

**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:** CO-140-2009-0059 EA

**CASEFILE NUMBER:**

**PROJECT NAME:** Grazing Permit renewal on the Driveway Three-Mile and Diamond Flats Allotments.

**LOCATION:** T6S R89W Sec 28, 32, 33, 34; T7S R89W Sec 4, 5, 6, 7, & 9; T7S R90W Sec 1 & 12. – Driveway Three-Mile (08324) and Diamond Flats (08323) Allotments; Refer to attached allotment map.

**APPLICANT:** Grazing Permittee

### **DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES**

**Proposed Action:** The Proposed Action is to renew 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 would be issued for a 10-year period. The proposed action is in accordance with 43 CFR 4130.2. The tables below summarize the scheduled grazing use and grazing preference for the permits.

**Scheduled Grazing Use:**

<b>Operator No.</b>	<b>Allotment Name &amp; No.</b>	<b>Livestock No. &amp; Kind</b>	<b>Period of use</b>	<b>Percent Public Land</b>	<b>AUMs</b>
0507518	Driveway Three-Mile (08324)	120 Cattle	07/1 – 09/30	44	160
	Diamond Flats (08323)	101 Cattle	05/16 – 06/30	100	153
		10 Cattle	10/01 – 10/15	100	5

**Grazing Preference AUMS:**

<b>Operator No.</b>	<b>Allotment Name &amp; No.</b>	<b>Active</b>	<b>Suspended</b>	<b>Total</b>
057518	Driveway Three-Mile (08324)	108	0	108
	Diamond Flats (08323)	156	0	156

The following terms and conditions were included on the previous (expiring) permit and will be carried forward on the issued permits:

- 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.
- An actual use report shall be submitted annually to the BLM office no later than 15 days after grazing use has ended.

The following allotment term and condition will be included on the issued permits.

- 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 or the guidelines for livestock grazing management in Colorado, this permit will be reissued subject to revised terms and conditions.
- 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).
- 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.

**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. For this reason, discontinuance of grazing use (No Grazing) will not be considered or assessed.

The No Action alternative has also been eliminated from further consideration. The No Action alternative would involve reissuing the permit/lease with current terms and conditions and no additional stipulations would be added to the permit/lease. Reissuing the permit/lease without the new stipulations would be unrealistic due to current Washington Office and Colorado State Office policies.

**PURPOSE AND NEED FOR THE ACTION:** These permits/leases are subject to renewal or transfer at the discretion of the Secretary of the Interior for a period of up to ten years. The U.S. Bureau of Land Management has the authority to renew the livestock grazing permits/leases consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, and Glenwood Springs Field Office 's Resource Management Plan/Environmental Impact Statement. This Plan/EIS has been amended by Standards for Public Land Health in Colorado.

The renewal of the grazing permit 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, and (5) to allow use of native rangeland resource for conversion into protein suitable for human consumption.

**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 Bureau of Land Management (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 Roaring Fork Landscape which incorporates the Driveway Three-Mile and Diamond Flats Allotments is scheduled to be assessed in 2010. As such, we are deferring making a determination on conformance with the Standards on this allotment until the formal Land Health Assessment is completed. If the authorized officer determines that existing livestock grazing management practices or levels of grazing use on public lands are significant factors in failing to achieve the standards and conform to the guidelines, the authorized officer shall take appropriate action as soon as practical (according to 43 CFR 4180.2) to achieve progress toward meeting the standards.

Because a standard exists for the five categories mentioned above, the impact analysis must address whether the proposed action or any alternatives being analyzed would result in impacts that would maintain, improve, or deteriorate land health conditions for that specific parameter. These analyses are located in specific elements listed below:

### **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 1). 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**.

## Critical Elements

<b>Table 1. Critical Elements of the Human Environment</b>									
<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	Special Status 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

### 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 #1009-19) was completed for the Diamond Flats and Driveway Three Mile Allotments on February 19, 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.

<b>Allotment Number</b>	<b>Acres Inventoried at a Class III level</b>	<b>Acres NOT Inventoried at a Class III Level</b>	<b>Percent (%) Allotment Inventory data Class III level</b>	<b>Number of Cultural Resources known in allotment</b>	<b>High Potential of Historic Properties (yes/no)</b>	<b>Management Recommendations (Additional inventory required and historic properties to be visited)</b>
Diamond Flats	306	1394	18	3	No	No additional acres need to be inventoried to meet the 10% sampling threshold. 44% of the allotment has 30%+ slopes.

