



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652



ENVIRONMENTAL ASSESSMENT

DOI-BLM-CO-040-2015-0015 EA

CASEFILE NUMBER.

Number 0505182

PROJECT NAME.

Issue a Grazing Permit on the Upper Coffeepot Allotment (No. 08648)

LOCATION.

Garfield County, northwest of Dotsero, CO

LEGAL DESCRIPTIONS.

Upper Coffeepot Allotment (No. 088648) T4S R87W Sec. 21-23, 26-28. (See attached allotment map).

APPLICANT.

Grazing Permittees

PURPOSE AND NEED FOR 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 (BLM) 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, Roan Plateau Resource Management Plan Amendment, and the Colorado Public Land Health Standards.

The mission of the BLM is “to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations”. Land Health Standards and Guidelines for Livestock Grazing Management were developed between the BLM and the Colorado Resource Advisory Council to ensure that the mission of the BLM will be achieved.

This action is needed to determine whether or not to issue a permit on the following allotment and if so under what terms and conditions to ensure that Public Land Health Standards and objectives for resource management are or will continue to be achieved.

SCOPING AND PUBLIC INVOLVEMENT AND ISSUES.

The Proposed Action was initiated in November of 2014 and listed on the Colorado River Valley Field office NEPA Register. No public comments were received on the Proposed Action.

BACKGROUND.

Robert Scarrow was the last authorized operator to utilize grazing preference on the Upper Coffeepot Allotment. The last bill paid by Mr. Scarrow on record is from 1989. The last permit that was issued had a ten year term from 1990 until 2000. All grazing bills that were generated during the ten-year term were in non-use status on the Upper Coffeepot Allotment. The last known NEPA documentation pertaining to issuing a grazing permit on the Upper Coffeepot Allotment was Environmental Analysis - #CO-070-GS6-159 from 1976. The base property associated with Upper Coffeepot Allotment preference has changed ownership over the past two decades and the BLM was not notified of these changes in ownership of base property and no grazing applications were submitted to BLM. Josh and Brook Fitzsimmons obtained a base-property lease from Eagle Valley Wilderness Ranch, LLC and submitted a grazing application to BLM in April of 2013. BLM land is unfenced and it is highly likely that livestock grazing on adjacent private land will drift onto BLM lands. Currently there are no known range improvement projects located on BLM lands. Adjacent private lands contain water developments for livestock and wildlife. Previous permitted use authorized on the Upper Coffeepot Allotment is summarized below in Tables 1 and 2.

Table 1. Previous Grazing Schedule Authorized on the Upper Coffeepot Allotment.

Allotment Name & No.	Livestock No. & Kind	Period of Use	Percent AUMs on BLM Land	AUMs
Upper Coffeepot - #08648	765 Sheep	7/01-7/07	7	3
	160 Yearlings	7/01-10/30	7	45
	1530 Sheep	9/19 – 11/14	7	40

Table 2. Previous Grazing Preference AUMs Authorized on the Upper Coffee Allotment.

Allotment Name & No.	Active	Suspended	Total
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Upper Coffeepot #08648	72	0	72
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PROPOSED ACTION.

The Proposed Action alternative is to issue a grazing permit with the following terms and conditions. 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 action is in accordance with 43 CFR 4130.2. Scheduled grazing use, grazing preference, and terms and conditions for the proposed grazing permit are summarized below in Table 3 and Table 4.

Table 3. Proposed Grazing Schedule.

Operator Name	Auth. No.	Allotment	Livestock Number	Livestock Kind	Begin Date	End Date	Public Land %	AUMs
Josh Fitzsimmons	0505182	Upper Coffeepot	50	Cattle	5/15	9/30	7	16

Table 4. Proposed Permitted Use AUMS.

Operator Name	Auth. No.	Allotment	Active	Temporary Suspended	Permitted AUMs
Josh Fitzsimmons	0505182	Upper Coffeepot	16	24	40

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

1. 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. Maintenance activities shall be restricted to the footprint (previously disturbed area) of the project as it existed when it was initially constructed. The Bureau of Land Management shall be given 48 hours advance notice of any maintenance work that will involve heavy equipment. Disturbed areas will be reseeded with a certified weed-free seed mixture of native species adapted to the site.
2. The permittee and all persons associated with grazing operations must be informed that any person who injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law. 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 further notified in writing to proceed by the authorized officer.

3. 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. Grazing in riparian areas should leave an average minimum 4-inch stubble height of herbaceous vegetation. If utilization is approaching allowable use levels, 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.
4. Adaptive management will be employed on this allotment. The BLM will allow up to 14 days of flexibility in the start and end dates on this permit depending on range readiness. Livestock use different than that shown above must be applied for in advance.

NO GRAZING ALTERNATIVE.

Under this alternative the grazing permits described in the Proposed Action would be not be issued. As a result, no cattle grazing would be authorized on the Upper Coffeepot Allotment. This alternative would initiate the process in accordance with 43 CFR parts 4100 and 1600 to eliminate grazing on these allotments and would amend the resource management plan.

ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL.

The no action alternative would result in no grazing permit being issued and the allotment remaining in a non-use status.

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; amended in September 2009; and amended in October 2012 - Approved Resource Management Plan Amendments/ Record of Decision (ROD) for Solar Energy Development in Six Southwestern States.

X The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):

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.”

_____ The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

RELATIONSHIP TO STATUTES, REGULATIONS, OTHER PLANS.

- Taylor Grazing Act of 1934 as amended;
- Federal Land Policy and Management Act of 1976;
- Public Rangelands Improvement Act of 1978;
- Title 43 of the Code of Federal Regulations Subpart 4100 – Grazing Administration;
- Noxious Weed Act of 1974;
- Endangered Species Act of 1973;
- National Environmental Policy Act of 1969;
- Migratory Bird Treaty Act of 1918;
- National Historic Preservation Act (16 USC 470f);
- Archeological Resources Protection Act;
- Native American Graves Protection and Repatriation Act;
- Indian Sacred Sites – EO 13007; and
- Consultation and Coordination with Indian Tribal Governments – EO 13175
- Colorado Public Health Standards and Livestock Grazing Management Guidelines - March 1997

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.

A formal Land Health Assessment was conducted in the Deep Creek Watershed in 2008 (BLM 2009a) which included the Upper Coffeepot Allotment. Shrub cover was slightly more dense

than expected and cover of bunchgrasses was slightly less than expected, but in general, the allotment was in very good condition and was considered to be meeting all the standards at the time of the assessment. The allotment had not been grazed for many years.

The impact analysis addresses whether the proposed action or any alternatives being analyzed would result in impacts that would maintain, improve, or deteriorate land health conditions for each of the five standards. These analyses are located in the program-specific analysis in this document.

DIRECT AND INDIRECT EFFECTS, MITIGATION MEASURES.

This section provides a description of the human and natural environmental resources that could be affected by the proposed action and alternatives. 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 environmental elements. Not all programs, resources or uses are present in the area, or if they are present, may not be affected by the proposed action and alternatives (Table 5). Only those elements that are present and potentially affected are described and brought forth for detailed analysis.

Table 5. Programs, Resources, and Uses (Including Supplemental Authorities).

Programs, Resources, and Uses	Potentially Affected?	
	Yes	No
Access and Transportation		X
Air Quality		X
Areas of Critical Environmental Concern	X	
Cadastral Survey		X
Cultural Resources	X	
Native American Religious Concerns	X	
Environmental Justice		X
Farmlands, Prime or Unique		X
Fire/Fuels Management		X
Floodplains		X
Forests		X
Geology and Minerals		X
Law Enforcement		X
Livestock Grazing Management	X	
Noise		X
Paleontology		X

Plants: Invasive, Non-native Species (Noxious Weeds)	X	
Plants: Sensitive, Threatened, or Endangered	X	
Plants: Vegetation	X	
Realty Authorizations		X
Recreation		X
Social and/or Economics	X	
Soils	X	
Visual Resources		X
Wastes, Hazardous or Solid		X
Water Quality, Surface and Ground	X	
Water Rights		X
Wetlands and Riparian Zones	X	
Wild and Scenic Rivers		X
Wilderness/WSAs/Wilderness Characteristics		X
Wildlife: Aquatic / Fisheries	X	
Wildlife: Migratory Birds	X	
Wildlife: Sensitive, Threatened, and Endangered Species	X	
Wildlife: Terrestrial	X	

AREAS OF CRITICAL ENVIRONMENTAL CONCERN

AFFECTED ENVIRONMENT.

Roughly 75 percent of the allotment falls within the boundary of the Deep Creek Area of Critical Environmental Concern (ACEC). The Deep Creek ACEC was initially designated in the Glenwood Springs Resource Management Plan EIS 1984/1988 to protect its outstanding scenic and geologic values. Deep Creek is a perennial stream flowing through a narrow, deep canyon bordered by high limestone cliffs. Geologic faults and unusual erosional formations are found along the canyon. The limestone formation also contains a high concentration of cave and karst resources. Management decisions prescribed the area to be managed under VRM Class I, designated the area as closed to motorized vehicles, closed to oil and gas surface occupancy, unsuitable for utility and communication facilities, and recommended the ACEC for withdrawal from mineral development.

The Glenwood Springs, Oil and Gas Leasing and Development, Record of Decision and Resource Management Plan Amendment, March, 1999, prescribed a No Surface Occupancy (NSO) stipulation #16 for Special Recreation Management Areas (SRMA) which included Deep Creek SRMA and ACEC. This stipulation is for “the protection of the recreational setting, recreation opportunities and recreation facilities provided within the SRMA’s, the Class I VRM values in the ACECs and cave resources in Deep Creek Cave Area...” No exceptions are permitted.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Since cattle are not known to access the canyon walls and cliffs where the cave resources occur, livestock grazing activities would have no effect on the geologic values within the Deep Creek ACEC. If livestock concentrate in portions of the ACEC for extended periods of time, grazing may contribute to minor changes in the vegetation composition (less grass and more noxious weeds) but this would be unlikely to noticeably affect the scenic values. Adherence to the terms and condition limiting utilization levels to no more than 50% should maintain plant health and vegetation composition changes would be negligible.

No Grazing Alternative. Without livestock grazing, less vegetative material would be removed by grazing and less trampling and trailing would occur. This would reduce the opportunities for noxious weeds to become established which would help maintain the outstanding scenic qualities of the ACEC. No impacts would occur to the caves and other geologic formations.

CULTURAL RESOURCES

AFFECTED ENVIRONMENT.

Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment (CRVFO#1015-15) was completed for the Upper Coffee Pot Allotment (#08648). on November 18, 2014 by Erin Leifeld, Colorado River Valley Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are available at the Colorado River Valley Field Office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps filed at the Colorado River Valley Field Office as well as information from General Land Office (GLO) maps, BLM land patent records, and the State Historic Preservation Office (SHPO) site records, report records, and GIS data.

The table below is based on the allotment specific analysis for the allotment in this EA. The table shows known cultural resources, the potential of Historic Properties, and Management recommendations.

Table 6. Cultural Resources Assessment Summary for Upper Coffee Pot Allotment.

