

**United States Department of the Interior
Bureau of Land Management**

**Environmental Assessment
DOI-BLM-UT-W020-2010-0037-EA**

**JANUARY 2011
SOUTH HOLLOW AND BAKER CANYON FENCES**

Location: These three fences would be constructed between 5 and 10 miles northwest of Cove Fort, Millard County, Utah

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SOUTH HOLLOW AND BAKER CANYON FENCES

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CHAPTER 1

INTRODUCTION AND NEED FOR THE PROPOSED ACTION

INTRODUCTION

The Bureau of Land Management, in cooperation with the permittee of the Twin Peaks Allotment #05785, propose to construct three 4-strand barbed wire fences. If approved the fences would be constructed during the early spring or during the fall of 2011. An interdisciplinary team has reviewed the proposed action. Their review is included as Appendix A. The attached maps (Appendix B) show the location where the fences would be constructed.

PURPOSE AND NEED FOR THE PROPOSED ACTION

Cattle grazing the Sage and Cove Pastures of the Twin Peaks Allotment tend to spend most of their time in their favorite areas and leave much of the area ungrazed or very lightly grazed, while their favorite areas are more heavily grazed. Uneven utilization of vegetation has resulted. This uneven utilization could result in decreases of desirable species in the areas that are more heavily grazed. The proposed fences are needed to allow for increased control of livestock so that livestock distribution and utilization of forage can become more even and reduce the potential for desirable species to decrease.

CONFORMANCE WITH BLM LAND USE PLAN(S)

The proposed action is in conformance with the Warm Springs Resource Management Plan, approved on March 30, 1987.

Although the proposed action and alternatives are not specifically mentioned in the plan, they are consistent with its objectives, goals, and decisions as they relate to the range program in that livestock distribution would be improved, which would result in more uniform utilization patterns.

The proposed action conforms to decisions concerning structural range improvements outlined in the third paragraph on page 16 of the RMP. This paragraph indicates that emphasis for structural range improvements will be on those which improve livestock distribution to insure more uniform utilization patterns and that priority will be on allotments categorized in the Improve or Maintain categories. The proposed fence would improve livestock distribution and the Twin Peaks Allotment is in the Improve category.

RELATIONSHIPS TO STATUTES, REGULATIONS AND OTHER PLANS

The proposed action and alternatives comply with the following laws and regulations:

- **Taylor Grazing Act of 1934 Citation: 43 USC 315c** Fences, wells, reservoirs, and other improvements; construction; permits; partition fences. “Fences, wells, reservoirs, and other improvements necessary to the care and management of the permitted livestock may be constructed on the public lands within such grazing districts under permit issued by the authority of the Secretary, or under such cooperative arrangement as the Secretary may approve. “
- **Federal Land Policy and Management Act of 1976 Citation: Sec. 401. [43 U.S.C. 1751] TITLE IV Range Management (b) (1)** “Congress finds that a substantial amount of the Federal range lands is deteriorating in quality, and that installation of additional range improvements could arrest much of the continuing deterioration and could lead to substantial betterment of forage conditions with resulting benefits to wildlife, watershed protection, and livestock production.”
- **Public Rangelands Improvement Act of 1978 Citation 43 U.S.C. § 1903 : US C - Section 1903: Rangelands inventory and management; public availability (b)** “The Secretary shall manage the public rangelands in accordance with the Taylor Grazing Act (43 U.S.C. 315-315(o)), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701- 1782), and other applicable law consistent with the public rangelands improvement program pursuant to this chapter.”
- **National Environmental Policy Act.** This law established a process intended to help public officials make decisions that are based on understanding environmental consequences and take actions that protect, restore, and enhance the environment. Completion of this environmental analysis is part of this process.
- **43 CFR 4120.3 Range Improvements** - This regulation specifies under what conditions range improvements may be constructed. This environmental analysis fulfills one of those conditions.

CHAPTER 2 DESCRIPTION OF ALTERNATIVES

INTRODUCTION

The EA focuses on the proposed and no action alternatives. The No Action alternative is considered and analyzed to provide a baseline for comparison of the impacts of the proposed action. The alternatives were selected based on the need of the proposal to reduce the potential decrease of desired plant species by constructing the proposed fence to improve livestock distribution and thereby promote more even utilization patterns. There were no other alternatives retained for detailed analysis because there were no identified unresolved conflicts of alternative uses of resources on public lands. Additionally there were no identified potential significant impacts from implementation of the proposed action.

