



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Worland Field Office

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8300 (010)

JUN 18 2004

Dear Reader:

The enclosed environmental assessment (EA) analyzes strategies the Bureau of Land Management might adopt for managing a parcel of land known as the Elizabeth B. Eggert Nature Tract. This tract includes approximately 187 acres of land acquired by the BLM in 2003 and a parcel of land identified as the Willows Tract in the 1986 Bighorn River Recreation and Habitat Management Plan. The land is located along the Bighorn River between Worland and Thermopolis, Wyoming.

This environmental assessment is being distributed to the public for a 30-day review and comment period. Comments on the EA are due by July 20, 2004. Please send your comments to: BLM - Worland Field Office, P. O. Box 119, Worland, WY 82401-0119, ATTN: Jim Wolf, Project Leader; or e-mail them to worland_wymail@blm.gov. Comments, including the names and street addresses of respondents will be available for public review at the above address during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, except federal holidays). Comments may also be published as part of the Decision Record. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from public disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as a representative or officials of organizations or businesses, will be available for public inspection.

Your comments will be considered before a Decision Record is issued. If you have any questions, please contact Jeff Johnson or Jim Wolf at (307) 347-5100.

Sincerely,

Brendan J. Cain

Acting Assistant Field Manager
Resources

Enclosure



ENVIRONMENTAL ASSESSMENT
WY-010-EA04-44

for the

Management Plan for the
Elizabeth B. Eggert Nature Tract

Case File No. WYW-152424

Prepared by:
U.S. Department of the Interior
Bureau of Land Management
Worland Field Office, Wyoming

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ABBREVIATIONS

BLM	U.S. Department of the Interior, Bureau of Land Management
CFR	Code of Federal Regulations
EA	Environmental Assessment
LWCF	Land and Water Conservation Funds
WFO	Bureau of Land Management, Worland Field Office
WGFD	State of Wyoming, Game and Fish Department
HRMP	Habitat and Recreation Management Plan

ENVIRONMENTAL ASSESSMENT WY-010-EA04-44

Management for the Elizabeth B. Eggert Nature Tract

PURPOSE AND NEED

During 1998, Robert Eggert, Jr., Richard Eggert, and James Eggert approached the Bureau of Land Management (BLM) concerning an exchange for their property known as the "Eggert Parcel." This 192-acre parcel is located along the Bighorn River about 2 miles southwest of Winchester, Wyoming, and is dissected by the Hot Springs/Washakie county line. (See map at the end of this document.) The Eggert's were seeking a "mountain recreation-type" property in the exchange. While discussing the exchange proposal, it was determined the type of land the Eggert's were seeking would not be available from the BLM. It was suggested a direct purchase using Land and Water Conservation Funds (LWCF) might be considered; the Eggert's could then acquire property that met their needs through the private real estate market. The Eggert's were receptive to the idea. The Land and Water Conservation Fund Act of 1964 directs Congress to allocate money for the purchase of land, waters, and wetlands in our national parks, forests, wildlife refuges, and other resource lands. The Act also provides matching grant assistance for state and community open space and recreation projects. Each year around \$900 million is deposited in the fund, primarily from Outer Continental Shelf oil and gas leasing.

The BLM considered the consequences of purchasing the property by conducting an environmental assessment (EA: WY-010-EA1-50). In August of 2001, the BLM issued a decision that approved the purchase. The final purchase was completed in June of 2003 and the BLM gained title to 187-acres of land. The Eggert's retained 5-acres within the original 192-acre tract. A copy of this assessment and the decision are available by contacting the Worland BLM Field Office at 101 South 23rd Street, P.O. Box 119, Worland, Wyoming 82401-0119, (307) 347-5100.

As a condition of the purchase, the BLM agreed to develop a site-specific management plan, with public and other agency input. The goals set for the management plan were to protect and enhance wildlife and riparian habitat and to provide public access to the Bighorn River. Work on this management plan began in the summer of 2003 when a BLM team assigned to the project was assembled. The BLM has since discussed a number of issues and management options internally and with adjacent property owners, organizations, and other members of the public.