Land Status	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level	Percent Allotment Inventoried at a Class III Level (%)	Number of Cultural Resources known in Allotment	Potential of Historic Properties	Management Recommendations (Additional inventory required and historic properties to be visited)
BLM	4.2	904.3	0.04%	0	Low	A portion of 33 acres is recommended to be inventoried; No sites to monitor.

A total of one cultural resource inventories (CRVFO CRIR#371) have been previously conducted within the Upper Coffee Pot Allotment #08648 resulting in the survey coverage of 4.2 acres at a Class III level. No cultural resources have been documented within the allotment. Additionally, 39% of the allotment has slopes over 30-percent which reduces the potential for cultural resources within the allotment. Looking at the GLO records in T4S R87W from 1890 and 1933 indicate historic roads just outside of the allotment to the south, but do not occur within the allotment boundary.

ENVIRONMENTAL CONSEQUENCES.

The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, can include trampling, chiseling, artifact breakage, and churning of site soils, cultural features, and cultural artifacts. Impacts from livestock standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art can also have direct impacts to cultural resources. Indirect impacts include soil erosion and gullyng, which can lead to increased ground visibility which has the potential to increase unlawful collection and vandalism. Continued livestock use in these concentration areas has the potential to cause substantial ground disturbance and in turn, irreversible adverse effects to historic properties.

Proposed Action. There are no changes to the livestock kind, livestock number, or season of use; therefore, this alternative will likely not change ground disturbing impacts to cultural resources. Additionally, the requirement to have average utilization levels and minimum stubble height will have little change on cultural resource impacts. The use of this management technique might in fact be beneficial to lessen ground disturbance because it requires four inches of new growth on grasses and therefore livestock will not be grazing when soils are more exposed or when the area is more susceptible to erosion.

A portion of 33 acres within the allotment is recommended to be surveyed within the term of this permit. The remaining unsurveyed area has low potential for archaeological sites as most of it contains steep slopes where archaeological sites are limited. No sites have been previously recorded within the allotment and therefore no sites need to be monitored.

No Grazing Alternative. Under this alternative, direct and indirect impacts to cultural resources from grazing would be reduced based on the absence of livestock and no related surface disturbing activities.

NATIVE AMERICAN RELIGIOUS CONCERNS

AFFECTED ENVIRONMENT.

American Indian religious concerns are legislatively considered under the American Indian Religious Freedom Act of 1978 (PL 95-341), the Native American Graves Environmental Assessment Protection and Repatriation Act of 1990 (PL 101-601), and Executive Order 13007 (1996; Indian Sacred Sites). These require, in concert with other provisions such as those found in the NHPA and Archaeological Resources Protection Act (ARPA), that the federal government carefully and proactively take into consideration traditional and religious Native American culture and life. This ensures, to the degree possible, that access to sacred sites, the treatment of human remains, the possession of sacred items, the conduct of traditional religious practices, and the preservation of important cultural properties are considered and not unduly infringed upon. In some cases, these concerns are directly related to “historic properties” and “archaeological resources”. In other cases, elements of the landscape without archaeological or other human material remains may be involved. Identification of these concerns is normally completed during the land use planning efforts, reference to existing studies, or via direct consultation.

The Ute have a generalized concept of spiritual significance that is not easily transferred to Euro-American models or definitions. The BLM recognizes that the Ute have identified sites that are of concern because of their association with Ute occupation of the area as part of their traditional lands. The cultural resource evaluation of these allotments describing known cultural resources and their condition was sent to the Southern Ute Indian Tribe, Ute Mountain Ute Tribe, and the Uinta and Ouray Agency Ute Indian Tribe. The letter, sent on November 19, 2014, requested the tribes to identify issues and areas of concern within the allotments. No comments were received at that time.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. No traditional cultural properties, unique natural resources, or properties of a type previously identified as being of interest to local tribes, were identified during the overview of the cultural resources inventory of the project area. Therefore, areas of concern to Native American tribes will not be affected.

No Grazing Alternative. Under this alternative, direct and indirect impacts to cultural resources from grazing would be reduced based on the absence of livestock and no related surface disturbing activities. Therefore, areas of concern to Native American tribes would not be affected.

LIVESTOCK GRAZING MANAGEMENT

AFFECTED ENVIRONMENT.

The Upper Coffeepot Allotment consists of approximately 908 public acres and 2,286 acres of private land located northwest of Dotsero within Garfield County on the south side of Deep Creek. The allotment ranges in elevation from 6,800 feet at the bottom of Deep Creek canyon to nearly 9,400 feet on the north-facing slopes above the rim of the canyon. Most of the allotment is very steep and covered in Douglas-fir forests or aspen woodlands. The allotment receives an estimated average of 19 inches of precipitation annually (HPRCC). The areas within the allotment that contain gentle slopes are more accessible for grazing support a vegetative community composed of sagebrush/mesic, mountain shrublands with some scattered clumps of Gambel oak. All of the allotment water developments are located on private land.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. The proposed action would authorize 16 active AUMs. The Upper Coffeepot Allotment would be permitted at a stocking rate of 56 acres/AUM. Existing conditions are expected to be maintained or improved at these stocking levels and utilization similar to past use.

No Grazing Alternative. Under this alternative, no grazing use would be authorized on the allotment associated with this action.

PLANTS: INVASIVE NON-NATIVE SPECIES (NOXIOUS WEEDS)

AFFECTED ENVIRONMENT.

A landscape-wide weed inventory has not been completed on Upper Coffeepot Allotment. Table 7 reflects infestations known to occur within the area of the proposed action. Given the widespread nature of noxious weed infestations, it is assumed that these and other noxious weeds may be found in areas throughout allotments.

Table 7. Known Weed Infestations Occurring within Area of the Proposed Action.

Common Name	Scientific Name	State Designation	Allotment (s)
Houndstongue	<i>Cynoglossum officinale</i>	B	All
Musk thistle	<i>Carduus nutans</i>	B	All
Plumeless thistle	<i>Carduus acanthoides</i>	B	All

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Weeds generally germinate and become established in areas of surface disturbing activities. Livestock grazing can contribute to the establishment and expansion of noxious weeds through various mechanisms. Improperly managed grazing can cause a decline in

desirable native plant species and ground cover which provides a niche for noxious weed invasion. In addition, noxious weed seed can be transported and introduced to new areas by fecal deposition or by seed that clings to the animal's coat. This effect is cumulative with other weed seed dispersal vectors such as vehicle routes and ground disturbing activities. Conversely, properly managed livestock grazing which does not create areas of bare ground and maintains the vigor and health of native plant species, particularly herbaceous species, is not expected to cause a substantial increase in noxious weeds. Since the proposed action was designed to sustain land health, no significant impacts to non-native, invasive species are expected. Noxious and invasive plant species are not expected to radically increase as a result of livestock grazing practices and most infestations would be expected to occur near watering facilities, salting areas, or other areas where livestock concentrations are high.

No Grazing Alternative. Under this alternative, no livestock grazing would occur on the allotment and there would be no direct or indirect impacts to weeds from livestock use. Grazing by wildlife may continue to create localized disturbances that would enable weed expansion.

PLANTS: THREATENED, ENDANGERED, AND SENSITIVE PLANTS

AFFECTED ENVIRONMENT.

Table 8 includes the latest species list from the U. S. Fish and Wildlife Service (USFWS 2014) for Federally listed, proposed, or candidate plant species and the Colorado BLM State Director's Sensitive Species List (BLM 2009b) for sensitive plant species that may occur within the CRVFO and be impacted by the proposed action. The table also summarizes information on their habitat descriptions and potential for occurrence in the proposed action area based on known geographic range and habitats present.

Table 8. Federally Listed, Proposed or Candidate Plant Species.

Species and Status	Habitat Description	Potential For Occurrence
Colorado hookless cactus (<i>Sclerocactus glaucus</i>) – Threatened	Rocky hills, mesa slopes, and alluvial benches in salt desert shrub communities; often with well-formed microbiotic crusts; can occur in dense cheatgrass. 4,500 to 6,600 feet	No: No rocky or salt desert shrub habitat present in proposed action area.
DeBeque phacelia (<i>Phacelia submutica</i>) – Threatened	Sparsely vegetated, expansive clay soils derived from the Atwell Gulch and Shire Members of the Wasatch Formation; 4,700 to 6,200 feet. In salt desert shrubland or scattered juniper woodland	No: No exposures of the Shire Member of the Wasatch formation present in the proposed action area and allotment is above the elevation range of the species.
Parachute penstemon (<i>Penstemon debilis</i>) -- Threatened	Steep, unstable, white shale talus slopes of the Parachute Creek Member of the Green River Formation. On the southern escarpment of the Roan Plateau between 8,000 to 9,200 feet	No: No talus slopes of the Green River Formation present within the proposed action area. Deep Creek cliffs are composed of limestone.
Ute ladies'-tresses orchid (<i>Spiranthes diluvialis</i>) – Threatened	Seasonally flooded or subirrigated alluvial soils along streams, lakes or wetland areas; 4,500 to 7,000 feet	No: The only riparian habitat in the proposed action area is Deep Creek. The elevation of the trailhead is 6,700 feet,

		which is above the known range of Ute ladies'-tresses habitat.
BLM Sensitive Plant Species		
Cathedral Bluffs meadowrue (<i>Thalictrum heliophilum</i>)	Endemic on sparsely vegetated, dry shale slopes of the Green River Formation between 6,200 and 8,800 feet in elevation.	No: No dry, shale barren communities in the area of the proposed action.
DeBeque milkvetch (<i>Astragalus debequaeus</i>)	On varicolored, fine-textured soils of the Wasatch Formation in the vicinity of DeBeque and Rulison, Colorado. Elevations of known populations are between 5,100 and 6,400 feet.	No: No exposures of the Wasatch Formation are present in the Upper Coffeepot Allotment.
Harrington's penstemon (<i>Penstemon harringtonii</i>)	Wyoming or mountain sagebrush or mixed mountain shrub communities on rocky loam or rocky clay loam soils of basaltic origin between 6,200 to 10,000 feet.	Yes: Several occurrences are known to exist less than 1.0 mile from the Upper Coffeepot Allotment and similar habitat occurs on the allotment
Naturita milkvetch (<i>Astragalus naturitensis</i>)	Sandstone mesas, ledges, crevices, and slopes in pinyon-juniper woodlands between 5,000 and 7,000 feet. In shallow soils over exposed bedrock.	No: No sandstone rimrock or ledges known to occur in the proposed action area. Ledges and cliffs along Deep Creek are of limestone origin.
Piceance bladderpod (<i>Lesquerella parviflora</i>)	A western Colorado endemic on shale outcrops of the Green River Formation, on ledges and slopes of canyons in open areas; 6,200 to 8,600 feet.	No: No Green River shale outcrops occur within the proposed action area.
Roan Cliffs blazing star (<i>Mentzelia rhizomata</i>)	On steep talus slopes of the Green River Formation from 5,800 to 9,000 feet.	No: No Green River shale exposures occur within the proposed action area.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Federally Listed, Proposed, or Candidate Plant Species. The proposed action would occur outside of any known or suspected habitat for federally listed, proposed, or candidate plant species. As such, the proposed action would have "No Effect" on any listed plant species or their habitats.