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)
Driveway Three Mile	0	1365	0	0	Unknown	An additional 137 acres need to be inventoried to meet the 10% sampling threshold. 13% of the allotment has 30%+ slopes.
Total	306	2759	18	3		

Three Class III cultural resource inventories (591, 1224, and 9481) have been conducted within the Diamond Flats allotment; no surveys have been completed within the Driveway Three Mile allotment. These surveys have resulted in the recording of one historic property, the Colorado Midland Railway. 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 to moderate potential for historic properties within these allotments. 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, gullyng, 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.

One historic property was identified during the inventories for these allotments, the Colorado Midland Railway. 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 area of concern is 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

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. U.S. Census Bureau data from 2006 shows the minority population of Garfield County comprises less than 0.7 % of the total population of Colorado<sup>1</sup>.

Garfield County
Median Household Income (2004)
Estimate
\$50,119

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<sup>1</sup> 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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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: Noxious weed infestation reports identify Canada thistle (*Cirsium arvense*), houndstongue (*Cynoglossum officinale*), plumeless thistle (*Carduus acanthoides*), and bull thistle (*Cirsium vulgare*) occur within the Diamond Flats and Driveway Threemile Allotments.

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. Most infestations will be isolated to watering facilities, salting areas, and other livestock high concentration locations.

## 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.

Bald eagle (*Haliaeetus leucocephalus*). Bald eagles are known to winter along portions of the Colorado, Eagle and Roaring Fork Rivers and its major tributaries. Wintering bald eagles are generally present from mid-November to mid-April. Large mature cottonwood trees along the rivers and their major tributaries are used as roosting and perching sites, and these waterways provide the main food sources of fish and waterfowl. Upland habitats adjacent to these waterways are used as scavenging areas primarily for winter killed mule deer and elk. Major threats include habitat loss, human disturbance and illegal shooting. Bald eagles are increasing in numbers throughout their range and were removed from the federal threatened and endangered species list in 2007 however bald eagles are still protected under the Migratory Bird Treaty Act. The Diamond Flats Allotment overlaps with bald eagle winter range and winter foraging areas.

#### 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 including bald eagles. 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.

THREATENED, ENDANGERED, AND SENSITIVE SPECIES (includes a finding on Standard 4)

Affected Environment: Federally Listed, Proposed, and 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*), humpback chub (*Gila cypha*), and Greenback cutthroat trout (*Oncorhynchus clarkii stomias*). 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.

#### Plants:

No occupied or suitable habitat is found on the Diamond Flats or Driveway Three-Mile Allotments 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.

#### Aquatic Wildlife:

The Colorado pikeminnow, bonytail, humpback chub, and razorback sucker are all located far (>40 miles) downstream in the Colorado River below Rifle, Colorado. Three Mile Creek and the nearby Roaring Fork River do not provide habitat for any of these endangered fishes.

#### Terrestrial Wildlife:

Special status terrestrial wildlife species are those whose populations have declined significantly. These declines may result from habitat loss, habitat modification, and changes in competition, predation, or disease. Habitat loss and modification by human activities are the primary causes of declining populations, particularly of species that are highly adapted to specific ecological niches. Such species may or may not be legally protected by federal or state agencies. BLM land management practices are intended to sustain and promote species that are legally protected and prevent species that are not yet legally protected from needing such protection. Limited inventories and surveys have been conducted for special status wildlife species other than Canada lynx (*Lynx canadensis*).

*Canada lynx (Lynx canadensis)*. Canada lynx are a federally threatened and Colorado endangered species. In 2000, the Canada lynx was listed under the ESA as a threatened species throughout its range in the contiguous United States. Actions that may impact lynx populations and habitat include timber management, fire management, recreation, livestock grazing, utility corridors, and residential, commercial and agricultural developments (such as housing, ski areas, and large resorts).

*Mexican Spotted Owl (Strix occidentalis)*. Limited potential exists for Mexican spotted owl habitat within the GSFO. In fact the GSFO is relatively distant from any known

active territories. Critical habitat has been designated for Mexican spotted owls within the state of Colorado, though none exists on BLM lands within the GSFO.

