

**U.S. Department of the Interior
Bureau of Land Management
Glenwood Springs Field Office
50629 US Highway 6 & 24
Glenwood Springs, CO 81601**

ENVIRONMENTAL ASSESSMENT

NUMBER: DOI-BLM-CO-N040-2009-0050-EA

CASEFILE/PROJECT NUMBER: 0507514

PROJECT NAME: Grazing Permit Renewal

LEGAL DESCRIPTION: T.7S., R.90 & 91W. See map, Dean Gulch Allotment #08107

APPLICANT: Grazing Permittee

DESCRIPTION OF BACKGROUND, PROPOSED ACTION AND ALTERNATIVES:

BACKGROUND: A Land Health Assessment has not been completed for this allotment. It is scheduled to be completed this summer (2009). It is expected that this allotment will be meeting all standards for land health and that livestock grazing guidelines are being met. This permit authorizes grazing during most of the growing season.

PROPOSED ACTION: The Proposed Action is to renew a term grazing permit for the above applicant. The number/kind of livestock, period of use, percent public land and Animal Unit Months (AUMS) will remain the same as the previous permit. The permit will be issued for a 10-year period, unless the base property is leased for less, but for purposes of the EA, we are assuming 10 years of grazing by this or another applicant (in case of transfer). The proposed actions are in accordance with 43 CFR 4130.2. The tables below summarize the scheduled grazing use and grazing preference for the permit.

Proposed Grazing Schedule:

Allotment Name and No.	Livestock Number & Kind	Grazing Period Begin	Grazing Period End	%PL	AUMS
Dean Gulch #08107	28 Cattle	6/16	10/31	100	127

Grazing Preference (AUMS)

Allotment Name/No.	Total	Suspended	Active
Dean Gulch #08107	126	0	126

The following terms and conditions will be included on the permit:

Livestock will be rotated throughout the allotment to allow for periods of growing season rest.

Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits. Maintenance shall be completed prior to turnout.

The permittee and all persons specifically associated with grazing operations must be informed that any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed, moved, or disturbed. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity and notify the BLM authorized officer of the findings. The discovery must be protected until notified in writing to proceed by the authorized officer (36CFR800.110 & 112, 43CFR 0.4).

Average utilization levels by livestock should not exceed 50% by weight on key grass species, and 40% of the key browse species current year's growth. Once these levels are reached, livestock should be moved to another portion of the allotment, or removed from the allotment entirely for the remainder of the growing season. Application of this term may be flexible to recognize livestock management that includes sufficient opportunity for regrowth, spring growth prior to grazing, or growing season deferment.

If an assessment of rangeland health results in a determination that changes are necessary in order to comply with the standards for public land health and the guidelines for livestock grazing management in Colorado, this permit will be reissued subject to revised terms and conditions.

ALTERNATIVES CONSIDERED BUT ELIMINATED:

The No Grazing alternative has been eliminated from further consideration. No unresolved conflicts involving alternative use of available resources have been identified. Land Health Standards have not been assessed but are expected to be met. For these reasons, discontinuance of grazing use (No Grazing) will not be considered or assessed.

NEED FOR PROPOSED ACTION:

The action is needed for the following reasons: (1) to meet the livestock grazing management objective of the Resource Management Plan of providing 56,885 animal unit months of livestock forage commensurate with meeting public land health standards, (2) to continue to allow livestock grazing on the specified allotment, (3) to meet the forage demands of local livestock operations, (4) to provide stability to these operations and help preserve their rural agricultural lands for open space and wildlife habitat,(5) to allow use of native rangeland resource for conversion into protein suitable for human consumption, and (6) to meet the Guidelines for Livestock Grazing Management and the Standards for Land Health.

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: Glenwood Springs Resource Management Plan.

Date Approved: Jan. 1984, revised 1988, amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance.

Decision Number/Page: The action is in conformance with Administrative Actions (pg. 5) and Livestock Grazing Management (pg. 20).

Decision Language: Administrative actions states, “Various types of actions will require special attention beyond the scope of this plan. Administrative actions are the day-to-day transactions required to serve the public and to provide optimal use of the resources. These actions are in conformance with the plan”. The livestock grazing management objective as amended states, “To provide 56,885 animal unit months of livestock forage commensurate with meeting public land health standards.”

Standards for Public Land Health:

In January 1997, Colorado BLM approved the Standards for Public Land Health. The five standards cover upland soils, riparian systems, plant and animal communities, threatened and endangered species, and water quality. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands.

The Dean Gulch allotment lies within the Divide Creek Landscape which is scheduled for a formal land health assessment in 2009. If the land health evaluation determines that the allotment is not meeting one or more of the standards and livestock grazing is a significant factor in failing to meet the standards, appropriate action to make significant progress towards meeting the standards will be taken within one grazing season. Terms and conditions of the permit may be changed.

This environmental analysis must address whether the proposed action or alternatives being analyzed would result in impacts that would maintain, improve, or deteriorate land health conditions relative to these five standards.

COMPLIANCE WITH SECTION 302 OF FLPMA RELATIVE TO THE COMB WASH DECISION

A review of applicable planning documents and a thoughtful consideration of new issues and new demands for the use of the public lands involved in this allotment have been made. This analysis concludes that the current land and resource uses are appropriate.

Reasons for the conclusion are: No new issues or new demands for the use of public lands involved in this grazing allotment have been identified since approval of the land use plan and amendments.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This section provides a description of the human and natural environmental resources that could be affected by the proposed action and no action alternative. In addition, the section presents comparative analyses of the direct and indirect consequences on the affected environment stemming from the implementation of the various actions.