BLM Sensitive Plant Species. The only BLM sensitive plants species with known or potential habitat in the proposed action area is Harrington's penstemon. Several occurrences are known to exist less than 1.0 mile from the Upper Coffeepot allotment and similar habitat occurs on the eastern side of the allotment. No surveys have been conducted for special status plants on the allotment; however, for purposes of this analysis, it will be presumed that Harrington's penstemon does occur on the Upper Coffeepot Allotment.

The flower stalks (inflorescences) of Harrington's penstemon are quite palatable to both livestock and wildlife and are often removed by grazing. Long-term reductions in populations could result if excessive grazing removes a high percentage of the flower stalks annually thereby

inhibiting seed dissemination and reproduction. The period of grazing use on the Upper Coffeepot Allotment coincides with the period when Harrington's penstemon plants would be sending up flower stalks and flowering, thus the potential for adverse impacts during this time is greater. In addition, concentrated grazing at any time of year can result in trampling damage which can cause mortality to individual plants and reductions in long-term viability of populations.

Proper livestock grazing in which the animals are well distributed and graze lightly on a variety of herbaceous vegetation tends to balance the competition between Harrington's penstemon and other herbaceous vegetation which compete with it for sunlight, water, and nutrients. Short-duration, light grazing use can be beneficial to penstemon populations.

The allotment consists of both public and private lands with the private lands containing the flatter terrain, more open grassy parks, and all of the accessible water sources. Most of the grazing use is expected to occur on private lands, although some livestock are likely to drift onto adjacent public lands. The duration and intensity of use on public land is expected to be light and grazing impacts on Harrington's penstemon is unlikely to result in any loss of long-term viability of the populations.

No Grazing Alternative. Under this alternative, no livestock grazing would occur on the Upper Coffeepot Allotment and there would be no direct or indirect impacts to Harrington's penstemon from livestock use. Grazing of flower stalks and some incidental trampling of plants may still occur from wildlife grazing but overall impacts on Harrington's penstemon are expected to be minor.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 4 FOR THREATENED, ENDANGERED, AND SENSITIVE WILDLIFE.

A Land Health Assessment was conducted in the Deep Creek Watershed in 2008 which included the Upper Coffeepot Allotment (BLM 2009a). No special status plant species were known to occur on the allotment prior to the assessment and none were located during the assessment. Standard 4 was considered to be met at the time of the assessment. If Harrington's penstemon does occur on the allotment, grazing impacts are expected to be minor and the proposed action is not anticipated to result in a failure to achieve Standard 4 for special status plants.

PLANTS: VEGETATION

AFFECTED ENVIRONMENT.

The Upper Coffeepot Allotment is located northwest of Dotsero on the south side of Deep Creek. The allotment ranges in elevation from 6,800 feet at the bottom of Deep Creek canyon to nearly 9,400 feet on the north-facing slopes above the rim of the canyon. Most of the public lands within the allotment are very steep and covered in Douglas-fir forests or aspen woodlands. The areas of the allotment with more gentle slopes that are more accessible for grazing support sagebrush/mesic mountain shrublands with some scattered clumps of Gambel oak. At the time of the land health assessment, vegetation was in very good condition.

Proposed Action. The Upper Coffeepot Allotment has not been grazed for over 20 years, so it is difficult to determine the potential impact that season-long cattle grazing would have on the vegetative communities on the allotment.

The allotment includes approximately 900 acres of public land and 2,286 acres of private land. There are no water sources on the BLM land, other than Deep Creek, which is in a steep-sided canyon inaccessible to livestock. Since all known water sources are on private land, it is anticipated that most of the grazing use will occur there. However, the public land boundaries are less than 0.3 miles from the known water sources so some trailing and grazing use will undoubtedly occur on those public land parcels closest to the water. If cows were to congregate in localized areas on BLM land for much of the growing season, utilization may exceed the allowable use levels and palatable plant species may be grazed repeatedly throughout the growing season. If adequate rest or recovery from grazing is not provided, plant health would decline, plant composition would change to less desirable species, and the amount of bare ground would increase as the more palatable grass species begin to die off. The allotment is at fairly high elevation and generally receives adequate precipitation to provide for regrowth throughout the growing season. The terms and conditions of the permit include a maximum of 50% utilization on key upland grass species. If grazing use does not exceed this limit, sufficient foliar cover should remain to promote regrowth and recovery of plants and maintain strong root systems.

No Grazing Alternative. Under this alternative, no livestock grazing would be authorized on this allotment and there would be no direct or indirect impacts to vegetation from livestock use. There would be an increase in vegetative biomass without the presence of livestock to remove vegetative material. Dead and dried stems and seed stalks may build up over time, particularly on the more mesic and more productive sites, reducing photosynthetic activity and potentially resulting in less vegetative vigor and biomass in the long-term. There would also be less surface disturbance due to trampling and removal of vegetation and therefore, less risk of noxious weed invasion. Wind, wildlife and limited vehicular traffic would continue to distribute weed seeds and contribute to weed expansion.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 3 FOR HEALTHY PLANT AND ANIMAL COMMUNITIES.

A Land Health Assessment was conducted in the Deep Creek Watershed in 2008 which included the Upper Coffeepot Allotment. The allotment had not been grazed for many years and no evidence of unauthorized use was observed. Vegetation on the allotment was in very good condition, although shrub density was slightly higher than expected. The anticipated duration and intensity of livestock use under the proposed action is not expected to result in a decline in vegetative conditions and Standard 3 should continue to be met.

SOCIO-ECONOMICS

AFFECTED ENVIRONMENT.

Regionally, livestock operations are dependent on both federal lands (BLM and U.S. Forest Service) and nonfederal lands (state and private). The federal grazing fee for public lands managed by the BLM and the U.S. Forest Service is \$1.35 per animal unit month (AUM). An AUM is the amount of forage needed to sustain one cow and her calf, one horse, or five sheep or goats for a month. The annually adjusted grazing fee is computed by using a 1966 base value of \$1.23 per AUM for livestock grazing on public lands in the western states. The figure is then adjusted according to three factors - current private grazing land lease rates, beef cattle prices, and the cost of livestock production. The formula used for calculating the grazing fee, established by Congress in the 1978 Public Rangelands Improvement Act, has continued under a presidential Executive Order issued in 1986. Under that order, the grazing fee cannot fall below \$1.35 per AUM, and any increase or decrease cannot exceed 25 percent of the previous year's level.

Public land grazing in the CRVFO supports a traditional and historical way of life. Although historically livestock grazing in the region was at a higher intensity than at the present time, the livestock business has, and continues to be a traditional way of life for many permit holders. Income derived from public land grazing permits continues to comprise a moderate to substantial portion of their individual livelihoods.

The total economic contribution from ranching operations on BLM lands is statistically low within the region. Jobs and labor income associated with BLM grazing accounts for less than 1 percent of the area's total jobs and labor income (BLM 2014).

Fees paid to the federal government for livestock grazing permits generate revenue for the U.S. Treasury, of which 12.5 per cent is returned to the local Grazing Advisory Board to fund range improvements and maintenance projects. This provides a direct economic benefit to the permit holders who pay the fees. The support of livestock operations contributes to the economic support of local communities and to the livestock industry in the West in general.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. The Proposed Action would issue a ten year term grazing permit for the livestock operator, thereby continuing an historical and traditional way of life for this area. The social value of retaining a rural, agricultural lifestyle would be preserved and would align with many of the public's perception of the western Colorado culture.

Issuance of the permit would allow the permit holders to utilize their grazing operations with some degree of predictability during the ten-year period of the term permit.

The local economy is benefited from capital spent to establish and maintain a ranching operation and contributions to the labor force. The proposed action would support some direct employment. Additional employment would be generated as the affected livestock operators purchase services and materials as inputs ("indirect" effects) and ranchers spend their earnings within the local economy ("induced" effects).

No Grazing Alternative. Under the No Grazing Alternative, the ten year term grazing permit would not be renewed. The individual permit holders could be negatively impacted in the short

term by loss of income. If livestock grazing was terminated, there would also be adverse impacts to the base property owner(s). There could be an annual loss of income because they may not be able to lease their private lands without having the BLM land grazing allotments. Consequently, the value of their properties could be reduced because of the elimination of the federal grazing preference. Such a loss of income would be important to the individuals, but would likely not measurably or adversely impact the local economies.

SOILS

AFFECTED ENVIRONMENT.

A review of the soil survey by the NRCS for the *Aspen-Gypsum Area, Colorado, Parts of Eagle, Garfield and Pitkin Counties* indicate nine soil map units occur within the proposed allotments (NRCS 1992). The NRCS soil map unit descriptions (NRCS 2015) are provided below for the dominant soils types:

Jerry-Millerlake loams (66, 67) – This soil map unit is found on alluvial fans and valley sides at elevations ranging from 7,500 to 9,500 feet and on slopes of 6 to 25 percent (map unit 66) and 25-45% (map unit 67). Approximately 50 percent of this unit is Jerry soil and 40 percent Millerlake soil, with the other 10 percent being a mix of soil types. The Jerry soil is deep, well drained and is derived from sandstone and shale alluvium. Surface runoff is rapid and the water erosion hazard is severe. The Millerlake soil is deep, well drained and is derived from sedimentary rock alluvium. Surface runoff is medium and the water erosion hazard is moderate on slopes (6-25%). On steeper slopes (25-45%) surface runoff is rapid and the water erosion hazard is severe.

Leavittville loam (74) – This deep, well-drained soil is found on mesas at elevations ranging from 8,500 to 9,200 feet and on slopes of 4 to 25 percent. It is derived from limestone and sandstone rocks. Surface runoff is slow and the water erosion hazard is slight.

Torriorthents-Camborthids-Rock outcrop complex (104) – This soil map unit occurs on south-facing mountainsides, hills, and ridges with slopes ranging from 6 to 65 percent. Approximately 45 percent of this unit is Torriorthents, 20 percent Camborthids, and 15 percent Rock outcrop. The Torriorthents are shallow to moderately deep, well drained, and are derived from sedimentary rock. The Camborthids are shallow to deep, well drained, and are derived from sandstone, shale, and basalt. Surface runoff for this soil complex is rapid and the water erosion hazard is severe. The Rock outcrop component of this unit consists of exposed sandstone, shale, and basalt.

Soil health was evaluated in 2008 during the Deep Creek Land Health Assessment. BLM staff concluded that soils were meeting land health standards overall throughout the Upper Coffee Pot allotment. However, several slight to moderate departures from expected conditions were observed due to changes in water flow patterns, litter movement, and plant community composition and distribution relative to infiltration (BLM 2009a).

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Grazing activities may result in direct 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. Indirect impacts include soil erosion and gullyng. Based on existing soil conditions and generally good vegetative cover; the likelihood of livestock grazing contributing to excessive soil degradation and transport to nearby drainages is not expected. Grazing activities on the proposed allotment would not likely create long term affects that would compromise soil stability on a large scale. Small-scale and localized disturbances would likely be limited to trails and watering areas.

No Grazing Alternative. Under this alternative, no livestock grazing would occur and there would be no direct or indirect impacts to soils from livestock use. Trampling or removal of plant material may still occur from wildlife grazing. In addition, soil disturbance and erosion may persist due to other surface disturbing activities, such as roads and trails that exist throughout the allotment.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 1 FOR SOILS.