*Western yellow-billed cuckoo (Coccyzus americanus)*. The western yellow-billed cuckoo is a federal candidate species that has declined due to loss of riparian habitat from agricultural and water use and road and urban development. Western cuckoos breed in large blocks of riparian habitats (particularly woodlands with cottonwoods (*Populus fremontii*) and willows (*Salix sp.*)). Dense understory foliage appears to be an important factor in nest site selection, while cottonwood trees are an important foraging habitat in areas where the species has been studied. The yellow-billed cuckoo is an uncommon summer resident of Colorado and only few records of cuckoos exist at all in the mountainous region of the state.

Environmental Consequences/Mitigation: Federally Listed, Proposed, and Candidate Species

Plants:

Due to the absence of any occupied or critical habitat within or adjacent to these allotments, the proposed action would have “**No Effect**” on any of the four listed, proposed or candidate plant species.

Endangered Colorado River Fishes:

These fish are all native to the Colorado River basin. These species are adapted to the historic natural conditions related to high sediment loads periodically carried by the Colorado River. These allotments provide adequate growing season rest and plant rest and recovery periods. Given the condition of habitats and the distance to occupied habitat from these allotments, continued livestock grazing as proposed would have “**No Effect**” to these fish or their habitat.

Terrestrial Wildlife:

No occupied or suitable habitat is found on the Diamond Flats or Driveway Three-Mile Allotments for any of the federally-listed, proposed or candidate terrestrial wildlife species that occur in Garfield County. Due to the absence of any occupied or critical habitat within these allotments, the proposed action would have “**No Effect**” on any of the listed, proposed or candidate terrestrial wildlife species.

Affected Environment: 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 these two allotments and no suitable habitat for these species has been identified in the allotments.

#### Terrestrial Wildlife:

*Reptiles (Midget faded rattlesnake [Crotalus viridis concolor] and the Utah milk snake [Lampropeltis triangulum taylori]):* Little is known about these reptiles. These snakes range from across Utah and portions of Wyoming into west-central Colorado, whose populations are in the eastern margin of this species' range. Utah milk snakes occupy various habitats, but many records have been noted within and near floodplains. The species are of concern in Colorado because of the small number of records and restricted range. Threats include development, outright killing, and illegal collection of individuals for commercial purposes.

*Bats (Townsend's big-eared bat [Corynorhinus townsendii], fringed myotis [Myotis thysanodes], big free-tailed bat [Nyctinomops macrotis], Yuma myotis [Myotis yumanensis], and spotted bat [Euderma maculatum]).* Bats prefer natural caves and abandoned mines for winter, summer, day, and maternal roost sites. These species typically forage on a variety of insects and may use a variety of habitats, including pinyon-juniper woodlands, riparian areas, montane forests, and semidesert shrublands. Although some occurrences have been recorded, little is known about the population sizes and distribution of bats within the GSFO. All of the bats listed above are BLM sensitive species, and the Townsend's big-eared bat is also a Colorado species of concern.

*Black-footed ferret (Mustela nigripes).* Black-footed ferrets, a state and federally endangered species, historically occurred throughout much of the western US, where large colonies of prairie dog towns were present. This species was likely never common within the GSFO due to the lack of suitable habitat. No black-footed ferrets have been documented in the GSFO, and the only known ferret population in Colorado is a recently reintroduced population in Moffat County.

*River otter (Lontra canadensis).* River otters inhabit riparian vegetation along rivers and streams. This species requires water year-round and feeds on fish and crustaceans. River otters were extirpated in Colorado until 1976, when the CDOW began reintroducing them into major waterways, including the Colorado River. Recent surveys have found signs of otters in both the Colorado and Roaring Fork Rivers.

#### Environmental Consequences/Mitigation: BLM Sensitive Species

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

#### Analysis on the Public Land Health Standard for Special Status, Threatened and Endangered Species:

A formal Land Health Assessment has not been completed on these allotments. Based on the proposed grazing management it appears that adequate growing season rest and plant rest and recovery periods are provided for. The proposed action should have little bearing on the areas ability to meet Standard 4