A variety of laws, regulations, and policy directives mandate the evaluation of the effects of a proposed action and alternative(s) on certain critical environmental elements. Not all of the critical elements that require inclusion in this EA are present, or if they are present, may not be affected by the proposed action and alternative (Table 2). Only those mandatory critical elements that are present and affected are described in the following narrative.

In addition to the mandatory critical elements, there are additional resources that would be impacted by the proposed action and alternative. These are presented under Other Affected Resources.

Table 2. Critical Elements of the Human Environment									
<i>Critical Element</i>	<i>Present</i>		<i>Affected</i>		<i>Critical Element</i>	<i>Present</i>		<i>Affected</i>	
	Yes	No	Yes	No		Yes	No	Yes	No
Air Quality		X		X	Prime or Unique Farmlands		X		X
ACECs		X		X	Threatened, Endangered, and Sensitive Species*	X			X
Cultural Resources		X		X	Wastes, Hazardous or Solid		X		X
Environmental Justice	X			X	Water Quality, Surface and Ground*	X		X	
Floodplains		X		X	Wetlands and Riparian Zones*	X		X	
Invasive, Non-native Species	X			X	Wild and Scenic Rivers		X		X
Migratory Birds	X			X	Wilderness/ WSAs		X		X
Native American Religious Concerns		X		X					

* Public Land Health Standard

CRITICAL ELEMENTS

CULTURAL RESOURCES and NATIVE AMERICAN RELIGIOUS CONCERNS

Affected Environment: Range permit renewals are undertakings under Section 106 of the National Historic Preservation Act. Additional range improvements (e.g., fences, spring improvements) are subject to compliance requirements under Section 106 and will undergo standard cultural resources inventory and evaluation procedures. During Section 106 review, a cultural resource assessment (GSFO #1009-18) was completed for the Dean Gulch Allotment on February 18, 2009 following 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, CO-2001-026, and CO-2002-029. The results of the assessment are summarized in the table below. A copy of the cultural resource assessment is available at the GSFO office.

Allotment Number	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level	Percent (%) Allotment Inventory data Class III level	Number of Cultural Resources known in allotment	High Potential of Historic Properties (yes/no)	Management Recommendations (Additional inventory required and historic properties to be visited)
Dean Gulch	67	972	6	0	No	An additional 42 acres need to be inventoried to meet the 10% sampling threshold. 68% of the allotment has 30%+ slopes.
Total	67	972	6	0		

Two Class III cultural resource inventories (575 and 591) have been conducted within this allotment. These surveys have resulted in the recording of no historic properties. Historic properties are cultural resources that are considered eligible or potentially eligible for listing on the National Register of Historic Places that need to be preserved. If they cannot be avoided, the adverse impacts must be mitigated. Based on available data, there is a low potential for historic properties within the allotment. Undiscovered historic era sites within this allotment could represent a time frame from the late 1800's through the 1950's; Native American sites could represent a time range from 200 to 10,000 years before present.

Subsequent site field visits, inventory, and periodic monitoring may have to be done to identify if additional historic properties are present within the term of the permit and as funds are made available. If the BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

At present, there are no known areas of Native American concern within this allotment. On November 7, 2008 the Glenwood Springs Field Office mailed an informational letter and maps to the Ute Tribe (Northern Ute Tribe), Southern Ute Tribe, and the Ute Mountain Ute Tribe, identifying the proposed 2009 grazing permit renewals. No response has been received. If new data is disclosed, new terms and conditions may have to be added to the permit to accommodate their concerns. The BLM will take no action that would adversely affect these areas or location without consultation with the appropriate Native Americans.

Environmental Consequences: The direct impacts that occur where livestock concentrate include trampling, chiseling, and churning of site soils, cultural features, and cultural

artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gullying, and increased potential for unlawful collection and vandalism. Continued grazing may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties.

No historic properties were identified during the inventories for this allotment. A determination of “**No Adverse Affect**” has been made for this renewal. The cultural resource specialist should be involved in discussions for improvements, maintenance, supplemental feeding areas, etc to ensure that the historic properties and areas of concern are avoided.

Mitigation: New improvements or maintenance of existing range improvements may require cultural resource inventories, monitoring, and/or data recovery. This allotment may also contain undiscovered historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM may require modification to development proposals to protect such properties, or disapprove any activity that is likely to result in damage to historic properties or areas of Native American concern.

Education/Discovery stipulation: The permittee and all persons specifically associated with grazing operations must be informed that any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed, moved, or disturbed. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until notified in writing to proceed by the authorized officer (36CFR800.110 & 112, 43CFR 0.4).

ENVIRONMENTAL JUSTICE

Affected Environment: Review of 2004 data from US Census Bureau indicates the median annual income of Garfield County averages \$50,119 and is neither an impoverished or wealthy county. Median annual income of Mesa County averages \$40,045 and is not an impoverished or wealthy county. U.S. Census Bureau data from 2006 shows the minority population of Garfield and Mesa County comprises less than 0.7 % of the total population of Colorado^a.

^a Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, Census of Population and Housing, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report
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Garfield County	Mesa County
Median Household Income (2004)	Median Household Income (2004)
Estimate	Estimate
\$50,119	\$40,045

Environmental Consequences/Mitigation: The proposed action and alternatives are not expected to create a disproportionately high and adverse human health impact or environmental effect on minority or low-income populations within the area.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: A survey for the presence of invasive, non-native plant species has not been conducted on the Dean Gulch Allotment; therefore, it is unknown at this time the current status of the presence and extent of noxious and invasive plant species.

Environmental Consequences/Mitigation: As livestock come in contact with noxious and invasive weed species they will continue to transport seed via coat and feces to other areas of the allotments. The seeds will most likely germinate and become established in areas of surface disturbance or areas of poor rangeland condition.