Based on the Deep Creek Land Health Assessment, BLM staff concluded that soils are meeting Standard 1 (BLM 2009a). Implementation of the proposed action is not anticipated to degrade soil health from current conditions.

WATER QUALITY, SURFACE AND GROUND

AFFECTED ENVIRONMENT.

Upper Coffee Pot Allotment lies within the Deep Creek watershed, tributary to the Colorado River. Deep Creek is a perennial stream that is steeply confined by canyon walls, and is likely inaccessible to livestock. Several unnamed intermittent and ephemeral tributaries are also present throughout the allotment and flow in response to snowmelt and summer rain storms. No developed water sources have been identified on BLM lands for this allotment.

No water quality data was collected on the intermittent and ephemeral streams during the Deep Creek Land Health Assessment, due to lack of flow. However, two separate samples were collected on Deep Creek on August 12, 2008 and results are shown in Table 9 (BLM 2009a).

Table 9. Federally Listed, Proposed or Candidate Plant Species.

Stream Name	Discharge (cfs)	Temp (°C)	Cond (µS/cm)	pH	Salinity ppt	Dissolved Oxygen		Total Alkalinity (mg/L)	Hardness (mg/L)
						%	mg/l		
Deep Cr – lower	36.60	10.0	209	10.3	0.1	57	6.10	160	200
Deep Cr – upper	44.79	11.2	206	10.4	0.1	61	6.4	140	180

The State of Colorado has developed *Stream Classifications and Water Quality Standards* that identify beneficial uses of water and numeric standards used to determine allowable concentrations of water quality parameters (CDPHE 2014). Deep Creek and the unnamed tributaries in the Upper Coffee Pot allotment are listed under the Upper Colorado River Basin (Region 12) and have water use classifications described in Table 10.

Table 10. Stream Segment Description.

Stream Segment Description	Classifications
7b. Mainstems of Rock Creek, Deep Creek, Sheephorn Creek, Sweetwater Creek and the Piney River, including all tributaries and wetlands, from their sources to their confluences with the Colorado River, which are not on National Forest lands.	Aquatic Life Cold I Recreation E Water Supply Agriculture

Aquatic life cold I indicates that a stream segment is capable of sustaining a wide variety of cold water biota. Recreation E refers to stream segments in which surface waters are used for primary contact recreation. Agriculture refers to stream segments that are suitable or intended to become suitable for irrigation or livestock use.

Based on the State standards, the pH level in Deep Creek at the time of BLM samples appears slightly above standards. However, the dominance of limestone geology in the watershed is likely the reason for elevated pH and is a natural occurrence. The State of Colorado has developed a *303(d) List of Impaired Waters and Monitoring and Evaluation List* (CDPHE 2012) that identifies stream segments that are not currently meeting water quality standards with technology based controls alone. No streams in the Upper Coffee Pot allotment are on these lists, suggesting water quality standards are currently being met.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Direct impacts to water quality from livestock grazing may result in elevated turbidity, nutrients and fecal coliform bacteria, if livestock begin to congregate near water sources for extended periods of time. Hoof action can cause surface compaction, stream bank shearing, elevated erosion rates and subsequent deterioration of water quality. Indirect impacts may result from excessive utilization in upland watershed areas reducing effective vegetative

cover, elevating erosion potential and increasing sediment delivery to streams, which could negatively impact water quality. The proposed stocking rates and duration are not expected to have a negative effect on water quality. Any sediment that is produced in areas where livestock may congregate would likely be captured by the existing vegetative ground cover or riparian vegetation.

No Grazing Alternative. Under this alternative, no livestock grazing would occur and there would be no direct or indirect impacts to water quality from livestock use. Trampling or removal of plant material may still occur from wildlife grazing, and soil disturbance and erosion may persist due to other surface disturbing activities, such as roads and trails that may exist throughout the allotment, which could potentially affect water quality.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 5 FOR WATER QUALITY.

Based on the Deep Creek Land Health Assessment, BLM staff concluded that water quality is meeting Standard 5 (BLM 2009a). Implementation of the proposed action is not anticipated to degrade water quality from current conditions.

WETLANDS AND RIPARIAN ZONES

AFFECTED ENVIRONMENT.

A wetland or riparian zone is the interface between land and a river, stream, lake or other water body. Wetlands and riparian areas refer to the vegetation that is associated with a body of water and is dependent on the existence of perennial, intermittent, or ephemeral surface or subsurface water. The only known riparian area within the Upper Coffeepot allotment is found along Deep Creek which forms the northern boundary of the allotment. Deep Creek is a perennial stream flowing through a narrow, deep canyon bordered by high limestone cliffs. The riparian area is characterized by Colorado blue spruce, narrowleaf cottonwood, red-osier dogwood and other woody riparian species. Deep Creek was assessed for functioning condition in 2008 and was determined to be in Properly Functioning Condition with no evidence of livestock grazing.

ENVIRONMENTAL CONSEQUENCES.

No livestock have been grazed on the Upper Coffeepot Allotment for many years; however, livestock grazing is unlikely to have any impact on Deep Creek due to the cliffs and steep slopes bordering the creek that deter any livestock access. Neither alternative would have any impacts on the riparian zone.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 2 FOR RIPARIAN SYSTEMS.

Deep Creek was assessed for riparian functionality in 2008. The creek was determined to be in Proper Functioning Condition and the riparian vegetation was healthy with a dense cover of woody species and very few noxious weeds. The riparian area was meeting Standard 2 for wetland and riparian systems and the Proposed Action would not result in a failure to meet the

standard because the creek is bordered by cliffs and steep slopes which makes the riparian area inaccessible to livestock.

WILDLIFE: AQUATIC / FISHERIES

AFFECTED ENVIRONMENT.

The action area is located in Garfield County, Colorado. According to the latest species list from the U.S. Fish and Wildlife Service (USFWS), 3 federally listed fish species may occur within or be impacted by actions occurring in Garfield County (USFWS 2015). BLM sensitive aquatic species are also described (BLM 2009b).

Table 11. Special Status Aquatic Wildlife Species Summary.

Federally Listed, Proposed or Candidate Aquatic Wildlife Species		
Species and Status	Habitat/Range	Occurrence/ Potentially Impacted
Green lineage cutthroat trout (<i>Oncorhynchus clarkii stomias</i>) Threatened	The greenback cutthroat trout is the subspecies of cutthroat trout native to the Platte River drainage on the Eastern Slope of Colorado. The USFWS is advising federal agencies to consider green lineage cutthroat trout on the Western Slope of CO as threatened until such time as review and interpretation of recent genetics and meristic research has been completed.	Absent/No
Colorado pikeminnow (<i>Ptychocheilus lucius</i>) Endangered	Primarily exists in the Green River below the confluence with the Yampa River, the lower Duchesne River in Utah, the Yampa River below Craig, Colorado, the White River from Taylor Draw Dam near Rangely downstream to the confluence with the Green River, the Gunnison River in Colorado, and the Colorado River from Palisade, Colorado, downstream to Lake Powell. Colorado pikeminnow populations in the upper Colorado River basin are now relatively stable or growing. Designated Critical Habitat includes the Colorado River and its 100-year floodplain west (downstream) from the town of Rifle.	Absent /No
Razorback sucker (<i>Xyrauchen texanus</i>) Endangered	The razorback sucker was once widespread throughout most of the Colorado River Basin from Wyoming to Mexico. In the upper Colorado River Basin, they are now found only in the upper Green River in Utah, the lower Yampa River in Colorado and occasionally in the Colorado River near Grand Junction. Because so few of these fish remain in the wild, biologists have been actively raising them in hatcheries in Utah and Colorado and stocking them in the Colorado River. Designated Critical Habitat for the razorback sucker includes the Colorado River and its 100-year floodplain west (downstream) from the town of Rifle.	Absent /No

BLM Sensitive Aquatic Wildlife Species

Species	Habitat/Range	Occurrence/ Potentially Impacted
Northern leopard frog (<i>Rana pipiens</i>)	Generally found in wet meadows and in shallow lentic habitats between 3,500 to 11,000 feet. They require year-round water sources deep enough to provide ice free refugia in the winter. Within the CRVFO, this species has been documented in locales where quality riparian vegetation exists in conjunction with perennial water sources. Larger populations have been documented northwest of King Mountain within the small drainage that feeds King Mountain (Ligon) Reservoir, June Creek and East Divide Creek south of Silt, and in portions of the Rifle Creek watershed north of Rifle.	Absent/No
Great Basin spadefoot toad (<i>Spea intermontana</i>)	This toad is known to occupy a wide variety of plant communities including lowlands, foothills and shortgrass plains. This species generally inhabits and breeds in seasonal pools and ponds in pinyon-juniper woodlands, sagebrush, and semi-desert shrublands, mostly below 6,000 feet.	Absent/No
Boreal toad (<i>Bufo boreas boreas</i>)	Occurs between 7,000-12,000 feet in the Southern Rocky Mountains in the vicinity of mountain lakes, ponds, meadows, and wetlands in subalpine forest (e.g., spruce, fir, lodgepole pine, aspen). Adults often feed in meadows and forest openings near water, but sometimes in drier forests. Restricted to areas with suitable breeding habitat in spruce-fir forests and alpine meadows. Breeding habitat includes lakes, marshes, ponds, and bogs with sunny exposures and quiet, shallow water.	Absent/No
Bluehead sucker (<i>Catostomus discobolus</i>), Flannelmouth sucker (<i>Catostomus latipinnis</i>), and Roundtail chub (<i>Gila robusta</i>)	Primarily found in larger rivers, but may also be found in smaller tributaries with good connectivity to larger river systems. These fish are endemic to the Colorado River basin and reside within the mainstem Colorado River and its major tributary streams. Given their biology, feeding habits, habitat needs, and niche in the ecosystem, these species can persist in the face of actions that increase sediments to streams and rivers containing these species.	Absent /No
Mountain sucker (<i>Catostomus platyrhynchus</i>)	Found primarily in small, low- mid elevation streams in northwestern Colorado with gravel, sand or mud bottoms. They inhabit undercut banks, eddies, small pools, and areas of moderate current. Young fish prefer backwaters and eddies. Within the CRVFO, the only known occurrence is in Piceance Creek.	Absent /No
Colorado River	Select streams within the action area contain Colorado River cutthroat	Absent/No

cutthroat trout (CRCT) (<i>Oncorhynchus clarkii pleuriticus</i>)	trout - Blue Lineage. CRCT prefer clear, cool headwaters streams with coarse substrates, well-distributed pools, stable streambanks, and abundant stream cover. CRCT occur in Trapper Creek, Northwater Creek, East Fork Parachute Creek, and JQS Gulch within the action area.	
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Deep Creek, which forms the northern boundary of the allotment, supports brook (*Salvelinus fontinalis*), brown (*Salmo trutta*) and rainbow (*Oncorhynchus mykiss*) trout as well as cutthroat trout (*Oncorhynchus clarkii*) that are not green lineage. The cutthroat trout population is not considered a conservation population and is not critical to conservation efforts for this species. These fish were stocked by Colorado Parks and Wildlife (CPW) and are classified as CR-1s, which are recreational quality Colorado River cutthroat trout. This creek is inaccessible to cattle. There are no other known perennial water sources on the BLM portion of the allotment.