PROPOSED ACTION

Construct approximately 5.3 miles of 4-strand barbed wire fence with the bottom wire smooth. Wire spacing would be 16, 22, 28 and 40 inches from the ground. Steel posts would be spaced one rod apart with two wire stays between posts. Steel posts would be installed by hand pounding or a tractor mounted post driver may be used. Portions of the fence may be in rocky terrain where a compressor would be used to drill post holes. The compressor would be mounted on a trailer pulled by a pickup truck or tractor, or would be mounted on a pickup truck or tractor.

A one quarter mile section of an existing Milford Flat Fire Rehab Fence would be at the north end of the South Hollow Fence East and the south end of the fence would tie into an existing fence around private land. This portion of the existing fence along with the two miles of new construction would be known as the South Hollow Fence East. A portion of a protection fence for seeded portions of the area burned during the Milford Flat Fire, approximately one mile in length, along with one third mile of new fence would be used to create the South Hollow Fence West. The Baker Canyon Fence would begin at the west quarter corner of section 27, T.24S., R.7W., and go southerly for approximately one mile and then turn easterly for approximately two miles and tie into the fence along I-15 in Baker Canyon. The attached maps show the locations of the new fences.

Brush would be removed from the fence using chain saws and hand tools. Only brush which would impede fence construction would be removed. The width of brush removal would be a maximum of ten feet.

Associated fugitive dust will be managed to be in compliance with the Utah Department of Air Quality Standards to ensure that there would be no impact to visibility along Interstate Highway 15.

Support equipment would include a transport for the tractor, ATVs, pickup trucks, trailers and a vehicle or trailer mounted post pounder.

All construction activities and vehicles are to use common access points and travel corridors with the intent to avoid/minimize the proliferation of non-authorized roads and trails. Unnecessary overland travel would be avoided.

The BLM would supply fence material and the livestock permittee of the Twin Peaks Allotment would be responsible for construction and maintenance of the fence.

The migratory bird season extends from March 15th through July 15th (*IM 2008-050, Migratory Bird Treaty Act – Interim Management Guidelines*). If construction is planned to occur between March 15th and July 15th, a pre-construction survey by a qualified biologist is to be conducted for nesting migratory birds. If an active nest is identified, a 100 ft. no-activity buffer is to be established around the nest site and remain in place until the young have fledged and/or the nest becomes non-active.

If operations are to occur within time periods listed below, a pre-construction survey to locate any active raptor nests is to be completed prior to the beginning of any construction. Should nests be found a buffer around the nest would be established in which no construction would be allowed within the time period specified. Below is a list of raptor nest buffers.

- Golden Eagles – January 1 through August 1 – the buffer is 0.5 miles
- Ferruginous Hawks – March 1 through August 1 – the buffer is 0.25 miles
- Burrowing Owls – March 1 through August 31 – the buffer is 0.25 miles

NO ACTION

Do not allow the proposed fence to be constructed. Continue the current difficulties of controlling livestock in the pastures in which the proposed fences would have been located.

CHAPTER 3 AFFECTED ENVIRONMENT

INTRODUCTION AND GENERAL SETTING

The affected environment of the Proposed Action and No Action alternatives were considered and analyzed by an interdisciplinary team as documented in the Interdisciplinary Team Analysis Record Checklist, Appendix A. The checklist indicates which resources of concern are either not present in the project area or would not be impacted to a degree that requires detailed analysis. Critical Elements of the Human Environment are those elements that are subject to the requirements specified in statute, regulation, or executive order, and must be considered in all EAs (BLM H-1790-1, Appendix 5). Critical Elements of the Human Environment are included in Appendix A. Resources, including Critical Elements, which could be impacted to a level requiring further analysis are; 1) livestock grazing. It is described in Chapter 3 and impacts on this resource are analyzed in Chapter 4 below.

The proposed fence would be constructed in three segments dividing two existing pastures into five pastures.

Vegetation along the proposed fence lines is mostly seeded and native grasses since the brush and trees have been removed by recent wildfires. Elevation is between 5,800 and 6,100 feet above sea level. Average annual precipitation for the area in which the fence would be constructed is approximately 16 inches. The allotment has historically been grazed by cattle during May and June. The terrain in which the fence would be constructed is hilly.

LIVESTOCK GRAZING:

The proposed fences would be constructed in two of the Spring Pastures of the Twin Peaks Allotment which are permitted for grazing from May 1st through June 15th. The South Hollow Fence West would close the gap between the fence along the Kern River Pipeline and the Milford Flat Fire Protection Fence to form two Pastures out of the existing Sage Pasture. The proposed location of this fence is several miles from watering locations which are located on private land at the north end of the Sage Pasture and the southern portions of the Sage Pasture. Cattle prefer the northern portions of the Sage Pasture over the southern portion. Uneven utilization results from cattle congregating at the north end. The Baker

Canyon and South Hollow East Fences would divide the Cove Pasture into three pastures. Portions of these pastures are also areas of cattle congregation which has resulted in uneven utilization patterns.

