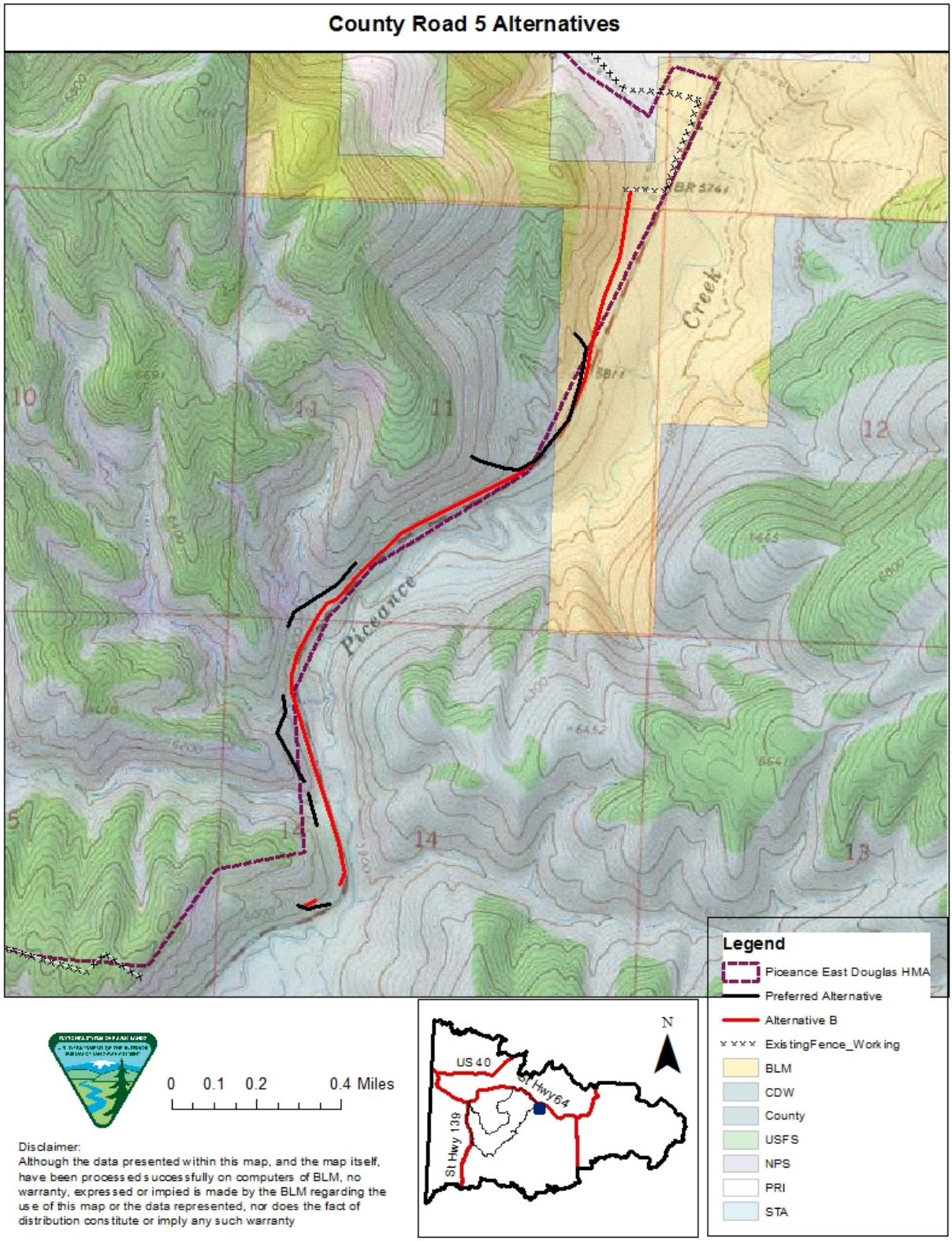
Map 1: Overview



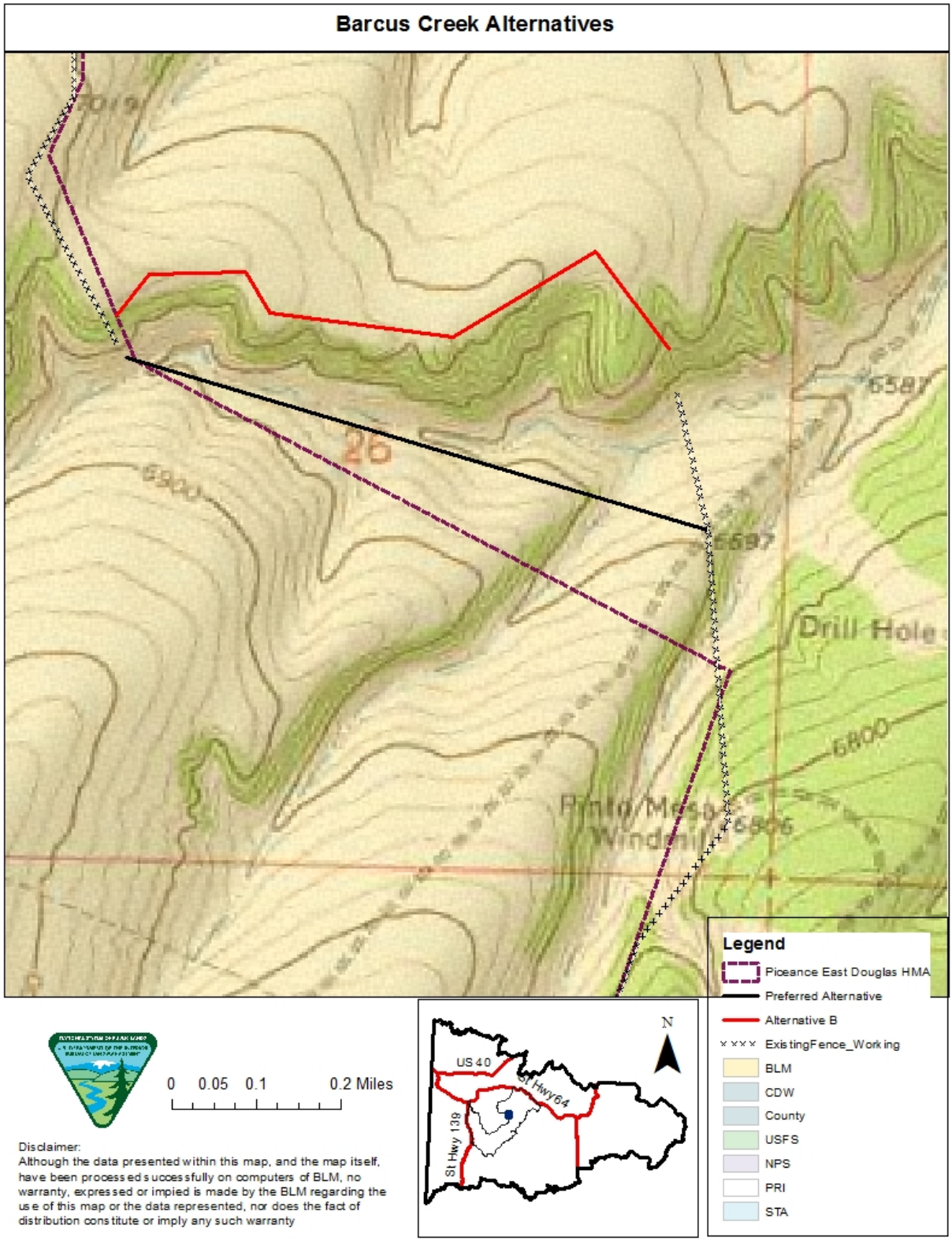