The major issues identified as a result of these discussions are:

A Lack of Public Access to this portion of the Bighorn River: There are no boating take-out points north of the WGFD Skelton River Access that offer public access prior to the Winchester Diversion Dam. Public access to this stretch of the river is very limited.

Increased Public Access could impact nesting waterfowl, the quality of hunting, and the general peacefulness and solitude of the area. Increased motor vehicle and boating use could disturb nesting waterfowl. The quality of fall waterfowl and deer hunting could decline for the same reason. The solitude that landowners on this stretch of the river currently enjoy could also decline.

Boating Safety Concerns: There is a concern that developing a boat ramp about 0.75-mile upstream of the Winchester Diversion could result in boating accidents.

Control of Invasive Species and Noxious Weeds: The riparian area is currently dominated by Russian olive, an invasive species. Native cottonwood trees appear to be in decline. Native understory grasses and forbs have declined and may need to be reseeded to establish more ground cover. Noxious weeds such as Russian knapweed have become established. Currently, the remaining cottonwoods are in danger of being killed by wildfire.

As a result of this process, the BLM is considering four different management alternatives for the Eggert Tract.

After carefully considering input from the public and other agencies, and recommendations of the BLM team assigned to the project, the BLM Worland Field Manager will issue a decision, with mitigation if necessary, selecting one of the four management alternatives or combinations thereof, to guide future management of the Eggert Tract.

CONFORMANCE STATEMENT

The proposed action is subject to the following land use plans:

Grass Creek Resource Area Resource Management Plan, September 1998, pages 16 and 17 state that Recreational uses of public lands along the Bighorn River for fishing, hunting and float boating are managed under the Bighorn River Habitat and Recreation Area Management Plan. Emphasis will be placed on acquisition of access to public lands on the Bighorn and Greybull rivers to enhance recreational opportunities and wildlife management.

Washakie Resource Area Resource Management Plan, September 1988, page 21 states Recreation Resource Management objectives to enhance and expand opportunities for recreation while intensively managing areas with high recreation value. Page 23 further identifies approximately 59,000 acres along the Bighorn River from Wedding of the Waters downstream to Shell Creek be designated as a Special Recreation Management Area. The acquisition of legal/or physical access will be considered for hunting, fishing, boating and camping. One area specifically identified was Winchester Diversion which is 0.75 miles downstream from the Eggert Tract.

Bighorn River Habitat and Recreation Management Plan (HRMP), February 1989, page 16, PURPOSE AND GOALS, states the purpose of the Bighorn River HRMP is two fold. One is to provide a vehicle for the recommendation and justification of wildlife habitat (with special emphasis on riparian management) and recreation improvement projects and management actions that are outlined in the Planned Actions sections. Pages 46 thru 51 identify Planned Actions to be governed by individual Resource Management Plans.

These plans have been reviewed and it was determined that any one of the management alternatives, if selected as the proposed action, would conform to all land use plan terms and conditions as required by 43 CFR 1610.5.

Public comments received during preparation of all three plans indicated a desire and need for public access to the Bighorn River for boating, fishing, hunting and floating. The plans direct BLM to acquire such access when opportunities present themselves.

Related Documents

A number of issues raised by both public comments and the BLM planning team were addressed in the environmental assessment (EA) which analyzed the original proposal to acquire the property. This EA incorporates by reference WY-010-EA1-50, Fee Acquisition, Land and Water Conservation Fund (Eggert Parcel), August 2001.

The Bighorn River HRMP specifically discussed management of the Willows Tract which adjoins Eggert on the north. This EA incorporates future management of the Willows Tract into the management alternative chosen for the Eggert Tract.

ALTERNATIVES

ALTERNATIVE 1 - FULL DEVELOPMENT WITH NATIVE PLANT RESTORATION

The BLM would develop a boat ramp with a small parking area and a fenced all-weather access road as shown on attached map. The boat ramp and parking area would be very similar to the existing Wyoming Game and Fish Department facilities at the Longwell and the Wakely boat ramps upstream, and would accommodate medium-sized watercraft and boat trailers. Motor vehicle access to the boat ramp would be open to year-round use.