MIGRATORY BIRDS

Affected Environment:

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the U.S. Fish and Wildlife Service (USFWS) to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act (ESA) of 1973.” *Birds of Conservation Concern 2008*

(<http://www.fws.gov/migratorybirds/reports/BCC2008/BCC2008m.pdf>) is the most recent effort to carry out this mandate. The conservation concerns may be the result of population declines, naturally or human-caused small ranges or population sizes, threats to habitat, or other factors. The primary statutory authority for *Birds of Conservation Concern 2008 (BCC 2008)* is the Fish and Wildlife Conservation Act of 1980 (FWCA), as amended. Although there are general patterns that can be inferred, there is no single reason why any species was is on the list. The Glenwood Springs Field Office is within the Southern Rockies/Colorado Plateau Bird Conservation Region (BCR). The 2008 list include the following birds: Gunnison Sage Grouse, American Bittern, Bald Eagle, Ferruginous Hawk, Golden Eagle, Peregrine Falcon, Prairie Falcon, Snowy Plover, Mountain Plover, Long-billed Curlew, Yellow-billed Cuckoo, Burrowing Owl, Lewis's Woodpecker, Willow Flycatcher, Gray Vireo, Pinyon Jay, Juniper Titmouse, Veery, Bendire's Thrasher, Grace's Warbler, Brewer's Sparrow, Grasshopper Sparrow, Chestnut-collared Longspur, Black Rosy-Finch, Brown-capped Rosy-Finch, and Cassin's Finch.

Habitat loss due to alteration or destruction continues to be the major reason for the declines of many species

(<http://www.fws.gov/migratorybirds/reports/BCC2008/BCC2008m.pdf>). When

considering potential impacts to migratory birds the impact on habitat, including: 1) the degree of fragmentation/connectivity expected from the proposed project relative to before the proposed project; and 2) the fragmentation/connectivity within and between habitat types (e.g., within nesting habitat or between nesting and feeding habitats). Continued private land development, surface disturbing actions in key habitats (e.g. riparian areas) and the proliferation of roads, pipelines, powerlines and trails are local factors that reduce habitat quality and quantity.

The GSFO planning area provides both foraging and nesting habitat for a variety of migratory birds that summer, winter, or migrate through the area. The habitat diversity provided by the broad expanses of sagebrush, mixed mountain shrub, aspen, pinyon-juniper woodlands, other types of coniferous forests and riparian and wetland areas support many bird species. The pinyon jay is characteristically found in pinyon/juniper woodlands and the Brewer's sparrow (*Spizella breweri*) is found within sagebrush habitats. Other Birds of Conservation Concern 2008 may also occur locally. Many species of raptors (red-tailed hawks, golden eagles, northern goshawks, Cooper's hawks, kestrels and owls) not on the Fish & Wildlife Service's Birds of Conservation Concern list also could occur in the area.

Environmental Consequences/Mitigation:

Limited bird count or species data exists for the area; however the greater concern is the continued fragmentation of habitat and losses of large blocks of contiguous habitat required by many bird species. No intentional take of native bird species is anticipated under the proposed action. Grazing by cattle could result in the accidental destruction of ground nests through trampling. This impact is expected to be minimal and isolated and would not influence populations of migratory birds on a landscape level. Given current overall existing habitat condition, livestock grazing, as proposed, will not negatively affect the degree of fragmentation/connectivity expected relative to the existing condition of the allotment and the fragmentation/connectivity within and between habitat types (e.g., within nesting habitat or between nesting and feeding habitats) would also likely not change. Overall it is unlikely that, livestock grazing in both numbers and duration, as proposed would not reduce the extent or quality of habitat available for migratory bird breeding functions.

THREATENED, ENDANGERED, AND SENSITIVE SPECIES (includes an analysis on Standard 4)

Affected Environment:

Listed, Proposed, Candidate Species:

According to the latest species list from the U. S. Fish and Wildlife Service (<http://mountain-prairie.fws.gov/endspp/CountyLists/COLORADO.htm>), the following Federally listed, proposed, or candidate plant and animal species may occur within or be impacted by actions occurring in Garfield County: Colorado hookless cactus (*Sclerocactus glaucus*), Ute Ladies' Tresses orchid (*Spiranthes diluvialis*), Parachute beardtongue (*Penstemon debilis*), DeBeque phacelia (*Phacelia submutica*), Canada lynx (*Lynx canadensis*), Mexican spotted owl (*Strix occidentalis*), yellow-billed cuckoo (*Coccyzus americanus*), razorback sucker (*Xyrauchen texanus*), Colorado pikeminnow

(*Ptychocheilus lucius*), bonytail chub (*Gila elegans*), and humpback chub (*Gila cypha*). The U. S. Fish and Wildlife Service announced the delisting of the bald eagle in June, 2007 with an effective date of August 8, 2007. The BLM now considers the bald eagle a sensitive species.

No suitable habitat is found on the Dean Gulch allotment for any of the four federally-listed, proposed or candidate plant species that occur in Garfield County. No occupied habitat is present within the vicinity that could be indirectly impacted by the proposed action. No suitable habitat exists for any of the four endangered Colorado River Fishes. Habitat for these fish is located in the mainstem Colorado River approximately 25+ miles downstream of the allotment. No suitable habitat exists for any terrestrial wildlife species.

BLM Sensitive Species:

Plants:

BLM sensitive plant species with habitat and/or occurrence records in Garfield County include adobe thistle (*Cirsium perplexans*), DeBeque milkvetch (*Astragalus debequaeus*), Naturita milkvetch (*Astragalus naturitensis*), Roan Cliffs blazing star (*Mentzelia rhizomata*), Piceance bladderpod (*Lesquerella parviflora*), and Harrington’s penstemon (*Penstemon harringtonii*). None of these plant species are known to occur within the Dean Gulch allotment and no suitable habitat for these species has been identified in the allotment.