Map 2: Highway 64 Alternatives



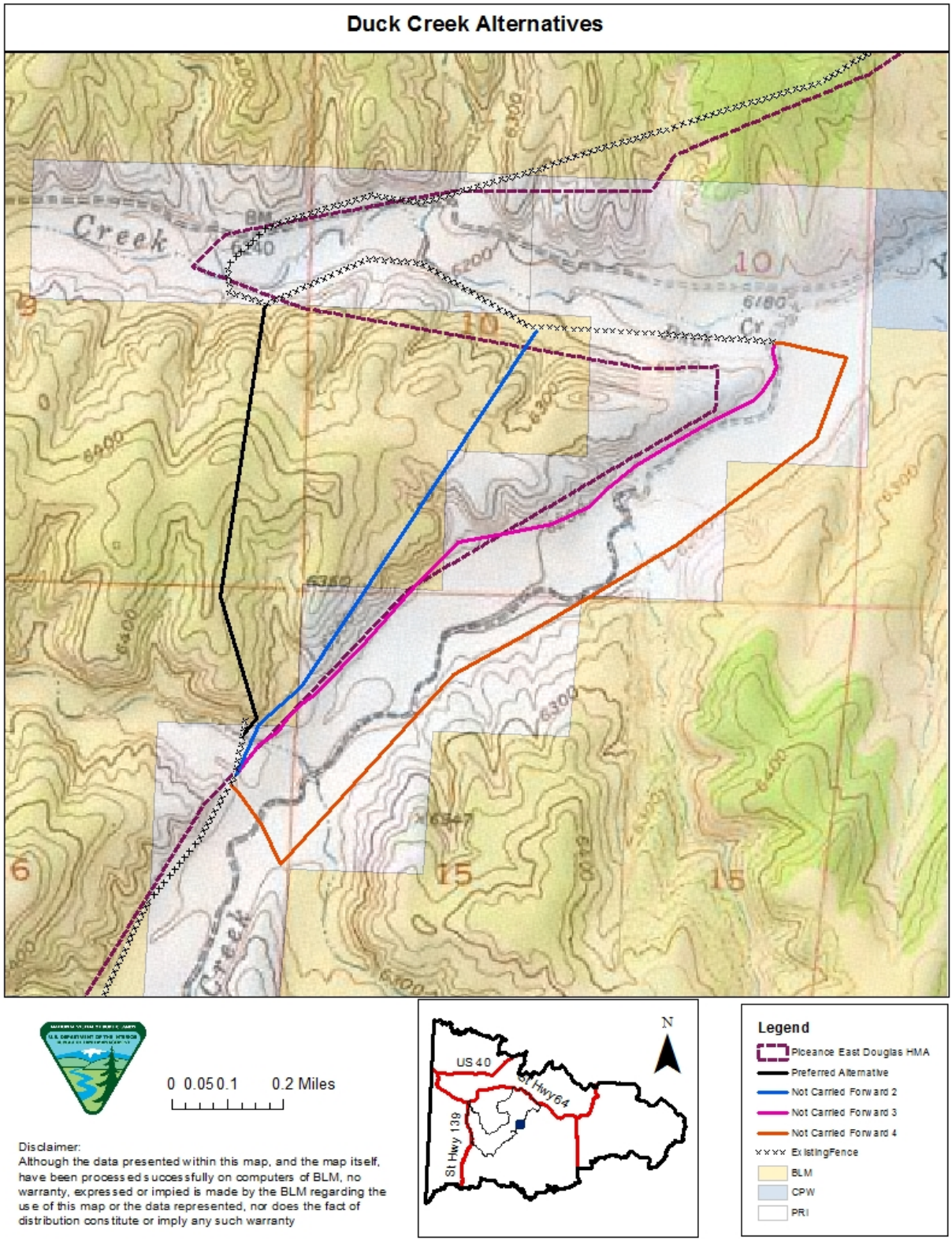