Motorized vehicle use would be restricted to the access road and boat ramp with the remainder of the tract open for nonmotorized use only. The existing two-track road would be rehabilitated and replaced by the new access road.

The west side of the river would be managed for day use with no overnight camping. No trash collection facility would be installed and visitors would be required to pack out their trash. If monitoring indicated a need, additional facilities such as a toilet and picnic table may be added. Camping would be allowed on the east side of the river.

The area would be managed for restoration of native plant species. In suitable areas near the river, the management goal would be to restore an open cottonwood forest and native understory vegetation.

On the dry uplands, an effort would also be made to reestablish native grasses, forbs and shrubs. The historic Bridger Trail runs along the Bighorn River in this area. The overall goal would be to establish, as closely as possible, the same vegetative community and visual landscape that was present along this section of the Bridger Trail in the late 1800s.

Native plant restoration would be accomplished using a combination of treatment methods such as mechanical, chemical, biological, and prescribed fire. Upon completion of the treatments, native plant species would be planted.

Fuel breaks would be established in key locations to reduce the chances of all the cottonwoods on the river bottom being killed during a wildfire.

Specific environmental analysis would be conducted for individual treatments or groups of related treatments. The treatments would be analyzed, planned and implemented by an interdisciplinary team composed of wildlife, vegetation, fuels, cultural, and other specialist as deemed appropriate by the Assistant Field Manager for Resources, Worland BLM.

Treatments would be phased in over time as manpower and funding allowed with the goal of completing native plant restoration within 10 years.

All vegetative treatments would be coordinated with county weed and pest districts to avoid instances where weed control efforts harm native plant restoration efforts.

These treatments would be designed in accordance with the Vegetative Treatment on BLM Lands in Thirteen States, final Environmental Impact Statement (EIS) and Finding of No Significant Impact (FONSI), May 1991, pages 1-33 to 1-35. All mitigation measures adopted in the Record of Decision (ROD) for that document would be incorporated as additional project design features.

ALTERNATIVE 2 - PHASED IN DEVELOPMENT WITH NATIVE PLANT RESTORATION

In contrast with Alternative 1, a fully developed boat ramp would not be built until and unless public use and demand warranted an expanded facility.

The BLM would develop a fenced all weather access road and parking area as described in Alternative 1 and shown on the attached map. A small parking area would be developed at the end of the road with a fence or other type barrier designed to limit vehicle access to the bank of the river. A minimal take-out spot and access path would be constructed to allow light watercraft such as canoes, small boats and rafts to be carried a few yards from the river to the parking area

Motorized vehicle use and rehabilitation of the existing two-track road would be the same as Alternative 1. No trash collection facility would be installed and users would be required to pack out their trash.

Camping and vegetation management would be the same as in Alternative 1.

ALTERNATIVE 3 - MINIMAL DEVELOPMENT WITH NATIVE PLANT RESTORATION

The existing two-track road to the river would be improved slightly and a small parking area would be developed at the end of the two-track road. A minimal area would be cleared of vegetation to furnish river users a take out spot for lightweight watercraft such canoes, rafts and small boats. Motor vehicle use would be limited to the existing two-track road. No trash collection facility would be installed and users would be required to pack out their trash.

Camping and vegetation management would be the same as in Alternative 1.

ALTERNATIVE 4 - CONTINUE EXISTING MANAGEMENT (NO ACTION)

The existing two-track road to the river would be left as is and open yearlong. Over night camping and motor vehicle use would remain the same as for other public lands for the planning area. Camping would be limited to 14 days and motor vehicle use would be limited to existing roads and trails. No trash collection facility would be installed and users would be required to pack out their trash.

Vegetation would be left as is with no effort to manipulate the types of trees, shrubs, and forbs that grow in the area other than control of noxious weeds as it is applied to other public lands in the Grass Creek Planning Area.

Summary of the Alternatives

Location of the river access point on the extreme north end of the tract, fencing the new access road, and limiting motor vehicle use to that road would occur in both Alternatives 1 and 2. The purpose of these actions would be to minimize disturbance to wildlife by concentrating vehicle use on one end of tract. Table 1 provides a comparison summary of the alternatives.