Aquatic Wildlife:

East Divide Creek contains bluehead suckers, a BLM sensitive fish.

Terrestrial Wildlife:

Special Status Terrestrial Wildlife Species in the Glenwood Springs Field Office			
BIRDS			
Species	Status	Species	Status
Bald Eagle	BLM-S	White-faced Ibis	BLM-S
Western Yellow-billed Cuckoo	BLM-S, C, SC	Northern Goshawk	BLM-S
Gunnison Sage-Grouse	BLM-S, SC	Barrow’s Goldeneye	BLM-S
Greater Sage-grouse	BLM-S, SC	Burrowing Owl	ST
Columbian Sharp-Tailed Grouse	BLM-S, SC	Peregrine Falcon	ST
Ferruginous Hawk	BLM-S, SC	Greater Sandhill Crane	SC
REPTILES			
Midget-faded rattlesnake	BLM-S	Utah milksnake	BLM-S
MAMMALS			
Townsend's big-eared bat	BLM-S, SC	Big free-tailed bat	BLM-S
Fringed myotis	BLM-S	Yuma myotis	BLM-S
Spotted bat	BLM-S	River otter	ST

BLM-S: BLM Sensitive Species
FE: Federally Endangered Species

SC: State Species of Concern
SE: State Endangered Species

FT: Federally Threatened Species

ST: State Threatened Species

C: Federal Candidate for listing as Threatened or Endangered

* Water depletions in the Upper Colorado River and San Juan River Basins, may affect the species and/or critical habitat in downstream reaches in other states.

▲ Water depletions in the South Platte River may affect the species and/or critical habitat in downstream reaches in other states

Environmental Consequences/Mitigation:

Listed, Proposed, Candidate Species:

Due to the absence of any occupied or suitable habitat within or adjacent to the Dean Gulch allotment, the proposed action would have **“No Effect”** to any of the four listed, proposed or candidate plant species.

Due to the absence of any occupied or suitable habitat within or adjacent to the Dean Gulch allotment, the proposed action would have **“No Effect”** to any of the four endangered Colorado River fishes.

Due to the absence of any occupied or suitable habitat within or adjacent to the Dean Gulch allotment, the proposed action would have **“No Effect”** to any terrestrial wildlife species.

BLM Sensitive Species:

Plants:

Due to the absence of any known occupied or suitable habitat for BLM sensitive plant species, the proposed action would have no impact on these species.

Aquatic Wildlife:

Bluehead suckers are well adapted to the natural sediment loads periodically carried in area streams. The proposed action would potentially result in some additional sediment reaching East Divide Creek. This creek is already suffering from high sediment loading which is likely impacting stream productivity and food sources for resident fishes. The increased sediment from grazing should have minimal additional impact to this native species.

Terrestrial Wildlife:

Terrestrial wildlife species could be present at times on the allotment however, due to the absence of any occupied or suitable habitat within or adjacent to the Dean Gulch allotment, the proposed action would have no impact on these species.

Analysis on the Public Land Health Standard for T&E Species:

Finding on the Public Land Health Standard 4 for Threatened, Endangered, and Other Special Status Species: A formal Land Health Assessment has not been completed in this area. Based on the limited number of livestock and the timeframe of grazing use, impacts to special status species should be minimal and it is likely the allotment is meeting

Standard 4 for threatened, endangered and other special status species. The continuation of livestock grazing should have minimal effect on the ability of the allotment to meet this Standard.

WATER QUALITY, SURFACE AND GROUND (includes an analysis on Standard 5)

Affected Environment: The Dean Gulch Allotment is located south of the Town of New Castle, south of Interstate 70 and the Colorado River, south and west of the Garfield Creek State Wildlife Area, west of the perennial Baldy Creek, and east of the perennial East Divide Creek. The allotment is within the 17,573 acre Lower East Divide Creek 6th field watershed through which the ephemerals Otten Gulch and Dean Gulch flow; both of which are tributary to East Divide Creek to the southwest.

According to the *Stream Classifications and Water Quality Standards* (CDPHE, Water Quality Control Commission, Regulation No. 37) list, the area drainages mentioned above are classified aquatic life cold 1, recreation E, water supply, and agriculture. Aquatic life cold 1 indicates that this water course is capable of sustaining a wide variety of cold water biota. Recreation class E refers to waters in which primary contact recreation is presumed to be present. In addition, these waters are suitable or intended to become suitable for potable water supplies and agricultural purposes that include irrigation and livestock use.

The drainages mentioned above are not currently listed on the State of Colorado's *303(d) List of Water Quality Limited Segments Requiring TMDLS* (CDPHE, Water Quality Control Commission, Regulation No. 93) or the *Monitoring and Evaluation List* (CDPHE, Water Quality Control Commission, Regulation No. 94) as waterbodies suspected to have water quality problems. At this time, very limited current water quality data are available for area drainages.

Environmental Consequences/Mitigation: Grazing activities would result in soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. In addition, the number of livestock in the area would increase the amount of feces present in close proximity to nearby drainages. The introduction of livestock feces to water bodies often leads to water quality degradation by increasing fecal coliform bacteria levels which in turn can result in algal blooms and increases in water temperature. Due to the close proximity of the proposed activities to area drainages, there is potential that additional sediment associated with grazing practices as well as fecal coliform bacteria from livestock feces could reach East Divide Creek. However, based on the number of cattle scheduled and the lack of major perennial drainages within the allotment, the potential for measureable water quality degradation associated with the proposed activities is minimal.