Aquatic habitats within the allotments include aquatic invertebrates. Aquatic invertebrates are aquatic animals without backbones that live on the bottom of freshwater habitats during all or part of their life cycle and that are large enough to be seen with the naked eye. Major groups of macroinvertebrates include arthropods (i.e., crustaceans and insects), mollusks, sponges and nematode worms. The most abundant are typically immature life states (larvae) of aquatic insects such as mayflies, stoneflies, and caddis flies.

Amphibians in Colorado need access to ponds, lakes, seeps, springs, or other bodies of water. They avoid cold winter temperatures and dry midday summer heat by taking refuge in buffered microenvironments such as underground burrows, crevices beneath rocks, or bodies of water. Amphibian records within the CRVFO are limited, and extensive surveys have not been conducted. Great Basin spadefoot toads (*Spea intermontana*) are on the BLM sensitive species list due to their limited occurrence and small range, but have not been documented in the project area. Suitable habitat is not available in the BLM portion of the allotment for populations of boreal toads (*Bufo boreas boreas*) and northern leopard frogs (*Rana pipiens*), both BLM sensitive species. Western chorus frogs (*Pseudacris triseriata*) and Woodhouse's toads (*Bufo woodhousii*) occur throughout Colorado. Western chorus frogs are found primarily in wetland marshes and pond margins, also including seasonal waters, and across a wide range of elevations. Woodhouse's toads are present in ponds and slow-flowing streams, including seasonal waters, below 7,000 feet in Colorado (Hammerson 1999). Tiger salamanders (*Ambystoma tigrinum*) occur throughout Colorado near ponds, lakes, and water impoundments up to 12,000 feet in elevation.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. The only known water source on the BLM portion of the allotment is Deep Creek, which is inaccessible to livestock. Therefore aquatic resources associated with the creek would not be impacted by livestock grazing. There are no known amphibian populations within the allotment. If boreal toads are present, there is a chance that livestock could crush or consume egg clusters in seasonal waters or trample adult or juvenile toads.

No Grazing Alternative. There would be no livestock grazing on this allotment, so there would be no direct or indirect impacts to aquatic wildlife or their habitats from livestock use.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 3 FOR AQUATIC WILDLIFE.

Deep Creek was accessed for its potential to harbor and sustain fish and other aquatic wildlife as well as its current condition relative to Land Health Standard 3 for Aquatic Wildlife. This larger perennial stream contains good year round flows, and habitat quality was determined to be good to excellent with a good mix of deep pools, riffles, and runs. Riparian condition was excellent. Nothing appeared to be limiting fisheries potential in the stream. Therefore the creek was determined to be meeting Land Health Standard 3 for Aquatic Wildlife (BLM 2009a). The proposed action is not expected to prevent the continued achievement of this land health standard.

WILDLIFE: MIGRATORY BIRDS

AFFECTED ENVIRONMENT.

The Migratory Bird Treaty Act (MBTA) provides protections to native birds, with the exception of certain upland fowl managed by state wildlife agencies for hunting. Within the context of the MBTA, migratory birds include non-migratory resident species as well as true migrants. For most migrant and resident species, nesting habitat is critical for supporting reproduction in terms of both nest sites and food. Also, because birds are generally territorial during the nesting season, their ability to access and utilize sufficient food is limited by the quality of the occupied territory. During non-breeding seasons, birds are generally non-territorial and able to feed across a larger area and wider range of habitats.

The allotments provide cover, forage, breeding, and/or nesting habitat for a variety of migratory birds that summer, winter, or migrate through the area. Migratory bird species that are federally listed and classified by the BLM as sensitive species are addressed in the Wildlife: Sensitive, Threatened, and Endangered Species section of this EA.

BLM Instruction Memorandum No. 2008-050 provides guidance toward meeting the BLM's responsibilities under the MBTA and the Executive Order 13186. The guidance directs Field Offices to promote the maintenance and improvement of habitat quantity and quality and to avoid, reduce or mitigate adverse impacts on the habitats of migratory bird species of conservation concern to the extent feasible, and in a manner consistent with regional or statewide bird conservation priorities.

The MBTA prohibits the "take" of a protected species. Under the Act, the term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The USFWS interprets "harm" and "kill" to include loss of eggs or nestlings due to abandonment or reduced attentiveness by one or both adults as a result of disturbance by human activity, as well as physical destruction of an occupied nest.

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the 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.” The *Birds of Conservation Concern 2008* (USFWS 2008) is the most recent effort to carry out this mandate. The CRVFO is within the Southern Rockies/Colorado Plateau Bird Conservation Region 16.

The project area includes the following plant communities and potentially associated migratory bird species.

Pinyon-Juniper Woodlands. Pinyon and juniper trees provide food, cover and nest sites for numerous migratory birds. Species on the Birds of Conservation Concern (BCC) list that occur in the CRVFO and are associated with pinyon-juniper woodlands include the pinyon jay (*Gymnorhinus cyanocephalus*), juniper titmouse (*Baeolophus ridgwayi*) and Ferruginous Hawk (*Buteo regalis*). Other migratory species associated with this plant community within the CRVFO include the broad-tailed hummingbird (*Selasphorus platycercus*), black-chinned hummingbird (*Archilochus alexandri*), Say’s phoebe (*Sayornis saya*), ash-throated flycatcher (*Myiarchus cinerascens*), gray flycatcher (*Empidonax wrightii*), Townsend’s solitaire (*Myadestes townsendi*), American robin (*Turdus migratorius*), Western bluebird (*Sialia mexicana*), mountain bluebird (*S. currucoides*), bushtit (*Psaltriparus minimus*), blue-gray gnatcatcher (*Polioptila caerulea*), plumbeous vireo (*Vireo plumbeus*), Western scrub-jay (*Aphelocoma californica*), Clarks’s nutcracker (*Nucifraga columbiana*), black-throated gray warbler (*Dendroica nigrescens*), Virginia’s warbler (*Oreothlypis virginiae*), chipping sparrow (*Spizella passerina*), lesser goldfinch (*Spinus psaltria*) and house finch (*Haemorhous mexicanus*). Winter visitors to pinyon-juniper habitats include the Cassin’s finch (*Carpodacus cassinii*), a BCC species, which typically nests in montane and subalpine forests, though occasionally nests in pinyon-juniper woodlands.

Sagebrush Shrublands. Sagebrush and the associated native perennial grasses and forbs provide food, cover and nest sites for migratory birds. Sagebrush obligates that potentially occur in the CRVFO include the sagebrush sparrow (*Artemisospiza nevadensis*), sage thrasher (*Oreoscoptes montanus*) and Brewer’s sparrow (*Spizella breweri*), a BCC species. Other migratory species associated with sagebrush shrublands within the CRVFO include the western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), green-tailed towhee (*Pipilo chlorurus*), vesper sparrow (*Pooecetes gramineus*) and lark sparrow (*Chondestes grammacus*). Some species are associated with both pinyon-juniper woodlands and sagebrush shrublands, including the Say’s phoebe and gray flycatcher.

Mixed Mountain Shrublands. The vegetation of mixed mountain shrublands varies substantially depending on elevation, slope, aspect, and soil. More mesic (moist) sites such as on north-facing slopes and along minor drainages are typically dominated by Gambel’s oak and serviceberry, while more xeric (dry) sites such as south-facing slopes are typically dominated by mountain-mahogany, bitterbrush, snowberry, and sagebrush. The dense cover, tall height, and abundant acorns and berries of mesic oak-serviceberry stands provide cover, forage, and nesting habitat for numerous species including spotted towhees (*Pipilo maculatus*), Virginia’s warblers (*Oreothlypis virginiae*), black-headed grosbeaks (*Pheucticus melanocephalus*), black-billed magpies (*Pica hudsonia*), broad-tailed hummingbirds (*Selasphorus platycercus*), green-tailed towhees (*Pipilo chlorurus*), mourning doves (*Zenaida macroura*), Western scrub-jays (*Aphelocoma californica*) and lazuli buntings (*Passerina amoena*).

Aspen Woodlands. Aspen woodlands typically contain a profuse, diverse understory of shrubs, grasses, and herbaceous plants. Foliage-dwelling insects can be abundant, and the structure can provide openings for insectivores that feed on the wing. Thick ground cover can provide ground nesting opportunities, and older forest stands, depending on their condition, provide cavities. Aspen forests typically support greater avian diversity than adjacent conifer-dominated forests. Species can include warbling vireos (*Vireo gilvus*), house wrens (*Troglodytes aedon*), red-naped sapsuckers (*Sphyrapicus nuchalis*), northern flickers (*Colaptes auratus*), tree swallows (*Tachycineta bicolor*), western wood-pewees (*Contopus sordidulus*), violet-green swallows (*Tachycineta thalassina*), American robins, mountain bluebirds, yellow-rumped warblers (*Setophaga coronata*) and dark-eyed juncos (*Junco hyemalis*).

Douglas-fir Forest. Shrubs, forbs, and grasses are typically absent or sparse in stands of Douglas-fir. Birds forage on seed-bearing cones and insects. Older trees can provide nest cavities. Bird species are typically similar to those occupying adjacent woodlands, and none are restricted to Douglas-fir. Common species include Steller's jays (*Cyanocitta stelleri*), red-breasted nuthatches (*Sitta canadensis*), mountain chickadees (*Poecile gambeli*), hermit thrushes (*Catharus guttatus*), western tanager (*Piranga ludoviciana*), pine siskins (*Spinus pinus*) and Townsend's solitaires.

Riparian woodlands and Shrublands. Riparian woodlands consisting primarily of linear stands of cottonwoods along major streams and aspen, willows, and other tall shrubs along smaller streams provide cover, feeding, and nesting habitats for a much greater number of species and individuals than adjacent vegetation communities due to the vertical and horizontal diversity of the community, the proximity to water, and typically the proximity to other vegetation communities. Forbs and insects can be more abundant in moist areas. Bird species found in cottonwood forests in the CRVFO include three BCC species: the bald eagle (*Haliaeetus leucocephalus*), Lewis's woodpecker (*Melanerpes lewis*) and willow flycatcher (*Empidonax traillii*). Other migrants include the cordilleran flycatcher (*Empidonax occidentalis*), warbling vireo, house wren, Bullock's oriole (*Icterus bullockii*), yellow warbler (*Dendroica petechia*), and American goldfinch (*Carduelis tristis*) in cottonwood woodlands and the willow flycatcher (*Empidonax traillii*), song sparrow (*Melospiza melodia*) and fox sparrow (*Passerella iliaca*) in willow shrublands. Raptors commonly associated with cottonwood woodlands include the red-tailed, Cooper's, and sharp-shinned hawks, the great horned owl (*Bubo virginiana*) and the long-eared owl (*Asio otus*). A large wading bird, the great blue heron (*Ardea herodias*), nests singly or colonially in mature cottonwoods and may travel several miles to hunt for fish in streams, ponds, and lake margins.