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

Affected Environment: The Diamond Flats and Driveway Three-Mile Allotments are located south of the City of Glenwood Springs, south of Interstate 70 and the Colorado River, and west of the Roaring Fork River and Highway 82. More specifically, the Diamond Flats Allotment is located south of the perennial Threemile Creek and west of the perennial Fourmile Creek, while the Driveway Three-Mile Allotment is located southwest of Hughes Reservoir and west of Threemile Creek. The east half of the Diamond Flats Allotment is within the 9,375 acre Lower Fourmile Creek 6<sup>th</sup> field watershed while the west half along with the Driveway Three-Mile Allotment are within the 9,329 acre Threemile Creek 6<sup>th</sup> field watershed. Several springs and ephemeral tributaries to Threemile Creek above Hughes Reservoir are within the Driveway Three-Mile Allotment and a couple of ephemeral tributaries to Threemile Creek below Hughes Reservoir are within the northern tip of the Diamond Flats Allotment.

The ephemeral tributaries mentioned above are not listed on the State of Colorado's *Stream Classifications and Water Quality Standards* (CDPHE, Water Quality Control Commission, Regulation No. 33), the *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). In addition, no water quality data are available for the springs and ephemeral tributaries mentioned above.

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 and could lead to stream bank trampling. The introduction of livestock feces to waterbodies often leads to water quality degradation by increasing fecal coliform bacteria levels and often leads to algal blooms which increase water temperatures. However, based on the period of use, the number of cattle scheduled, and the distance from major perennial drainages, the potential for measureable water quality degradation is minimal.

Analysis on the Public Land Health Standard 5 for water quality: The Glenwood Springs Field Office is scheduled to complete the Roaring Fork Land Health Assessment in summer 2010 that would include area perennial drainages. Based on the scheduled period of use, the number of cattle scheduled, and the distance from major perennial drainages, the proposed activities would not likely prevent Standard 5 for Water Quality from being met.

## WETLANDS & RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: The Diamond Flats Allotment contains a small amount of riparian vegetation along Threemile Creek (approximately 60 feet) and possibly a small

amount (less than 1 acre) of riparian vegetation along Hughes Reservoir. These areas have not been inventoried or assessed. The Driveway Threemile Allotment contains a small amount (0.1 mile) of riparian vegetation along Threemile Creek. This riparian area has not been inventoried or assessed. There are no other known wetlands or riparian zones in the allotment.

Environmental Consequences/Mitigation: The Diamond Flats Allotment would be grazed for a 46 day period in the late spring/early summer and for a 15 day period in the fall. There would be a 3 month period of grazing rest between these two grazing periods. The duration and period of use proposed would allow for ample grazing rest and recovery time for riparian plant species. The 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.

The Driveway Three-mile Allotment would be grazed for a three month period (07/01 – 09/30) in the summer/early fall which offers little grazing rest and recovery period for riparian plant species; however, the riparian area along Threemile Creek occurs in a densely forested area which prevents most, if not all, livestock access and grazing use along the riparian area. Consequently, there would be no or minimal impacts to this riparian area.

Analysis on the Public Land Health Standard for Riparian Systems: The proposed action would not result in failure to achieve this standard.

## NON-CRITICAL ELEMENTS

The following elements **must** be addressed due to the involvement of Standards for Public Land Health:

### SOILS (includes a finding on Standard 1)

Affected Environment: According to the *Soil Survey of Rifle Area, Colorado: Parts of Garfield, and Mesa Counties* (USDA 1985) and the *Soil Survey of Aspen-Gypsum Area, Colorado: Parts of Eagle, Garfield, and Pitkin Counties* (USDA 1992), the Driveway Three-mile (*Rifle: 25; Aspen: 8, 37*) and Diamond Flats (*Rifle: 2, 12, 19, 39, 64; Aspen: 8, 12, 18, 19, 64, 95*) Allotments contain 12 different soil map units that can be identified by the numerical code assigned by the soil survey. More specifically, the west parcel of the Driveway Three-Mile is on Etoe loam (*Rifle: 12; Aspen: 37*), the northwest portion of the east parcel is on Etoe loam (*Rifle: 12; Aspen: 37*), and the southeast portion of the east parcel is on Ansel-Anvik association (*Aspen: 8*). The soil map units within the Diamond Flats Allotment are scattered throughout with the the northern portion of the allotment being 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 12 soil map units found within the Driveway Three-Mile and Diamond Flats Allotments.