Analysis on the Public Land Health Standard 5 for Water Quality: The BLM Glenwood Springs Field Office is scheduled to evaluate area drainages as part of the Divide Creek Watershed Land Health Assessment in summer 2009. Based on the amount of cattle

scheduled and the lack of major perennial drainages within the allotment, it is not likely that the proposed activities would prevent Standard 5 for Water Quality from being met.

WETLANDS and RIPARIAN ZONES (includes an analysis on Standard 2)

Affected Environment: There are no known wetlands or riparian zones in the Dean Gulch Allotment; however, data indicates there are several springs that occur in the allotment. It is likely that a small amount of wetland and/or riparian vegetation exists at these locations. The most recent documented field observation occurred in 2005 which indicated the allotment was in excellent condition although wetlands and riparian zones were not specifically mentioned.

Environmental Consequences/Mitigation: The Dean Gulch Allotment would be authorized for grazing of 28 cattle for approximately 3.5 months (from June 16 to Oct 31). According to the background information provided, livestock will be rotated throughout the allotment to allow for periods of growing season rest. Livestock grazing for an extended period in wetlands and riparian zones can result in severe utilization and trampling of the riparian vegetation. This can cause a decline in condition (i.e., a reduction in coverage and a decrease in species composition) of the riparian zone. However, given the most recent field observation indicating the allotment was in excellent condition, it is assumed the grazing strategy currently being practiced allows for ample grazing rest and recovery time for riparian plant species. Renewal of the grazing permit is not expected to cause adverse impacts to riparian zones. The condition of riparian areas would be maintained or improved. There would be no cumulative impacts.

Analysis on the Public Land Health Standard for Riparian Systems: The proposed action would not result in failure to achieve this standard and should maintain and/or improve land health conditions for riparian systems.

NON-CRITICAL ELEMENTS

SOILS (includes an analysis on Standard 1)

Affected Environment: According to the *Soil Survey of Rifle Area, Colorado: Parts of Garfield and Mesa Counties* (USDA 1985), the Dean Gulch Allotment contains three different soil map units that can be identified by the numerical code assigned by the soil survey (e.g. *Lamphier loam=42*). These soil map units are scattered throughout the allotment and have been identified as having slight to severe erosion hazards. In addition, areas within the allotment are mapped as CSU 4 (Controlled Surface Use) for erosive soils on slopes greater than 30% and NSO 15 (No Surface Occupancy) for slopes greater than 50% regardless of soil type. Following is a brief description of the three soil map units found within the Dean Gulch Allotment.

- Bucklon-Inchau loams (12) – These soils occur on ridges and mountainsides at elevations ranging from 7,000 to 9,500 feet and on slopes of 25 to 50 percent. About 55 percent of this soil map unit is Bucklon soil and 35 percent Inchau soil. The

remaining 10 percent of the soil map unit are made up of varying amounts of Cochetopa, Cimarron, and Jerry soils. The Bucklon soil is found on steep, convex areas while the Inchaou soil is found on more concave areas. The Bucklon soil is shallow, well drained and has medium surface runoff with severe erosion hazard. The Inchaou soil is moderately deep, well drained and has medium surface runoff with severe erosion hazard. Primary uses for these soils include wildlife habitat and limited grazing.

- Lamphier loam (42) – This deep, well drained soil is found on fans and mountainsides at elevations ranging from 7,500 to 10,000 feet and on slopes of 15 to 50 percent. This soil is derived from sandstone and shale rocks. Surface runoff for this soil is slow and the erosion hazard is classified as slight. Primary uses for this soil include grazing, wildlife habitat, and recreation.
- Torriorthents-Rock outcrop complex, steep (67) – This complex consists of stony soils and exposed outcrops of Mesa Verde sandstone and Wasatch shale that occur on slopes of 15 to 70 percent. Approximately 60 percent of this complex is Torriorthents and 25 percent is Rock outcrop. The Torriorthents are clayey to loamy and contain gravel, cobbles, and stones; many of which are basaltic in origin. They are found on mountainsides below the Rock outcrop. Erosion hazard for this complex varies from moderate to severe. Primary uses for this complex include limited grazing, wildlife habitat, and recreation.

Environmental Consequences/Mitigation: As mentioned above, a high percentage of the Dean Gulch Allotment occurs on soils with severe erosion hazards and on slopes greater than 30% (17°). Grazing activities would result in soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. Due to the close proximity of the proposed activities to area drainages, there is potential that additional sediment associated with grazing practices could reach East Divide Creek. However, based on the number of cattle scheduled, existing soil conditions, and the distance from major perennial drainages, the potential for negative soil impacts and sediment transport are minimal.

Analysis on the Public Land Health Standard 1 for Upland Soils: The BLM Glenwood Springs Field Office is scheduled to evaluate the Dean Gulch Allotment as part of the Divide Creek Watershed Land Health Assessment in summer 2009. Based on the amount of cattle scheduled and existing conditions, it is not likely that the proposed activities would prevent Standard 1 for Upland Soils from being met.

VEGETATION (includes an analysis on Standard 3)

Affected Environment: The Dean Gulch allotment occupies a ridgeline and its western flanks between East Divide Creek and Baldy Creek. Most of the allotment consists of steep slopes largely inaccessible for cattle grazing and with high potential for mudslides. The south-facing slopes are sparsely covered with sagebrush; the north-facing slopes

support aspen woodlands. Vegetation along the ridgeline is predominantly Gambel oak with mixed mountain shrubs.

Little data is available regarding current vegetative conditions on the allotment. Small areas of heavy grazing utilization have been noted during past allotment visits and houndstongue and bull thistle have been reported in some disturbed areas of the allotment. The most recent documented field observation which occurred in 2005 described the allotment as being in “excellent” condition.