Raptors. Many raptors forage over wide areas, so even if they aren't known to nest in a specific area, they may still fly over searching for food. Raptors on the BCC list that occur in portions of the CRVO include the golden eagle (*Aquila chrysaetos*), Bald Eagle (*Haliaeetus leucocephalus*), Ferruginous Hawk (*Buteo regalis*), prairie falcon (*Falco mexicanus*), peregrine falcon (*F. peregrinus*) and flammulated owl (*Psiloscops flammeolus*). Prairie falcons nest on rocky ledges and cliffs and hunt in grasslands and semi-desert shrublands. Peregrine falcons nest on the Roan Cliffs and hunt along rivers and lakes, but can be found in nearly any open vegetation community during migration and winter. Flammulated owls typically nest in ponderosa pine and aspen forests, but have been found nesting in mixed forests, and reportedly use old-growth pinyon-juniper woodlands.

A variety of raptors not on the BCC list are known to occur in the CRVO including the American kestrel (*Falco sparverius*), northern harrier (*Circus cyaneus*), Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), red-tailed hawk (*Buteo jamaicensis*), long-eared owl (*Asio otus*), great horned owl (*Bubo virginianus*), northern pygmy owl (*Glaucidium gnoma*) and northern saw-whet owl (*Aegolius acadicus*). The northern goshawk (*Accipiter gentilis*), a BLM sensitive species, is an occasional winter visitor to pinyon-juniper woodlands from its nesting habitat in montane and subalpine forests.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Livestock grazing can alter vegetation structure, composition, and function. Effects on migratory birds are dependent on the species of interest and may be adverse or beneficial depending on grazing timing, frequency, and intensity. Aerial, bark and canopy insectivores may be less influenced by grazing than species feeding on nectar, insects, or seeds in the understory or on the ground. Birds may be displaced as a result of grazing. Trampling of nests, eggs, or young could occur. Losses or decreases in vegetation from overgrazing can decrease rodent prey species and affect local populations of raptors. Areas lacking vegetative structure and complexity would be expected to be lacking bird species richness. This is especially important in riparian areas, which provide habitat for many species in the arid and semiarid west, including upland birds, waders, shorebirds, raptors, neotropical migrants and passerines. However, due to the inaccessibility of Deep Creek to cattle, riparian areas along the creek would not be impacted by grazing. Migratory birds could be temporarily displaced from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock. As long as acceptable utilization levels are maintained and land health standards are achieved, any negative impacts to migratory birds from livestock grazing are expected to be minimal and isolated, and should not influence migratory bird populations on a landscape level.

No Grazing Alternative. No livestock grazing would occur, and there would be no direct or indirect impacts to migratory birds from livestock use. There would also be no disturbance to wildlife from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 3 FOR TERRESTRIAL WILDLIFE AND STANDARD 4 FOR THREATENED, ENDANGERED, AND OTHER SPECIAL STATUS TERRESTRIAL WILDLIFE SPECIES.

Based on the overall condition of upland and riparian vegetation throughout the Deep Creek Land Health Assessment area, standards 3 and 4 were being met for migratory birds and raptors (BLM 2009a). The proposed action is not expected to prevent the continued achievement of these land health standards.

WILDLIFE: THREATENED, ENDANGERED, AND SENSITIVE WILDLIFE SPECIES

AFFECTED ENVIRONMENT.

Table 12 summarizes Federally listed, proposed and candidate terrestrial wildlife species potentially occurring in Garfield County (USFWS 2015) and species on the Colorado BLM State Director’s Sensitive Species List (BLM 2009b) that may occur in the project area.

Table 12. Summary of Federally listed, Proposed and Candidate Terrestrial Wildlife Species Potentially Occurring in Garfield County.

Federally Listed, Proposed, or Candidate Terrestrial Wildlife Species		
Species and Status	Habitat/Range Summaries	Occurrence/ Potentially Impacted
<p>Canada lynx (<i>Lynx Canadensis</i>)</p> <p>Threatened</p>	<p>Canada lynx occupy high-latitude or high-elevation coniferous forests characterized by cold, snowy winters and an adequate prey base. In the western US, lynx are associated with mesic forests of lodgepole pine, subalpine fir, Engelmann spruce, and quaking aspen in the upper montane and subalpine zones, generally between 8,000 and 12,000 feet in elevation. Although snowshoe hares (<i>Lepus americanus</i>) are the preferred prey, lynx also feed on mountain cottontails (<i>Sylvilagus nuttallii</i>), pine squirrels (<i>Tamiasciurus hudsonicus</i>), and blue grouse (<i>Dendragapus obscurus</i>). The Forest Service has mapped suitable denning, winter, and other habitat for lynx within the White River and Routt National Forests. The mapped suitable habitat comprises areas known as Lynx Analysis Units (LAUs) that are the approximate the size of a female’s home range. Several LAUs include small parcels of BLM lands. There are no LAUs or mapped lynx habitat in the project area.</p>	<p>Absent/No</p>
<p>Mexican spotted owl (<i>Strix occidentalis lucida</i>)</p> <p>Threatened</p>	<p>This owl nests, roosts, and hunts in mature coniferous forests in canyons and foothills. The key habitat components are old-growth forests with uneven-age stands, high canopy closure, high tree density, fallen logs and snags. The only extant populations in Colorado are in the Pikes Peak and Wet Mountain areas of south-central Colorado and the Mesa Verde area of southwestern Colorado.</p>	<p>Absent/No</p>
<p>Greater Sage- grouse (<i>Centrocercus urophasianus</i>)</p> <p>Candidate</p>	<p>Sage-grouse are found only in areas where sagebrush is abundant, providing both food and cover. Sage-grouse prefer relatively open sagebrush flats or rolling sagebrush hills. In winter, sagebrush accounts for 100% of the diet for these birds. It also provides important escape cover and protection from the elements. In late winter, males begin to concentrate on traditional strutting grounds or leks. Females arrive at the leks 1-2 weeks later. Leks can occur on a variety of land types or formations (windswept ridges, knolls, areas of flat sagebrush, flat bare openings in the sagebrush. Breeding occurs on the leks and in the adjacent sagebrush, typically from March through May. Females and their chicks remain largely dependent on forbs and insects for food well into early fall. Within the CRVFO, sage-grouse are present in the northeast part of the Field Office in the Northern Eagle/Southern Routt population. While small (<500 birds), this population probably has, or had, a relationship with the larger population in Moffat, Rio Blanco and western Routt counties, and probably with the Middle Park population to the east. There is no preliminary priority or preliminary general habitat mapped in the project area.</p>	<p>Absent/No</p>

Yellow-billed cuckoo (<i>Coccyzus americanus</i>) Threatened	This secretive species occurs in mature riparian forests of cottonwoods and other large deciduous trees with a well-developed understory of tall riparian shrubs. Western cuckoos breed in large blocks of riparian habitats, particularly woodlands with cottonwoods (<i>Populus fremontii</i>) and willows (<i>Salix</i> sp.). A few sightings of yellow-billed cuckoo have occurred in western Colorado along the Colorado River near Grand Junction. There is no proposed critical habitat in the Colorado River Valley Field Office.	Absent/No
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Colorado BLM Sensitive Terrestrial Wildlife Species Present or Potentially Present in the Project Area

Species	Habitat/Range Summaries	Occurrence/ Potentially Impacted
Townsend's big-eared bat (<i>Corynorhinus townsendii</i>) Fringed myotis (<i>Myotis thysanodes</i>)	Occurs as scattered populations at moderate elevations on the western slope of Colorado. Habitat associations are not well defined. Both bats will forage for aerial insects over pinyon-juniper, montane conifer and semi-desert shrubland communities. Roosts in caves, rock crevices, mines, buildings and tree cavities. Both species are widely distributed and usually occur in small groups. Townsend's big-eared bats are not abundant anywhere in its range due to patchy distribution and limited availability of suitable roosting.	Present/No
White-tailed prairie dog (<i>Cynomys leucurus</i>)	Occurs in western Colorado, typically in desert grasslands and shrub grasslands between 5,000-10,000 feet in elevation.	Absent/No
Northern goshawk (<i>Accipiter gentilis</i>)	Montane and subalpine coniferous forests and aspen forests; may move to lower elevation pinyon-juniper woodlands in search of prey during winter. Preys on small-medium sized birds and mammals. Breeds in coniferous deciduous and mixed forests. Nests are typically located on a northerly aspect in a drainage or canyon and are often near a stream. Nest areas contain one or more stands of large, old trees with a dense canopy cover. A goshawk pair occupies its nest area from March until late September. The nest area is the center of all movements and behaviors associated with breeding from courtship through fledging.	Possible in winter/No
Ferruginous hawk (<i>Buteo regalis</i>)	Open, rolling and/or rugged terrain in grasslands and shrubsteppe communities; also grasslands and cultivated fields; nests on cliffs and rocky outcrops. Fall/ winter resident, non-breeding.	Possible/No
Bald eagle (<i>Haliaeetus leucocephalus</i>)	Nesting/Roosting: mature cottonwood forests along rivers. Foraging: fish and waterfowl along rivers and lakes; may feed on carrion, rabbits and other foods in winter.	Present/No
American Peregrine Falcon (<i>Falco peregrines anatum</i>)	Rare spring and fall migrant in western valleys. Peregrine falcons inhabit open spaces associated with high cliffs and bluffs overlooking rivers. The falcon nests on high cliffs and forages over nearby woodlands.	Possible/No
Greater Sage-grouse (<i>Centrocercus urophasianus</i>)	See Federally Listed, Proposed or Candidate Terrestrial Wildlife Species portion of table.	Absent/No
Brewer's sparrow (<i>Spizella berveri</i>)	Prefers extensive stands of sagebrush, primarily big sagebrush, on level or undulating terrain.	Possible/Yes
White-faced ibis (<i>Plegadis chihi</i>)	Primarily inhabits freshwater wetlands, especially cattail (<i>Typha</i> spp.) and bulrush (<i>Scirpus</i> spp.) marshes. Rare, non-breeding, summer migrant to western Colorado valleys and mountain lakes. Feeds in flooded hay meadows, agricultural fields, and estuarine wetlands. Breeds in isolated colonies in mainly shallow marshes with "islands" of emergent vegetation.	Absent/No

Midget faded rattlesnake (<i>Crotalus viridis concolor</i>)	Found in northwestern Colorado, including western Garfield County. Sagebrush communities with an abundance of south-facing rock outcroppings and exposed canyon walls. Rocky outcrops are essential for cover, variable thermal conditions and hibernation.	Absent/No
Utah milk snake (<i>Lampropeltis triangulum taylori</i>)	In Colorado, milk snakes occur in shortgrass prairie, sandhills, shrubby hillsides, canyons and open stands of ponderosa pine in the foothills, pinyon-juniper woodlands, and arid river valleys. <i>L. triangulum taylori</i> occurs in west-central Colorado.	Possible/No

There is no critical habitat, occupied habitat, or known occurrences of any of the Federally listed, proposed or candidate terrestrial wildlife species in the project vicinity.