### **Soil Survey of Rifle Area, Colorado: Parts of Garfield, and Mesa Counties**

- Arle-Ansari-Rock outcrop complex (2) – This complex is found on mountainsides and alluvial fans at elevations ranging from 5,500 to 7,500 feet and on slopes of 12 to 65 percent. The soils are derived from red-bed shale and sandstone while the Rock outcrop is primarily red sandstone. Approximately 45 percent of the complex is composed of the Arle soil, 35 percent the Ansari soil, and 20 percent Rock outcrop. The Arle soil is moderately deep, well drained, and has medium surface runoff and severe erosion hazard. The Ansari soil is shallow, well drained, and has rapid surface runoff and severe erosion hazard. This complex is used primarily for wildlife habitat and grazing.
- 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 Inchau soil is found on more concave areas. The Bucklon soil is shallow, well drained and has medium surface runoff with severe erosion hazard. The Inchau 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.
- Cochetopa-Jerry complex (19) – These moderately steep soils are found on mountainsides at elevations ranging from 7,000 to 9,500 feet and on slopes of 25 to 50 percent. They are derived from sandstone, shale, and basalt. Approximately 50 percent of this complex is Cochetopa soil and approximately 40 percent Jerry soil. Both of these soils are deep, well drained and have slow surface runoff with moderate erosion hazard. Primary uses for this complex include grazing and wildlife habitat.
- Etoe loam (Rifle: 25; Aspen: 37) – This deep, well drained, steep soil is found on mountainsides at elevations ranging from 8,000 to 10,500 feet and on slopes of 15 to 50 percent. This soil is derived from sandstone and basalt. Surface runoff for this soil is medium and the erosion hazard is slight. Primary uses for this soil include timber, limited grazing, and wildlife habitat.
- Jerry loam (39) – This deep, well drained soil is found on mountainsides at elevations ranging from 7,000 to 9,500 feet and on slopes of 12 to 50 percent. Parent material for this soil is sandstone, shale, and basalt. Surface runoff for this soil is slow and the erosion hazard is moderate. Primary uses for this soil include wildlife habitat and grazing.
- Tanna silty clay loam (64) – This moderately deep, well drained soil is found on mountainsides at elevations ranging from 6,500 to 7,600 feet and on slopes of 25 to 45 percent. This soil is derived mainly from weathered shale. Surface runoff for this soil is rapid and the erosion hazard is severe. This soil is used primarily for wildlife habitat and grazing.

**Soil Survey of Aspen-Gypsum Area, Colorado: Parts of Eagle, Garfield, and Pitkin Counties**

- Ansel-Anvik association (8) – This soil map unit is found on fans, foot slopes, and mountainsides at elevations ranging from 7,500 to 9,500 feet and on slopes of 12 to 25 percent. Approximately 70 percent of this unit is Ansel soil and 20 percent Anvik soil with 10 percent consisting of other soil types. The Ansel soil is deep, well drained, and formed in alluvium derived from material of mixed mineralogy. Runoff for this soil is medium and the water erosion hazard is moderate. The Anvik soil is deep, well drained, and formed in alluvium and colluvium derived from material of mixed mineralogy. Runoff for this soil is medium and the water erosion hazard is moderate. Primary uses for this soil map unit include woodland and wildlife habitat.
- Arle-Ansari-Rock outcrop complex (12) – This soil map unit is found on mountain and valley sides at elevations ranging from 6,000 to 8,200 feet and on slopes of 12 to 50 percent. Approximately 40 percent of this unit is Arle very stony loam, 30 percent Ansari loam, 20 percent Rock outcrop, and the other 10 percent a mixture of soil types. The Arle soil is moderately deep, well drained and is derived from redbed sandstone and shale. Surface runoff is medium and the water erosion hazard is slight to severe. The Ansari soil is shallow, well drained and is derived from redbed sandstone and shale. Surface runoff is rapid and the water erosion hazard is slight to severe. The Rock outcrop component of this unit consists of exposed sandstone. Primary uses for this soil map unit include rangeland, wildlife habitat, and homesite development.
- Cochetopa-Antrobus association (18) - This soil map unit is found on mountainsides and alluvial fans at elevations ranging from 8,500 to 10,500 feet and on slopes of 12 to 25 percent. Approximately 45 percent of this unit is Cochetopa loam and 35 percent of this unit is Antrobus very stony loam. The other 20 percent of this unit is composed of other soil types. The Cochetopa soil is deep, well drained and derived from basaltic alluvium and colluvium. The surface runoff is rapid and the water erosion hazard is moderate. The Antrobus soil is deep, well drained and derived from basaltic alluvium and colluvium. The surface runoff is rapid and the water erosion hazard is moderate. Primary uses for this soil map unit include rangeland and homesite development.
- Cochetopa-Antrobus association (19) – This soil map unit is found on mountainsides at elevations from 8,500 to 10,500 feet and on slopes of 25 to 50 percent. Approximately 45 percent of this unit is Cochetopa loam and 40 percent of this unit is Antrobus very stony loam. The other 15 percent of this unit is composed of other soil types. The Cochetopa soil is deep, well drained and derived from basaltic alluvium and colluvium. The surface runoff is rapid and the water erosion hazard is moderate to severe. The Antrobus soil is deep, well drained and derived from basaltic alluvium and colluvium. The surface runoff is rapid and the water erosion hazard is moderate. Primary uses for this soil map unit include rangeland and homesite development.
- Jerry loam (64) – This deep, well drained soil is found on alluvial fans and hills at elevations ranging from 7,500 to 9,500 and on slopes of 25 to 65 percent. This soil is derived from sandstone and shale alluvium. Surface runoff is very rapid and the water erosion hazard is moderate. This soil is used primarily for rangeland purposes.