Environmental Consequences/Mitigation:

The Dean Gulch allotment is authorized for grazing of 28 cattle from June 16 to Oct 31. This season long grazing does not appear to allow for periodic rest during critical growth periods, adequate recovery and regrowth periods following grazing or opportunities for seed dissemination and seedling establishment. However, if livestock are herded and diligently rotated throughout the allotment as described in the background material, adequate growing season rest may be provided.

The terms and conditions of the permit include utilization limits on grass and browse species. If these utilization limits are monitored and enforced, livestock grazing should not have a negative impact on vegetation conditions on the allotment.

Analysis on the Public Land Health Standard for Plant and Animal Communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial):

A formal Land Health Assessment has not been completed in this area and there is little utilization data and no vegetative monitoring data for this allotment. Infrequent site visits have documented some small areas of concentrated livestock grazing with reduced vigor of native grasses and/or noxious weed invasion, however, overall, it appears the allotment is meeting Standard 3 for plant communities. The continuation of livestock grazing on this allotment should have little bearing on the ability of the area to meet this Standard. If the formal land health assessment determines that the allotment is not meeting Standard 3 and livestock grazing is a significant contributing factor, changes may be made to the terms and conditions of the permit to comply with the standards and guidelines.

WILDLIFE AQUATIC (includes an analysis on Standard 3)

Affected Environment:

The Dean Gulch allotment contains no perennial waters and is drained via small ephemeral washes. Within 0.1 miles to the east is a perennial branch of Baldy Creek. Baldy Creek is located 0.3 miles to the north and northeast of the allotment. East Divide Creek is located 0.5 miles to the south and southwest. Baldy Creek in this area may contain some creek chubs, speckled dace, and an occasional cutthroat trout, but recent and limited sampling has not found any fish in the vicinity and occupied reaches are believed to be upstream of the action area. East Divide Creek in this area contains speckled dace, occasional rainbow and brown trout, and bluehead suckers addressed in

the TES Section above. The perennial branch of Baldy Creek is too small to support fish. All of these perennial streams contain aquatic insects.

Environmental Consequences/Mitigation:

The proposed action is to renew the term grazing permit. Continued grazing activities would result in some soil compaction and displacement and increase the likelihood of erosional processes, especially on steep slopes, areas devoid of vegetation, and at livestock concentration areas such as stock waters, salting sites, and in drainage bottoms. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. Due to the close proximity of the proposed activities to area drainages and perennial Baldy and East Divide Creeks, there is potential that additional sediment associated with grazing practices could reach these streams.

Sediment can impact trout species by silting in important spawning substrates and in the event eggs are present, by smothering eggs which leads to reduced productivity. Excessive sediment can also fill in important pool habitats reducing their depth and usability during critical summer and winter periods when they are needed for thermal refuge and survival. Aquatic insect productivity can be impaired as sediment covers clean gravels and cobbles and fills in the interstitial spaces needed by these insects. This can reduce stream productivity and food sources for fish and terrestrial bird and bat species. The reauthorization of grazing as proposed would continue to allow season long grazing (6-16 to 10-31). This does not provide for adequate growing season rest or plant rest and recovery periods. Stream and riparian habitats are in generally good condition. However, both Baldy Creek and East Divide Creek are experiencing heavy sediment loading. Grazing as proposed could further impact these streams.

Analysis on the Public Land Health Standard for Plant and Animal Communities (partial, see also Vegetation and Wildlife, Terrestrial):

A formal Land Health Assessment has not been completed for this area. Both Baldy Creek and East Divide Creek in the area near the allotment are experiencing heavy sediment loading. Continued livestock grazing as proposed would increase the likelihood of additional sediment entering these creeks. This could have a bearing on these streams ability to meet Standard 3 for aquatic wildlife.

WILDLIFE TERRESTRIAL (includes an analysis on Standard 3)

Affected Environment:

This allotment provides important habitat for a variety of obligate species of birds, and are particularly important as food and cover for wintering big game. Pinyon-juniper woodlands provide important foraging and nesting habitat for some raptor species and many migratory song birds, and provide security, foraging, and thermal cover for a variety of small game, big game, and nongame wildlife. Mixed mountain shrub and oak habitats are important to turkey, black bear, and lion among others.

Terrestrial habitats have been altered by roads (both authorized and unauthorized), powerlines, pipelines, fences, public recreation use, residential and commercial development, vegetative treatments and livestock and wild ungulate grazing. These human uses contribute to degradation of habitat quality, fragmentation of habitat for several species and the expansion of areas supporting noxious and exotic vegetative species.

Species of High Public Interest. Mule deer and elk can occupy the area year-round. The very southern portion of the allotment is elk winter range. Winter range is that part of the overall range of elk where 90% of the individuals are located during the average five winters out of ten from the first heavy snowfall to spring green-up, or during a site specific period of winter as defined for each Data Analysis Unit.

The allotment overlaps deer and elk summer range for the state of Colorado. Deer and elk summer range represents that part of the overall range of deer and elk where 90% of the individuals are located between spring green-up and the first heavy snowfall, or during a site specific period of summer as defined for each Data Analysis Unit. Summer range is not necessarily exclusive of winter range; in some areas winter range and summer range may overlap.

A small portion of the allotment overlaps with elk production areas. Elk production areas represents that part of the overall range of elk occupied by the females from May 15 to June 15 for calving.

Public surveys, land management agency input, and HPP committee participation all indicate a general agreement that the elk herd is at or near desirable and sustainable levels. The current population size of approximately 11,500 animals is just above the objective of 10,500 animals for DAU E-14 (game management units 41, 42, 52, 411, 421, 521) (<http://wildlife.state.co.us/NR/rdonlyres/3B3FB96B-A5DA-4835-BD8D-C71723E66379/0/E14DAUPlanFinal.pdf>). Public surveys, land management agency input, and HPP committee participation all indicate a general agreement that the deer herd is at or near desirable and sustainable levels. The current population size of approximately 30,500 animals is just above the DAU D-12 objective (GMUs: 41, 42, 421). of 29,500 animals that was set through the DAU planning process (<http://wildlife.state.co.us/NR/rdonlyres/057CB0C3-C4E9-46E2-8570-996BF0D5FCE7/0/D12DAUPlanFinal.pdf>).