Map 3: County Road 5 Alternatives



Map 4: Barcus Creek Alternatives



Map 5: Duck Creek Alternatives



Map 6: Tommys Draw Alternatives

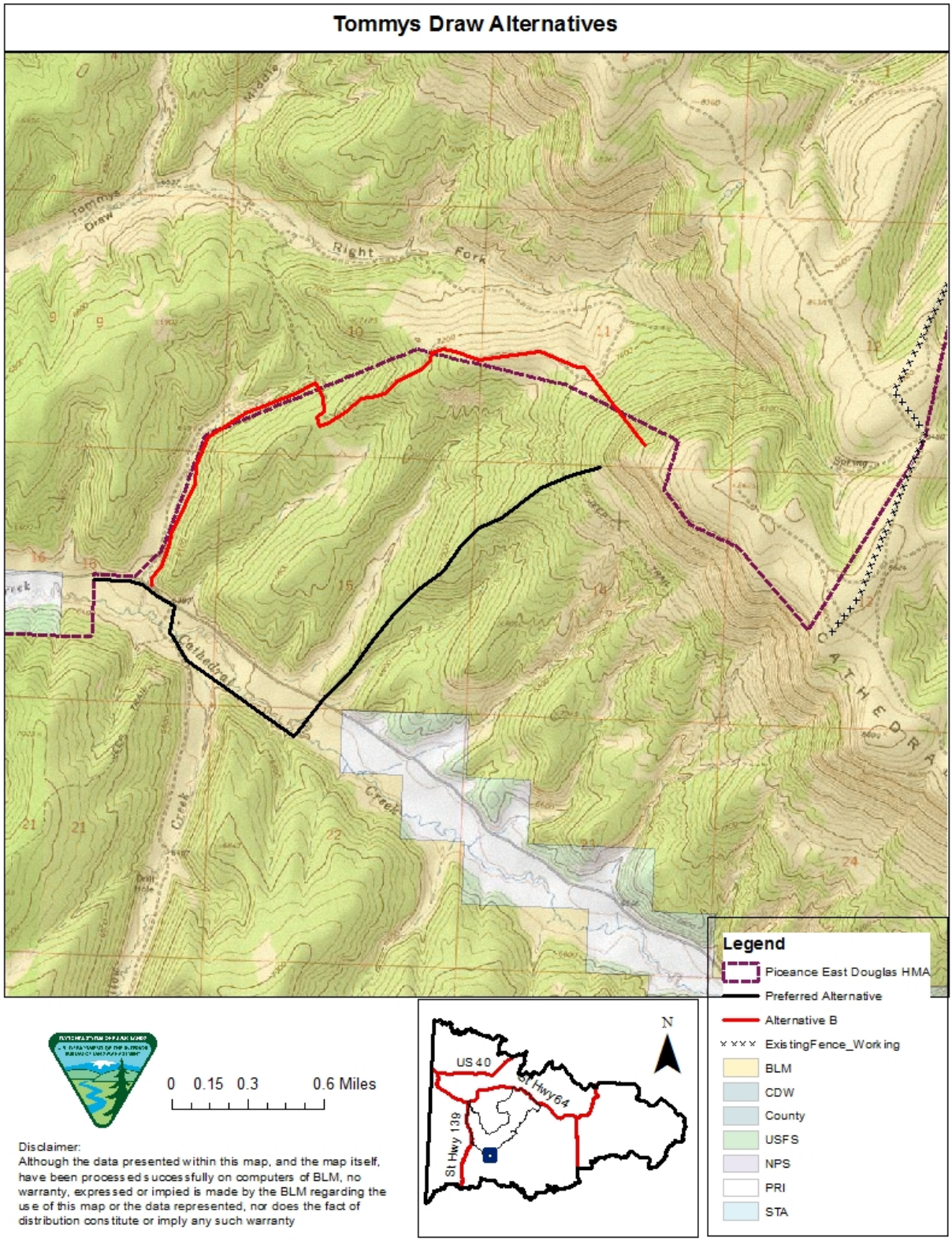