- Showalter-Morval complex (95) – This soil map unit is found on alluvial fans, high terraces, and valley sides at elevations ranging from 7,000 to 8,500 feet and on slopes of 15 to 25 percent. Approximately 45 percent of this unit is Showalter very stony loam, 35 percent Morval loam, and the other 20 percent a mixture of soil types. The Showalter soil is deep, well drained and is derived from basaltic alluvium. Surface runoff is medium and the water erosion hazard is moderate. The Morval soil is deep, well drained and is derived from basaltic alluvium. Surface runoff is medium and the water erosion hazard is slight. Primary uses for this soil map unit include rangeland, hayland, and homesite development.

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. There is potential that additional sediment associated with grazing practices could reach nearby ephemeral drainages. However, based on the scheduled period of use, the number of cattle scheduled, and the distance from major perennial drainages, the potential for measureable sediment transport and negative soil impacts is minimal.

Analysis on the Public Land Health Standard 1 for upland soils: The Glenwood Springs Field Office is scheduled to complete the Roaring Fork Land Health Assessment in summer 2010 that would include the Driveway Three-Mile and Diamond Flats Allotments. Based on the scheduled period of use, the proposed activities would not likely prevent Standard 1 for Upland Soils from being met.

#### VEGETATION (includes a finding on Standard 3)

Affected Environment: The Diamond Flats allotment lies south of Glenwood Springs, between Threemile Creek, Fourmile Creek and Hughes Reservoir. More than half of the allotment consists of steep, east or north-facing slopes. The remainder of the allotment is comprised of more gently sloping swales. Vegetation on the allotment is dominated by mixed mountain shrubs (Gambel oak, mountain mahogany, serviceberry, and snowberry) and aspen woodlands with several grass-dominated meadows.

The Driveway-Threemile allotment lies south of Glenwood Springs, between Sunlight Peak and Hughes Reservoir. The allotment consists of a long, gently-sloped bench with moderately steep slopes on either side. Vegetation on the allotment is dominated by aspen woodlands interspersed with small, grassy meadows. Mixed mountain shrubs are found in the northern part of the allotment. The grassy meadows seem to receive the most grazing use.

Environmental Consequences/Mitigation: There is no utilization or trend monitoring data in the allotment files with which to evaluate livestock grazing impacts on either the Diamond Flats or Driveway-Threemile allotments.

The Diamond Flats Allotment would be grazed for a 46 day period in the late spring/early summer and for a 15 day period in the fall. Cattle grazing in the late spring tend to utilize annual and perennial grasses and forbs that are green and high in protein at this time. Fall grazing would tend to utilize both grasses and shrubs. There would be 3 months of growing season rest between these two grazing periods. This proposed duration and intensity of grazing use on the allotment should provide adequate growing season rest for plant health and would allow for seed dissemination and seedling establishment following grazing use. The renewal of the grazing permit is not expected to have any adverse impacts on plant community health.