Table 1. Summary of the Alternatives. *Warning signs concerning the diversion dam downstream of the tract would be clearly posted under all the alternatives.*

Land Use or Resource	Alternative 1 Full Development	Alternative 2 Phased in Development	Alternative 3 Minimal Development	Alternative 4 No action
Recreation (Including Public Access, Visitor Use, Public Safety)	<p>New boat ramp and fenced, all weather access road usable by boats on trailers.</p> <p>Rehabilitate existing two-track road.</p> <p>Day use west side of river.</p>	<p>New fenced all weather road to river access point for small boats, canoes, etc.</p> <p>Boat ramp would be built at later date if public demand warranted.</p> <p>Rehabilitate existing two-track road.</p> <p>Same as Alternative 1.</p>	<p>Existing take out spot and two-track road would be minimally improved for small boats, canoes, etc. A small, minimally developed parking area would be built at the end of the two-track road.</p> <p>Same as Alternative 1.</p>	<p>No action. The current situation would remain the same. The existing two-track road would remain open. Small boats, canoes etc. could continue to be carried from the river to the end of the two-track road.</p> <p>14 day camping limit</p>
Vegetation	<p>Restoration of native plant communities</p> <p>Establish fuel breaks</p> <p>Control noxious weeds</p>	<p>Same as Alternative 1.</p> <p>Same as Alternative 1.</p> <p>Same as Alternative 1.</p>	<p>Same as Alternative 1.</p> <p>Same as Alternative 1.</p> <p>Same as Alternative 1.</p>	<p>Existing plant community would be left as is.</p>

Proposed Actions Common to All the Alternatives

There are a number of proposed mitigation measures for issues raised in the environmental assessment for Fee Acquisition of the Eggert Parcel, WY-010-EA1-50. All of the mitigation measures described on page 5 of that document would be implemented, including:

- ✚ Placing warning signs visible from the river advising of the diversion dam downstream and cautioning boater to pull out of the river.
- ✚ Posting educational signs at this site and at sites upstream launch sites with the permission of the WGFD, advising floaters to avoid nesting waterfowl.
- ✚ Marking the tract property boundary.

ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

Closing motor vehicle access to the river during the waterfowl nesting season was considered. This issue was raised during the environmental analysis for the fee acquisition of the tract. At that time, BLM resources staff and Wyoming Game and Fish Department wildlife specialist did not expect that the level and timing of possible increased recreational use of the river would negatively impact waterfowl (see Decision Record, WY-010-EA1-50) page 1. No new information has been obtained that would change the BLM's opinion concerning this issue.

Closing motor vehicle use and essentially making the area a "walk in area" during fall hunting seasons was also considered. However, it was felt that this action would be in conflict with the original purpose of the purchase which was to provide river access to the public. This would be especially true if a

floaters put in upstream of the property and, without knowing a seasonal closure was in place, floated down to the tract only to find it closed. Carrying even a small rubber raft or canoe ¾ mile to the highway without planning for it would be an undue burden on river users. The Bighorn River HRMP also identified a boating access point on the Willows Tract as a priority. For these reasons, seasonal closure alternatives were not analyzed in detail.

ENVIRONMENTAL CONSEQUENCES

Mandatory Critical Elements

The National Environmental Policy Act (NEPA) requires BLM to consider certain mandatory elements when it conducts an environmental analysis. Table 2 shows the mandatory elements (resources) that were considered in this NEPA analysis.