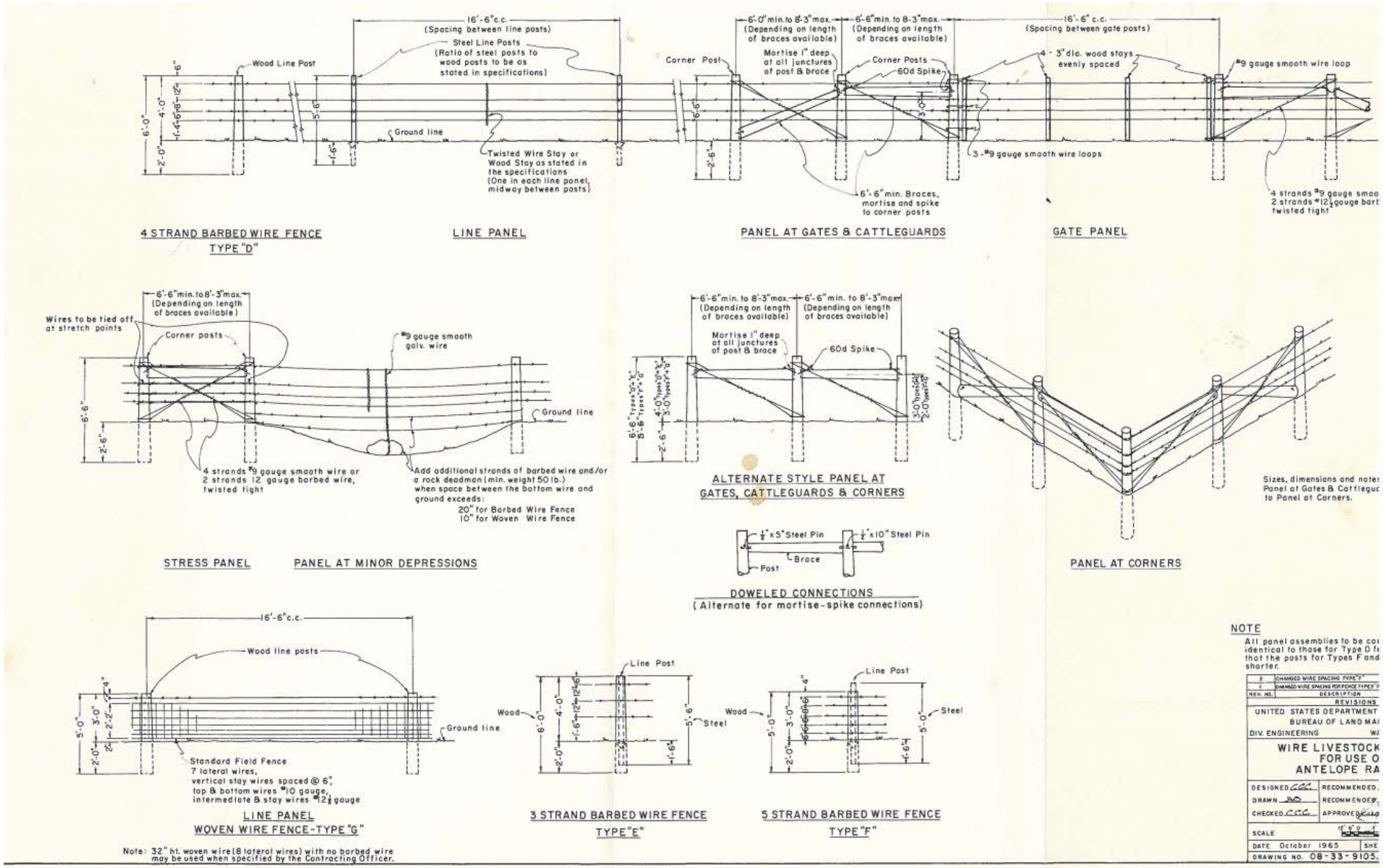



Diagram 1: Fence Design