The Driveway-Threemile Allotment would be grazed for a three month period (07/01 – 09/30) in the summer/early fall which offers little grazing rest and recovery period for maintaining plant health. According to the proposed grazing permit, the private land portion of this allotment provides more than half of the available forage and likely receives more than half of the grazing use. However, adverse impacts to vegetative health could occur on public land if livestock concentrate in the small grassy meadows for an extended period of time.

Analysis on the Public Land Health Standard 3 for Plant and Animal Communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): Grazing use, as proposed, is not likely to cause a failure to meet Standard 3 for Plant Communities. The Glenwood Springs Field Office is scheduled to complete the Roaring Fork Land Health Assessment in summer 2010 that would include the Diamond Flats and Driveway-Threemile allotments. If the formal land health assessment determines that current livestock grazing is a significant factor in failing to meet or make progress towards meeting Standard 3 for plant communities, the grazing permit may be modified to achieve this objective.

#### WILDLIFE, AQUATIC (includes a finding on Standard 3)

##### Affected Environment:

The Diamond Flats allotment contains no perennial streams and is drained via small ephemeral washes. The allotment is bounded by Threemile Creek to the west and north and Fourmile Creek to the east. Hughes Reservoir is situated on Threemile Creek west of the allotment. Threemile Creek contains rainbow and brook trout. Fourmile Creek contains rainbow and brown trout and mottled sculpin. Hughes Reservoir routinely winter kills and does not provide a reliable fishery. The Driveway Three Mile allotment is primarily drained via small ephemeral drainages but does contain a small portion of Threemile Creek. All of these streams contain aquatic insects.

##### Environmental Consequences/Mitigation:

Continued grazing activities on these allotments 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 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 Threemile and Fourmile Creeks there is potential that additional sediment associated with grazing practices could reach these waters.

Sediment can impact trout and sculpin species by silting in important spawning substrates and in the event eggs are present, by smothering eggs which leads to loss of 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 used by these insects. This can reduce food sources for fish and terrestrial bird and bat species. The reauthorization of grazing as proposed provides for growing season rest and adequate plant rest and recovery periods which should maintain good vegetative cover and help to limit offsite soil movement. The Diamond Flats allotment is grazed for 1.5 months in the spring/early summer (05/16 – 06/30) and two weeks in the fall (10/01 – 10/15). Stream and riparian habitats appear to be in good condition, grazing should have minimal impact to fish or fish habitats.

Analysis on the Public Land Health Standard 3 for Plant and Animal Communities  
(partial, see also Vegetation and Wildlife, Terrestrial):

A formal Land Health Assessment has not been completed for these lands. The proposed action should have little bearing on the areas ability to meet this standard.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment:

The allotments provide important habitat for a variety of obligate species of birds, raptors, small mammals, reptiles, 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, 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 usually occupy the area yearround however the sagebrush-dominant ridges and south-facing slopes are important big game winter habitat. BLM lands within these allotments provide a large portion of the less-developed winter and summer range available to deer and elk. The allotments overlap with CDOW mapped deer and elk summer range. A very small portion of the Diamond Flats allotment overlaps with CDOW mapped mule deer critical winter range and severe

winter range. The Diamond Flats allotment also overlaps with CDOW mapped elk severe winter range.

Winter range is that part of the overall range 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. Severe winter range is considered that part of the overall range where 90% of the individuals are located when the annual snowpack is at its maximum and/or temperatures are at a minimum in the two worst winters out of ten. Critical winter range depicts areas of high importance to wintering mule deer in Colorado. The map layer is created by combining winter concentration areas and "high density" mule deer severe winter range. Summer range is that part of the overall range where 90% of the individuals are located between spring green-up and the first heavy snowfall. Summer range is not necessarily exclusive of winter range; in some areas winter range and summer range may overlap.

The *Lower Colorado River Habitat Management Plan 2008-2012* states the 2006 post-hunt elk population is about 3,400 for Data Analysis Unit (DAU) E-15 (Game Management Units 43 and 471). The CDOW recommended population objective is 4,500 for DAU E-15. The *Lower Colorado River Habitat Management Plan 2008-2012* states the 2006 post-hunt deer population is about 16,500 for DAU - D-13 (Game Management Units 43, 47 and 471). The CDOW recommended population objective is 10,500 for DAU - D-13.