Environmental Consequences/Mitigation:

It is unlikely that the proposed action would have any long-term negative impacts to terrestrial wildlife or their habitat. Under the proposed action, the allotment would be grazed by 28 cattle for 3 ½ months in the spring, summer and fall. Direct competition with wildlife for forage could occur. Livestock would be moved throughout the allotment to avoid season long grazing. The proposed action would not be expected to degrade wildlife habitat and would still provide for the forage and cover needs of resident wildlife.

Species of High Public Interest. The magnitude of competitive interactions between big game and livestock is poorly understood. Livestock and wild ungulate carrying capacities should be evaluated holistically and be used to guide stocking rate decisions and wild ungulate population

objectives. Since these allotments are part of big game summer and winter ranges, competition could be season-specific. Drought conditions, can also concentrate big game and livestock populations in riparian areas creating vegetation specific competition.

Regrowth areas previously used by cattle in the spring may even be favored by summering/wintering wildlife because of the resultant increase in forage palatability. However, fall grazing may create a deficit of forage if regrowth is not achieved.

Qualitatively viewing the big game population trends and objectives in relationship to the consistent level of livestock AUMs, it can be assumed that the current stocking rates will continue to be compatible with CDOW big game objectives.

Analysis on the Public Land Health Standard 3 for Terrestrial Wildlife Communities (partial, see also Vegetation and Wildlife, Aquatic): The Glenwood Springs Field Office (GSFO) has not yet completed a Land Health Assessment for this area and is therefore deferring a determination on conformance with the Standards on this allotment until the Land Health Assessment. The GSFO is scheduled to complete the Divide Creek Land Health Assessment in summer 2009 that would include the Alkali Creek and Upper Garfield allotments. Generally when grass is plentiful, cattle will feed largely on grass and deer will feed on forbs and browse so forage competition is low. However, summer forage competition could be a factor if the area is found to be lacking grasses and cattle are forced to compete with deer for forbs and browse. A determination on whether these allotments are currently meeting the standard will be made following the field assessment in summer 2009.

OTHER NON-CRITICAL ELEMENTS: For the following elements, those brought forward for analysis will be formatted as shown above.

Non-Critical Element	NA or Not Present	Applicable or Present, No Impact	Applicable & Present and Brought Forward for Analysis
Travel/Access	X		
Cadastral Survey	X		
Fire/Fuels Management		X	
Forest Management	X		
Geology and Minerals	X		
Law Enforcement	X		
Paleontology	X		
Noise	X		
Range Management			X
Realty Authorizations		X	
Recreation	X		
Socio-Economics		X	
Transportation	X		
Visual Resources		X	

MITIGATION:

New improvements or maintenance of existing range improvements may require cultural resource inventories, monitoring, and/or data recovery. This allotment may also contain undiscovered historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM may require modification to development proposals to protect such properties, or disapprove any activity that is likely to result in damage to historic properties or areas of Native American concern.

CUMULATIVE IMPACTS SUMMARY:

No cumulative impacts have been identified by in this environmental analysis.

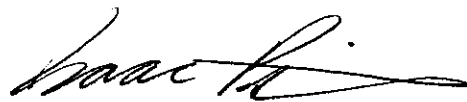
PERSONS/AGENCIES CONSULTED:

Grazing Permittee
Southern Ute Tribe, Chairman
Northern Ute Tribe, Chairman
Ute Mtn. Ute Tribe, Chairman

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
Isaac Pittman	Rangeland Management Specialist	Range, NEPA Lead
Mike Kinser	Rangeland Management Specialist	Riparian Zones
Jeff O'Connell	Hydrologist/Geologist	Soil, Air, Water, Geology
Kay Hopkins	Outdoor Recreation Planner	Wilderness, VRM, WSR
Carla DeYoung	Ecologist	ACEC, T/E/S Plants, Standards, Vegetation
Cheryl Harrison	Archaeologist	Cultural & Native American Concerns
Tom Fresques	Fisheries Biologist	Wildlife Aquatic, T/E/S (Fish)
Brian Hopkins	Wildlife Biologist	Wildlife Terrestrial, T/E/S (Terrestrial Wildlife)
Dereck Wilson	Range Management Specialist	Invasive, Non-native Species

SIGNATURE OF PREPARER:

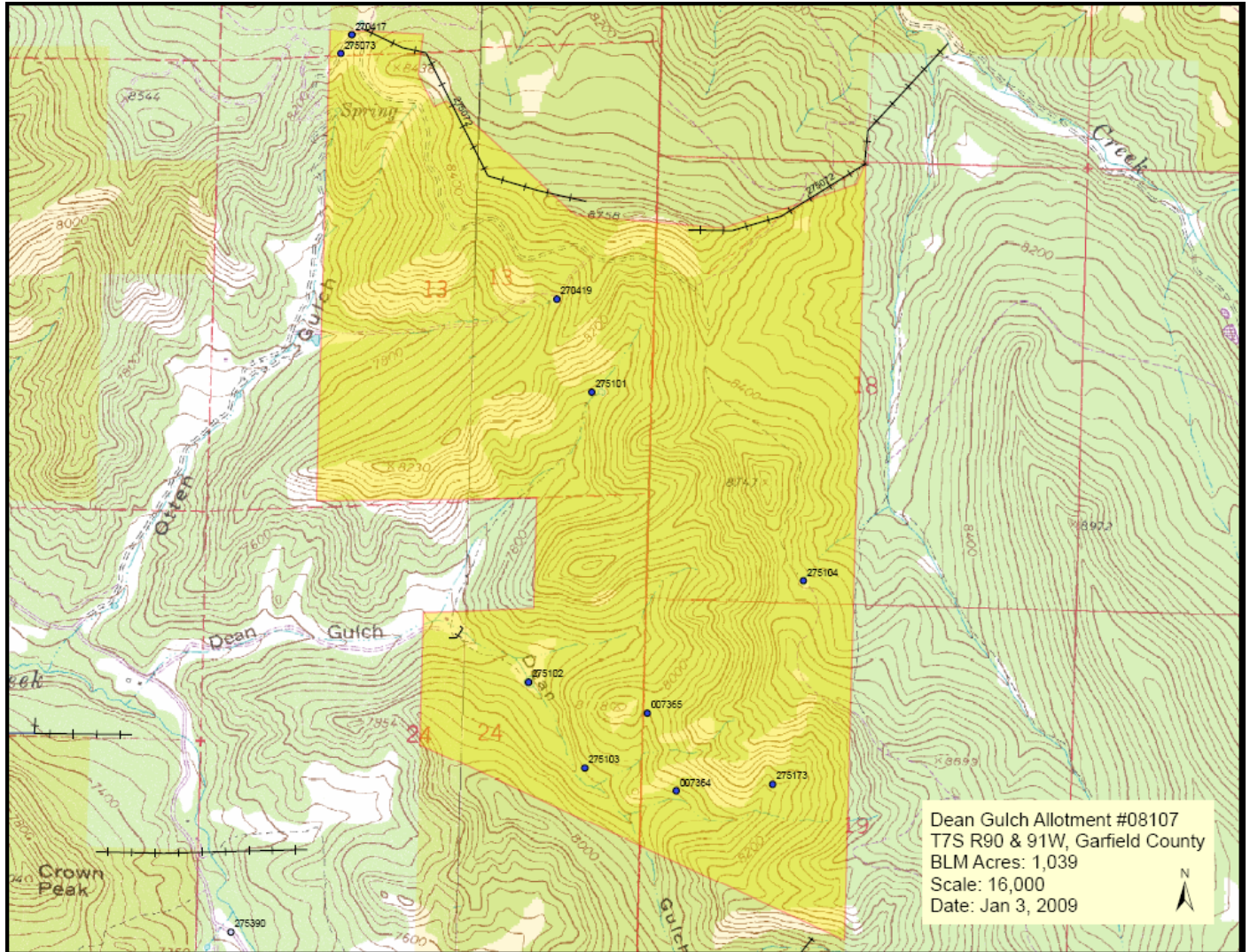


DATE SIGNED:

4/6/2009

ATTACHMENTS: Allotment Maps

ATTACHMENTS: Allotment Maps



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
GLENWOOD SPRINGS FIELD OFFICE

FINDING OF NO SIGNIFICANT IMPACT

Grazing Permit Renewal on the Dean Gulch Allotment

DOI-BLM-CO140-2009-0050-EA

Finding of No Significant Impact

I have reviewed the direct, indirect and cumulative effects of the proposed action documented in the EA for the grazing permit renewal on the Dean Gulch Allotment. The effects of the proposed action are disclosed in the Alternatives and Environmental Impacts sections of the EA. Implementing regulations for NEPA (40 CFR 1508.27) provide criteria for determining the significance of the effects. Significant, as used in NEPA, requires consideration of both *context* and *intensity* as follows:

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long-term effects are relevant (40 CFR 1508.27):

The disclosure of effects in the EA found the actions limited in context. The planning area is limited in size and activities limited in potential. Effects are local in nature and are not likely to significantly affect regional or national resources.

(b) Intensity. This requirement refers to the severity of the impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

1. Impacts that may be both beneficial and/or adverse.

Impacts associated with the livestock grazing permit renewal are identified and discussed in the Environmental Impacts section of the EA. The proposed action will not have any significant beneficial or adverse impacts on the resources identified and described in the EA.

2. The degree to which the proposed action affects health or safety.

The proposed activities will not significantly affect public health or safety. The purpose of the proposed action is to allow for multiple uses while maintaining or improving resource conditions to meet standards for rangeland health in the allotment. Similar actions have not significantly affected public health or 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 unique characteristics for this allotment identified in the EA.

4. The degree to which the effects are likely to be highly controversial.

The analysis did not identify any effects that are highly controversial.

5. The degree to which the effects are highly uncertain or involve unique or unknown risks.

The possible effects on the human environment are not highly uncertain nor do they involve unique or uncertain risks. The technical analyses conducted for the determination of the impacts to the resources are supportable with use of accepted techniques, reliable data, and professional judgment. Therefore, I conclude that there are no highly uncertain, unique, or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.

This EA is specific to the Dean Gulch Allotments. It is not expected to set precedent for future actions with significant effects or represent a decision in principle about a future management consideration in or outside of this allotment.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The analysis in the EA did not identify any related actions with cumulative significant effects.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant, cultural, or historical resources.

No districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places have been identified.

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 of 1973.

There is no designated critical habitat for any listed Threatened or Endangered species within the project area. The EA discloses that the proposed action is not likely to adversely affect any species listed as threatened or endangered.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed action does not violate or threaten to violate any Federal, State or local laws or requirements imposed for the protection of the environment.

Based upon the review of the test for significance and the environmental analyses conducted, I have determined that the actions analyzed in the EA will not significantly affect the quality of the human environment. Accordingly, I have determined that the preparation of an Environmental Impact Statement is not necessary for this proposal.



Authorized Official
Glenwood Springs Field Office



Date