Table 2. Mandatory Elements in NEPA

Element	Alternative 1 Full development/Native plant restoration	Alternative 2 Phased in development/Native plant restoration	Alternative 3 Minimal development/Native plant restoration	Alternative 4 Continue Existing Management
Air Quality	Not affected	Not affected	Not affected	Not affected
Areas of Critical Environmental Concern	Not affected	Not affected	Not affected	Not affected
Cultural Resources	See table 3	See table 3	See table 3	Not affected
Farm Lands (prime or unique)	Not affected	Not affected	Not affected	Not affected
Flood Plains	Not affected	Not affected	Not affected	Not affected
Native American Religious Concerns	Not affected	Not affected	Not affected	Not affected
Wastes, Hazardous or Solid	Not affected	Not affected	Not affected	Not affected
Water Quality, Drinking or Ground	Not affected	Not affected	Not affected	Not affected
Wetlands/Riparian Zones	See table 3	See table 3	See table 3	See table 3
Wild and Scenic Rivers	Not affected	Not affected	Not affected	Not affected
Wilderness	Not affected	Not affected	Not affected	Not affected
Environmental Justice	Not affected	Not affected	Not affected	Not affected
Invasive, Non-Native Species	See table 3	See table 3	See table 3	See table 3
Adverse Energy Impact	Not affected	Not affected	Not affected	Not affected
Threatened or Endangered Species	Not affected	Not affected	Not affected	Not affected

DESCRIPTION OF IMPACTS

The BLM also analyzed the environmental consequences of the four management alternatives for the major land uses and resources found in and around the Eggert Tract. Table 3 summarizes that analysis.

Table 3. Comparison of environmental consequences of the each of the alternatives on the major land uses or resources.				
Affected Land Use Or Resource	Alternative 1 – Full Development with Native Plant Restoration	Alternative 2 – Phased Development with Native Plant Restoration	Alternative 3 – Minimal Development with native plant Restoration	Alternative 4 –Continue Existing Management
Recreation (including Public Access, visitor use, Public Safety)	<p>Increase in river use would add to the recreation based economy.</p> <p>Up to 2500 visitors per year based on WGFD survey of boat ramps upstream.</p> <p>There would be a slight increase in the chance of a boating accident at the Winchester Diversion due to increased use.</p> <p>Additional 50 to 100 visits per year to Cedar Mountain WSA.</p>	<p>Increase in river use would add to the recreation based economy.</p> <p>Up to 2000 visitors per year based on WGFD survey of boat ramps upstream. Use would be less than Alternative 1 due to lack of trailer able ramp.</p> <p>There would be a slight increase in the chance of a boating accident at the Winchester Diversion due to increased use, but less than in Alternative 1.</p> <p>Same as Alternative 1.</p>	<p>Increase in river use would add to the recreation based economy.</p> <p>Up to 1200 visitors per year based on WGFD survey of boat ramps upstream. Use would be less than Alternative 2 due to lack of all weather road.</p> <p>Same as Alternative 2.</p> <p>Same as Alternative 1.</p>	<p>Impact on recreation based economy would be about the same as it is now.</p> <p>Between 500 and 1000 visitors per year. Use would be less than Alternative 3 due to lack of all weather road and river access.</p> <p>Same as Alternative 2.</p> <p>Same as Alternative 1.</p>
Vegetation	<p>Density of woody vegetation would decrease with the removal of Russian olive and tamarisk. A more open river bottom woodland would develop.</p> <p>The production and cover of grasses and forbs would increase. Native shrubs such as wild rose and silver buffalo berry would increase.</p> <p>Noxious weeds would decrease.</p> <p>The risk of a wildfire that could potentially kill the cottonwood community would decrease.</p>	Same as Alternative 1	Same as Alternative 1.	<p>The density of woody vegetation would increase.</p> <p>The production and cover of grasses, forbs and native shrubs would decrease as the competition from Russian olive and possibly tamarisk increased.</p> <p>Total woody fuel load would increase. The risk of a wildfire that could potentially kill the remaining cottonwood community would increase.</p>