Special Status Bats. Townsend’s big-eared bats are known to use caves in the Deep Creek canyon, and fringed myotis could also use the project area. The Deep Creek canyon contains a high concentration of caves, some of which have confirmed or possible hibernaculum, transient, day, night, and swarming use by bats, including species that are not on the BLM special status species list. Both special status bat species will forage for aerial insects over water and above pinyon-juniper woodlands and semi-desert shrublands.

Special Status Raptors. Bald eagles were removed from the federal threatened and endangered species list in 2007, but are still protected under the MBTA and Bald and Golden Eagle Protection Act and are currently listed as a BLM sensitive species. The project area overlaps with bald eagle winter range and winter forage range as mapped by CPW. There are no documented nests in the project vicinity.

Peregrine falcon potential nesting habitat is mapped along the Deep Creek canyon. The cliffs east of the Colorado River, which are outside this allotment, are mapped as nesting habitat.

Brewer’s Sparrow. The Brewer’s sparrow (*Spizella berveri*) is a neotropical migrant that summers in western Colorado mountain parks and is a spring/fall migrant at lower elevations. The species is a sagebrush obligate with an apparently secure conservation status in Colorado. Primary Brewer’s sparrow habitat is identified as mature big sagebrush ranging in height from 1.6 ft to 3 ft, with low to moderate canopy cover, and habitat patches greater than or equal to 15 acres. Mesic sites, particularly riparian areas within sagebrush habitats, were also identified as an important primary habitat component (Vasquez 2005).

Special Status Reptiles. Habitat could potentially exist for the Utah milk snake (*Lampropeltis triangulum taylori*). Few records exist for special status reptiles, and extensive surveys have not been conducted. The main threats to these snakes are development, outright killing, and illegal collection for the pet trade.

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Cattle grazing would occur in an area that has not been grazed for several years and was last grazed by sheep. It is difficult to determine the effects of this change on vegetation and prey abundance (e.g., insects, rodents, birds). Special status species could be temporarily displaced from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock. As long as acceptable utilization levels are maintained and

land health standards are achieved, any negative impacts to special status species from livestock grazing are expected to be minimal and isolated, and should not influence populations on a landscape level.

Special Status Bats. The greatest threats in order of priority to Townsend's big-eared bats, and likely fringed myotis, are the loss/modification/disturbance of roosting habitat resulting from uninformed closure of abandoned mines, recreation, and renewed mining at historical sites; loss/modification/disturbance of foraging habitat resulting from the elimination of forest canopy; elimination or alteration of wetland habitat; conversion of native shrub and grasslands to urban or agricultural uses; and exposure to environmental toxins (Gruver and Keinath 2006). Caves in the Deep Creek canyon, some of which are used by Townsend's big-eared bats and likely other bat species, are not accessible to cattle. Therefore there would be no impacts to these resources from grazing.

Special Status Raptors. Any bald eagles and peregrine falcons in the area would be foraging over large expanses of upland vegetation and should not be affected by any isolated effects to prey from grazing.

Brewer's Sparrow. Livestock grazing could degrade conditions for Brewer's sparrows, displace birds, and cattle could potentially trample nests, eggs, or young.

Special Status Reptiles. Little is known of the presence or use of this allotment by special status reptiles. Restoring livestock grazing could potentially impact reptiles if small mammal populations are affected.

No Grazing Alternative. No livestock grazing would occur, and there would be no direct or indirect impacts to special status reptiles from livestock grazing. There would also be no disturbance to wildlife from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 4 FOR THREATENED, ENDANGERED, AND OTHER SPECIAL STATUS TERRESTRIAL WILDLIFE SPECIES.

Based on the Deep Creek Land Health Assessment, this land health standard is being met in the assessment area (BLM 2009). The proposed action is not expected to prevent the continued achievement of these land health standards.

WILDLIFE: TERRESTRIAL

AFFECTED ENVIRONMENT.

Diverse plant communities across the CRVFO support a variety of terrestrial wildlife that summer, winter, or migrate through the area. Wildlife need to move across the landscape for food, cover and in response to seasonal conditions. Human development and activities have fragmented habitat, and in some cases, created barriers to wildlife movement. Factors contributing to wildlife disturbance or degradation and fragmentation of habitat include power

lines, pipelines, fences, public recreation use, residential and commercial development, vegetation treatments, livestock and wild ungulate grazing, oil and gas development, fire suppression, roads and trails.

Big Game. Mule deer (*Odocoileus hemionus*), Rocky Mountain elk (*Cervus elaphus nelsonii*) and bighorn sheep (*Ovis canadensis*) are recreationally important species that occur in the project area. BLM managed lands provide a large portion of the undeveloped habitat for big game in Colorado. CPW maintains maps of habitat for big game and other wildlife species.

Mule deer and elk typically occupy higher elevation, forested areas during summer and migrate to lower elevation sagebrush-dominated ridges and south-facing slopes during winter. The allotments overlap with mule deer and elk summer and winter range, and the southeast portion of the allotment is mapped as elk severe winter range and an elk winter concentration area. Winter range is often considered the most limiting habitat type for mule deer and elk, so effective management of these areas is particularly important to population health.

Bighorn sheep use Deep Creek as a water source, and the entire allotment is mapped as bighorn sheep overall habitat. The cliffs along Deep Creek are mapped as bighorn sheep summer range. Bighorn Winter Range is mapped south of the creek in the very northeastern portion of the allotment, but most of this habitat is outside of the allotment. Bighorn sheep severe winter range and a winter concentration area are mapped along the creek just east of the allotment. Most of the areas mapped as bighorn sheep summer and winter range are not accessible to cattle.

Other Mammals. Numerous small mammals could reside within the planning area, including mice (*Peromyscus* spp.), woodrats (*Neotoma* spp.), ground squirrels (*Spermophilus* spp.), chipmunks (*Neotamias* spp.), rabbits (*Sylvilagus* spp.), skunks (*Mephitis mephitis*), raccoons (*Procyon lotor*) and porcupines (*Erethizon dorsatum*). Many of these mammals are prey for raptors and larger carnivores. Larger carnivores expected to occur include bobcats (*Lynx rufus*) and coyotes (*Canis latrans*). CPW has mapped the entire project area as mountain lion (*Felis concolor*) and black bear (*Ursus americanus*) overall range. Mountain lions are most likely to be in the vicinity when mule deer are present. Bats documented in Northwest Colorado that could occur in the CRVFO that are not on the BLM special status species list include pallid bats (*Antrozous pallidus*), big brown bats (*Eptesicus fuscus*), spotted bats (*Euderma maculatum*), silver-haired bats (*Lasiurus noctivagans*), hoary bats (*Lasiurus cinereus*), California myotis (*Myotis californicus*), Western small-footed myotis (*M. ciliolabrum*), long-eared myotis (*M. evotis*), little brown myotis (*M. lucifugus*), long-legged myotis (*Myotis volans*), Yuma myotis (*M. yumanensis*), big free-tailed bats (*Nyctinomops macrotis*), canyon bats (*Parastrellus hesperus*), and Brazilian free-tailed bats (*Tadarida brasiliensis*).

Gallinaceous Birds. Game birds found in the project area could include dusky grouse (*Dendragapus obscurus*), ring-necked pheasant (*Phasianus colchicus*) and wild turkey (*Meleagris gallopavo*), although the allotment is not mapped as turkey habitat.

Waterfowl. Rivers, streams, reservoirs, ponds and associated riparian vegetation are used by a wide variety of waterfowl and shorebirds. Common species include great blue herons, Canada geese (*Branta canadensis*), mallards (*Anas platyrhynchos*), northern pintails (*A. acuta*), gadwalls (*A. strepera*) and American wigeon (*A. americana*).

Reptiles. Reptile species most likely to occur in the project area include sagebrush lizards (*Sceloporus graciosus*), prairie and plateau lizards (*S. undulatus*), tree lizards (*Urosaurus ornatus*), gopher snakes or bullsnakes (*Pituophis catenifer*), and western terrestrial garter snakes (*Thamnophis elegans*). Gopher snakes can be found throughout Colorado in most plant communities, including riparian areas, semidesert and mountain shrublands, pinyon-juniper woodlands, and ponderosa pine and other montane woodlands. Western terrestrial garter snakes occur throughout most of western Colorado, usually below 11,000 feet. Smooth green snakes (*Opheodrys vernalis*) can be present in riparian areas, but in western Colorado, may also be common in mountain shrublands far from water (Hammerson 1999).

ENVIRONMENTAL CONSEQUENCES.

Proposed Action. Domestic livestock can compete with wild ungulates for herbaceous forage, although moderate levels of grazing can also help promote shrub growth by limiting grasses. Conversely, livestock grazing can have a beneficial effect on forage quality by removing the rough or dried seedheads and stems, while leaving or creating the more palatable leaves for deer or elk to graze later in the season. Because cattle grazing would occur in an area that has not been grazed for several years and was last grazed by sheep, it is difficult to determine the effects of this change on vegetation and prey abundance (e.g., insects, rodents, birds). Terrestrial wildlife could be temporarily displaced from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock. As long as acceptable utilization levels are maintained and land health standards are achieved, particularly on big game winter range, any negative impacts to big game and other terrestrial wildlife from livestock grazing are expected to be minimal and isolated, and should not influence populations on a landscape level.

No Grazing Alternative. Because no livestock grazing would occur, there would be no direct or indirect impacts to terrestrial wildlife from livestock use. There would also be no disturbance to wildlife from vehicular traffic or human presence during maintenance of infrastructure or tending to livestock.

ANALYSIS OF PUBLIC LAND HEALTH STANDARD 3 FOR TERRESTRIAL WILDLIFE.

The Deep Creek Land Health Assessment determined that overall the landscape was meeting this land health standard, and no issues were noted for this allotment. The assessment reported that the watershed was supporting a wide variety of healthy habitats for numerous wildlife species. Habitats occurred in a variety of successional stages and current resource conditions were healthy throughout the area. The vast majority of the landscape was providing productive wildlife habitat. Good age class distribution among shrubs, good abundance and diversity of perennial grasses, and good forb diversity were prevalent in most areas. Landscapes exhibited habitat connectivity or corridors to prevent habitat fragmentation. The proposed action is not expected to prevent the continued achievement of these land health standards.

CUMULATIVE EFFECTS.

Soil and Water. Cumulative impacts to soil and water resources can occur from existing roads, trails, and other infrastructure throughout the allotment. Roads and trails can contribute to

increased surface runoff and accelerated erosion, especially where proper drainage is lacking. Other impacts such as vegetation treatments or weed treatments may also change water infiltration or runoff rates and affect soil and water resources. Based on existing and future land management activities occurring across the allotments, it is assumed that cumulative effects to soil and water are minor if proper best management practices are implemented.

Wildlife, Including Special Status Species. The area covered by the proposed action only comprises a small portion of the watershed. Many other land use activities (e.g., recreation, housing, road maintenance) occur within the watershed. All of these activities have altered the amount of suitable and potentially suitable habitats for terrestrial wildlife species. Cumulatively, many of the future actions planned on private and other lands may have some undetermined effect on wildlife including special status species habitat. The proposed action would create negligible landscape-level cumulative impacts to wildlife when viewed in comparison with those activities currently occurring and reasonably certain to occur on adjacent private/other lands.

CONSULTATION.