#### Environmental Consequences/Mitigation:

It is unlikely that the proposed action would create long-term negative impacts to terrestrial wildlife or their habitat. Under the proposed action, the allotment would be grazed intensively for short durations and direct competition with wildlife for forage would occur. Livestock would be moved through pastures so no area would receive season-long grazing. This grazing schedule together with the expected spatial distribution would allow wildlife population levels to be maintained commensurate with the species and habitat's potential.

*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 winter ranges, the short-term grazing schedules will likely leave sufficient residual vegetation that is necessary for wintering big game. Regrowth areas previously used by cattle in the spring/early summer may even be favored because of the resultant increase in forage palatability.

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 Plant and Animal Communities (partial, see also Vegetation and Wildlife, Aquatic): The Glenwood Springs Field Office is scheduled to complete the Roaring Fork Land Health Assessment in summer 2010 that would include the Diamond Flats and Driveway-Threemile allotments. If the formal land health assessment determines that current livestock grazing is a significant factor in failing to meet or make progress towards meeting Standard 3 for wildlife, the grazing permit may be modified to achieve this objective.

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

<b>Table 2. Other Resources Considered in the Analysis.</b>			
<i>Resource</i>	<i>NA or Not Present</i>	<i>Present and Not Affected</i>	<i>Present and Affected</i>
Access and Transportation		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		
Visual Resources		X	

**SUMMARY OF CUMULATIVE IMPACTS:**

No cumulative impacts have been identified.

**PERSONS AND AGENCIES CONSULTED:**

Notices of public scoping were issued through the Colorado BLM’s Internet web page providing the public an opportunity to obtain information or offer concerns on grazing permits or allotments scheduled for renewal. News releases were issued... There have been no responses received specific to the permit renewal or allotments addressed in this NEPA document. The Glenwood Springs Field Office Internet NEPA Register also lists grazing permit renewal NEPA documents that have been initiated. They are generally posted approximately one month prior to the estimated completion date.

Southern Ute Tribe  
 Northern Ute Tribe  
 Ute Mtn. Ute Tribe

**INTERDISCIPLINARY REVIEW:**

<i>Name</i>	<i>Title</i>	<i>Responsibility</i>
Dereck Wilson	Rangeland Management Specialist	NEPA Lead, Noxious and Invasive Species, Range Management
Michael Kinser	Rangeland Management Specialist	Wetlands and Riparian Zones
Jeff O'Connell	Hydrologist/Geologist	Soil, Air, Water, Geology
Kay Hopkins	Outdoor Recreation Planner	WSR, Wilderness, VRM, Recreation, Transportation
Cheryl Harrison	Archaeologist	Cultural Resources and Native American Concerns
Brian Hopkins	Wildlife Biologist	Migratory Birds, T/E/S Wildlife, Terrestrial Wildlife
Carla DeYoung	Ecologist	ACEC, T/E/S Plants, Vegetation, Land Health Assessments
Tom Fresques	Fisheries Biologist	T/E/S Aquatic Species, Aquatic Wildlife

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
GLENWOOD SPRINGS FIELD OFFICE  
**FINDING OF NO SIGNIFICANT IMPACT**

**Grazing Permit Renewal on the Driveway Threemile and Diamond Flats Allotments**

**DOI-BLM-CO140-2009-0059-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 Driveway Threemile and Diamond Flats Allotments. 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.*

A determination of “May Adversely Affect” has been made for historic properties that occur in the allotments; however, this determination is based on impacts from the construction and/or maintenance of range improvements which is not the proposed action (i.e., renewal of the livestock grazing permit). Although there is generic discussion of adverse impacts that could occur to cultural resources from livestock grazing, no specific impacts from livestock grazing have been identified to the historic properties that occur within these allotments. No other unique characteristics are known to occur in the allotments.

*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 Driveway Threemile and Diamond Flats 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.*

The proposed action is not considered to adversely affect districts, sites, highways or structures. Refer to the discussion for No. 3 for impacts to cultural/historic resources.

*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. Due to the absence of any occupied or suitable habitat within or adjacent to these allotments, the proposed action would have “**No Effect**” to any of the four listed, proposed or candidate plant species. Given the grazing management in place on both allotments, reauthorization of livestock grazing should have “**No Effect**” to either of these endangered fishes or their habitats.

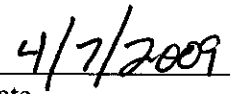


10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

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