Table 3. Comparison of environmental consequences of the each of the alternatives on the major land uses or resources.				
Affected Land Use Or Resource	Alternative 1 – Full Development with Native Plant Restoration	Alternative 2 – Phased Development with Native Plant Restoration	Alternative 3 – Minimal Development with native plant Restoration	Alternative 4 –Continue Existing Management
Wildlife Habitat	<p>Motorized boat use, specifically during waterfowl nesting (spring), and waterfowl & deer hunting season (fall) could potentially displace waterfowl and deer to neighboring more secure areas.</p> <p>Restoration of native cottonwood gallery along with native shrub/grass understory would enhance both nesting and foraging habitats for most migrant passerines as well as their predators that inhabit forested riparian areas. It would also maintain or enhance roosting and foraging habitats for Bald Eagles.</p> <p>Removal of Russian Olives would remove both cover and forage for some game species including whitetail deer, pheasant, and waterfowl. The removal of this cover component could potentially displace these species to neighboring more secure areas.</p>	<p>Some periodic disturbance to waterfowl and deer is likely, but displacement of wildlife would not be anticipated.</p> <p>Other impacts would be the same as Alternative 1.</p>	<p>Some periodic disturbance to waterfowl and deer is likely, but displacement of wildlife would not be anticipated.</p> <p>Other impacts would be the same as Alternative 1.</p>	<p>Impacts from this alternative would most likely be similar to those for Alternative 2, with the exception of some potential additional disturbance from vehicles driving off road or on wet roads, and people possibly illegally clearing out their own boat access locations.</p> <p>This alternative, over time, would facilitate enhanced Russian Olive coverage while decreasing the cottonwood component.</p> <p>This would likely maintain and/or enhance the area for game species like whitetail deer, pheasants, and waterfowl, while maintaining less desirable habitat for nongame wildlife like migrant passerines and Bald Eagles.</p>
Fisheries	Little or no impact on fisheries	Same as Alternative 1.	Same as Alternative 1.	Same as Alternative 1.
Cultural Resources	Positive impact on the historic view shed. The vegetation would look more like the vegetation that was present when the Bridger Trail was used prior to the settlement of the Big Horn Basin.	Same as Alternative 1.	Same as Alternative 1.	Negative impact on the historic view shed. Russian Olive was not a component of the pre settlement vegetation.

The estimated visitor days in Table 3, under all the alternatives, are based on information from the Wedding of the Waters, Longwell and Skelton Wyoming Game and Fish Department boating access points. Actual visitor use for Eggert is unknown due to lack of data below the Lucerne/Kirby areas. Estimates are also based on periodic observations and best professional judgments.

All weather road access would allow for higher visitor use than the unimproved road.

Longwell is both a put-in and take-out and is on an area of the river that has several different stretches of river to float. Eggert is more remote, would be a take-out only because of the proximity of the Winchester Diversion Dam and it is at the end of an 11-mile-float that would take most of a day. In addition, in most years the river is frozen from late November to late February at Eggert. In contrast the river is open all year at Longwell in all but the most extreme winters.

The impacts on wildlife in Alternative 1 would occur because constructing a fully developed boat ramp would attract larger boats more likely to have motors. It should be noted that the Wyoming Game and Fish Department, not the BLM, has the authority to regulate what types of boats use the river.

Visits to the Cedar Mountain Wilderness Study Area (WSA) would increase because the Eggert Tract would be a convenient access point to cross the river and enter the WSA.

CUMULATIVE, IRREVERSIBLE, AND IRRETRIEVABLE IMPACT ANALYSIS

These impacts would be common to all the alternatives.

There could be some cumulative impact on nesting waterfowl, due to increased river traffic. This impact would be mitigated by vegetation treatments that would improve nesting cover. There could be a positive cumulative impact with public ownership of the parcel, in that development restrictions would protect soil and water resources and wildlife habitat. There would also be a positive cumulative impact on public recreation due to expanded public access to the river. There would be no irreversible or irretrievable impacts.

RESIDUAL IMPACTS

There would be no residual impacts.

CONSULTATION AND COORDINATION

Agencies and Persons Consulted

Press releases thru State (WY & MT) and local media were published requesting public input for management of the Elizabeth B. Eggert Nature Tract. These were issued in mid November of 2003. The same request was also published to the Worland BLM Field Office web site.

A Public Open House took place January 20, 2004 at the Worland BLM Field Office.

Organizations and agencies contacted include Thermopolis Rotary Club, Wyoming Game & Fish, Washakie County Search and Rescue, Washakie County Commission, Washakie County Weed and Pest District and the Wyoming Water Development Commission.

Approximately 25 individuals were consulted.

Reviewers:

Don Ogaard, NEPA Coordinator
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