The following stakeholders were contacted:

- Southern Ute Indian Tribe
- Ute Mountain Ute Tribe
- Uinta and Ouray Agency Ute Indian Tribe
- Grazing permittees

LIST OF PREPARERS.

Members of the CRVFO Interdisciplinary Team who participated in the impact analysis of the Proposed Action and alternatives, development of appropriate mitigation measures, and preparation of this EA are listed in Table 11, along with their areas of responsibility.

Table 11. BLM Interdisciplinary Team Authors and Reviewers.

Name	Title	Areas of Participation
Kristy Wallner	Rangeland Management Specialist	NEPA lead; Range; Invasive, Non-native species (Noxious weeds)
Pauline Adams	Hydrologist	Soil, Water, Air, Geology
Kimberly Leitzinger	Outdoor Recreation Planner	Recreation, Wilderness, Wild and Scenic Rivers
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern; Special Status Plants, Vegetation; Wetlands & Riparian Zones
Hilary Boyd	Wildlife Biologist	Aquatic Wildlife including T/E/S, Migratory Birds and Terrestrial Wildlife including T/E/S

Name	Title	Areas of Participation
Erin Leifeld	Archaeologist	Cultural Resources and Native American Religious Concerns
Brian Hopkins	Planning and Environmental Coordinator	NEPA Consistency

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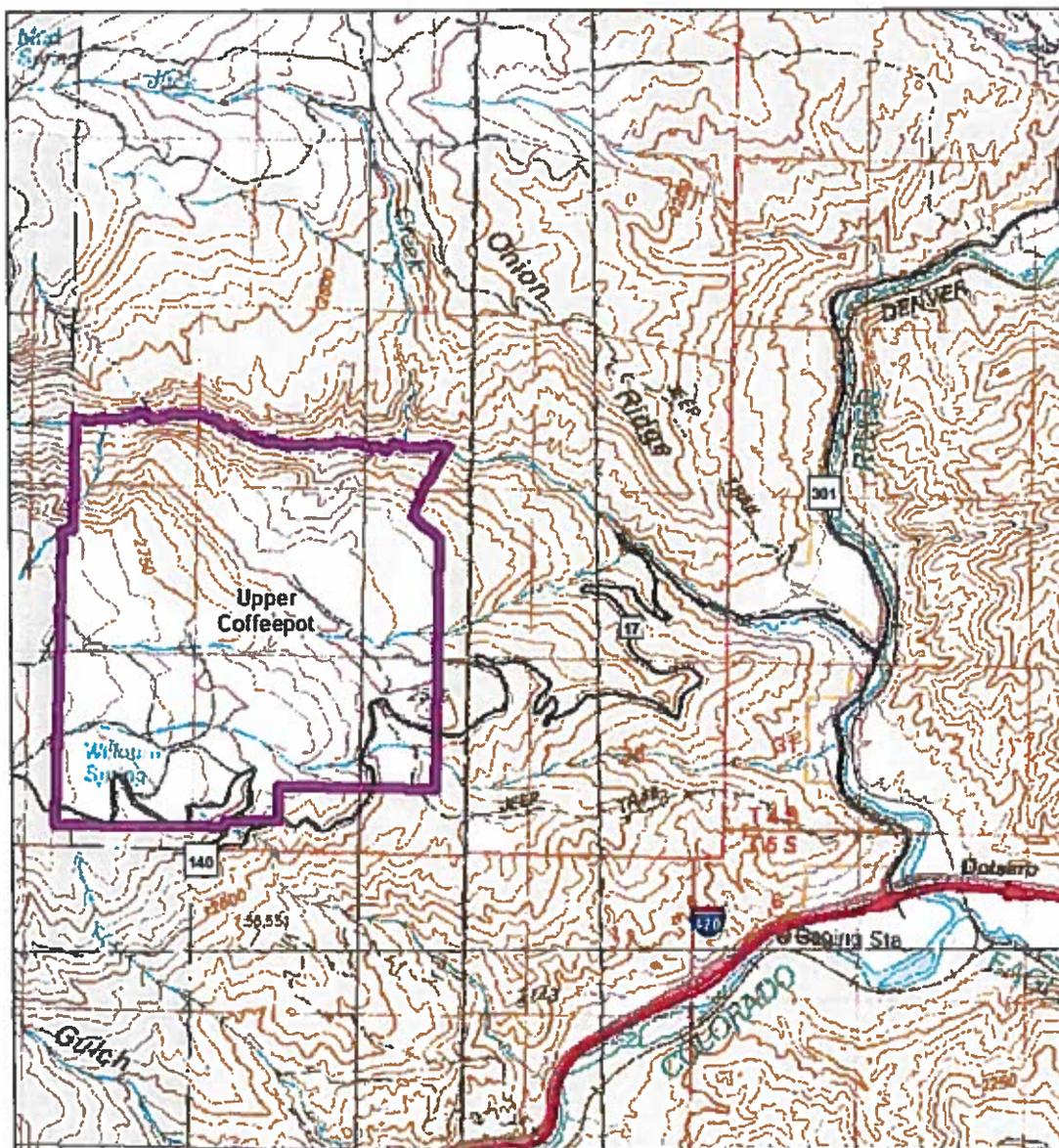
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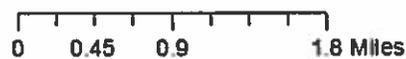
Appendix 1. Map of the Upper Coffeepot Grazing Allotment

Upper Coffeepot Allotment



Legend

- Interstate
- County Road
- Grazing Allotment
- Bureau of Land Management
- Private



DOI-BLM-CO-N040-2015-0015-EA
 T4S R87W Sec. 21-23, 26-28, 33- 35
 Broken Rib Creek & Dotsero USGS Quad
 Garfield and Eagle Counties, Colorado
 Colorado River Valley Field Office
 Bureau of Land Management

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This project was developed through digital means and may be updated without notice.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COLORADO RIVER VALLEY FIELD OFFICE
SILT, COLORADO

FINDING OF NO SIGNIFICANT IMPACT
for
DOI-BLM-N040-2015-0015-EA

Finding of No Significant Impact.

I have reviewed the direct, indirect and cumulative effects of the proposed action documented in the EA referenced above. The effects of the proposed action are disclosed in the Alternatives and Environmental Effects 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):

(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 issuing these livestock grazing permits are identified and discussed in the affected environment and environmental consequences sections 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 prime and unique farmlands, caves, wild and scenic rivers, wilderness study areas, or ACECs.

Roughly 75 percent of the allotment falls within the boundary of the Deep Creek Area of Critical Environmental Concern (ACEC). Since cattle are not known to have access through the cliffs into the canyon where the cave resources occur, livestock grazing activities would have no effect on the geologic values within the Deep Creek ACEC.

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

The possible effects of continued livestock grazing are not likely to be 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 Upper Coffeepot Allotment. 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 these allotments.

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

The area covered by the proposed action only comprises a small portion of the watershed. Cumulatively, many of the future actions planned on private and other lands may have some undetermined effect on wildlife including special status species habitat. The proposed action would create negligible landscape-level cumulative impacts to wildlife when viewed in conjunction with those activities currently occurring and reasonably certain to occur on adjacent private/other lands.

8. The degree to which the action may adversely affect scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places.

No cultural resources have been documented within the Upper Coffee Pot allotment. There is low potential for additional cultural resources to be documented as the allotment contains a high percentage of steep slopes. Subsequent site field visits, inventory, and periodic monitoring may have to be done to identify if other historic properties are present as well as determine if there are impacts to these properties within the term of the permit and as funds are made available. If the BLM determines

that grazing activities adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO. The EA discloses the adverse impacts that could occur to cultural resources from livestock grazing.

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.

Properly managed livestock grazing (i.e. meeting land health standards) is generally compatible with all wildlife species. The development and maintenance of water sources for livestock may unintentionally provide beneficial effects to foraging bat and bird species. As long as acceptable utilization levels are maintained and land health standards are achieved there would be no anticipated direct or indirect impact of grazing on special status bat or bird species.

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 law or requirements imposed for the protection of the environment.

DETERMINATION.

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.

2/25/2015
Date



Monte Senor, Acting Supervisory Natural
Resource Specialist



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
2300 River Frontage Road
Silt, CO 81652



IN REPLY REFER TO:
Auth. No. 0505182 (CON040)

CERTIFIED MAIL 70132630000027325911
RETURN RECEIPT REQUESTED

Josh & Brook Fitzsimmons
3316 Gypsum Creek Road
Gypsum, CO 81637

NOTICE OF PROPOSED DECISION

Dear Mr. Fitzsimmons:

Introduction & Background.

On April 18, 2013 you applied to renew your grazing permit on the Upper Coffeepot Allotment. The review and NEPA compliance have been completed as documented in Environmental Assessment (EA) No. DOI-BLM-CO-N040-2015-0015. A copy of the EA is enclosed. Renewal of the permit has also been reviewed for compliance with 43 Code of Federal Regulations (CFR) 4110.1(b)(1) which requires a satisfactory record of performance prior to renewal.

Finding Of No Significant Impact (FONSI).

The environmental assessment, analyzing the environmental effects of the action, has been reviewed. The action with mitigation measures result in a finding of no significant impact on the human environment. Therefore, an environmental impact statement is not necessary to further analyze the environmental effects of the proposed action.

Rationale: The analysis of the action with mitigation measures did not identify any impacts that would be significant in nature either in context or intensity. The new grazing authorizations allow for adequate plant growth recovery and promote healthy rangelands as it relates to rangeland standards. In addition, there is nothing to indicate the action is highly controversial or that it is related to other actions with individually insignificant but cumulatively significant actions.

43 CFR 4130.3-2 states: "The authorized officer may specify in grazing permits or leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands."

43 CFR 4160.1(a) states: "Proposed decisions shall be served on any affected applicant, permittee or lessee and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits) or leases, by certified mail or personal delivery. Copies of the proposed decisions shall also be sent to the interested public".

Protest and/or Appeal.

Any applicant, permittee, lessee or other interested publics may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Karl Mendonca, Acting Field Manager, Bureau of Land Management, 2300 River Frontage Road, Silt, Colorado 81652 within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

In accordance with 43 CFR 4160.3 (a), in the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

In accordance with 43 CFR 4160.3 (b) upon a timely filing of a protest, after a review of protests received and other information pertinent to the case, the authorized officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160 .4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. The person/party must also serve a copy of the appeal on any person named [43 CFR 4.421(h)] in the decision and the Office of the Solicitor, United States Department of Interior, 755 Parfet Street, Suite 151, Lakewood, Colorado 80215. The BLM does not accept appeals by facsimile or email.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and

(4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and serviced in accordance with 43 CFR 4.473. Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings division a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition. Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the office of the Solicitor and any other person named in the decision (43 CFR 4.472(b)).

Please sign and date both copies of the enclosed grazing permit and return to our office. If you have any questions about this proposed decision please contact Kristy Wallner (Rangeland Management Specialist) at (970)876-9023.

Sincerely,

3/25/15
Date


Monte Senor, Acting Supervisory Natural
Resource Specialist

Enclosure(s)
Environmental Assessment (No. DOI-BLM-CO-N040-2015-0020-EA)
BLM Form 4130-2a (Grazing Permit)