CHAPTER 4 ENVIRONMENTAL IMPACTS

DIRECT AND INDIRECT IMPACTS

Resources which could potentially be directly or indirectly impacted by the proposed action were described in Chapter 3. Potential impacts to these resources are analyzed under the proposed and no action alternatives.

PROPOSED ACTION

Resources which could potentially be directly or indirectly impacted by the proposed action were described in Chapter 3. Potential impacts to these resources are analyzed under the proposed and no action alternatives.

LIVESTOCK GRAZING:

The South Hollow Fence West would allow livestock distribution and utilization to be more evenly distributed in the Sage Pasture since the fence would divide the pasture into two pastures and cattle could be held in the southern part of what is now the Sage Pasture for a longer time which would likely increase overall use of this pasture to moderate and reduce the utilization of the northern end of the Sage Pasture from heavy to moderate use. The Baker Canyon and South Hollow East Fences are strategically located to allow for the same type of control of cattle grazing the Cove Pasture as the South Hollow Fence West would for the Sage Pasture.

NO ACTION

There would be no environmental impacts from the proposed action since it would be denied.

LIVESTOCK GRAZING:

If the fences were not constructed the need for the proposed action to increase control of livestock so that livestock distribution and utilization of forage could become more even and to reduce the potential for desirable species to decrease would not be met.

CUMULATIVE IMPACTS

PROPOSED ACTION

Cumulative impacts are impacts of the proposed action added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions. The Cumulative Impact Area is the Sage and Cove Pastures of the Twin Peaks Allotment, since this is the area in which the proposed action is located and the area in which livestock grazing could be affected by construction of these fences.

Common activities in the area consist of livestock grazing, hunting, camping, wood gathering, wildlife viewing, mineral exploration, and OHV use. Except for OHV use, most of these activities have been occurring over the past 80-100 years.

Vegetation and Wildlife species, within the area have experienced these types and levels of disturbance over the past 80-100 years. Mineral activity including mining and exploratory drilling for oil and gas and seismic exploration has declined since the 1980's. Recently OHV use and seismic exploration have increased. The other activities may not be expected to increase during the foreseeable future.

Existing fences, roads and revegetation of burned areas are existing facilities or past actions that have the potential of creating cumulative impacts in the Sage and Cove Pastures of the Twin Peaks Allotment.

Wildland fire has resulted in large burned areas which have been successfully revegetated and has resulted in an increase in available livestock forage. Construction of the proposed fences would improve control of when livestock graze this forage and would improve distribution which would increase control of the level of use of this forage. The potential reduction of desirable forage species would be reduced as a result. Maintenance of desirable species would reduce the potential for the increase of annual species such as cheatgrass. This would reduce the possibility of large fires as cheatgrass burns more readily than do desirable species.

Impacts resulting from existing pasture fences combined with fences constructed to protect burned areas from grazing during fire rehabilitation and the proposed fences along with the impacts resulting from existing roads and right-of-ways in the area are anticipated to be minor. Disturbed areas, along the existing Right-of-Way for the Kern River Gas Pipeline has been revegetated with desirable species as have disturbed areas along existing roads, fence lines and burned areas in the area.

CHAPTER 5 PERSONS, GROUPS, AND AGENCIES CONSULTED

During preparation of the EA, the public was notified of the proposed action by posting on the Utah BLM Environmental Notification Bulletin Board (ENBB) on 8/20/2010. No one has contacted the BLM in response to this notice. The process used to involve the public included letters sent to persons, agencies and/or organizations which could be affected by this proposal (see Table 5.1). A public comment period was not offered because very little interest in the proposal has been expressed.

Table 5.1 List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Utah DWR Southern Regional Office	Consult with UDWR as the agency with expertise on impacts on game species.	No Response.
Millard County Planning and Zoning	Consult with the county planning and zoning to identify any concerns the county may have.	No Response.
Thayne Henrie, Millard County Road Department	Thayne Henrie is in charge of the Millard County Road Department. The Baker Canyon Fence crosses a County Road.	He agreed to assist us with the installation of the cattleguard.

An interdisciplinary team analyzed the impact of the proposed action upon the various resources. Their analysis is attached (Appendix A) and was incorporated into the environmental assessment. BLM staff specialists who determined the affected resources for this document are listed in Appendix A. Those who contributed further analysis in the body of this EA are listed below.

Table 5.2. List of Preparers

BLM Preparers

Name	Title	Responsible for the Following Section(s) of this Document
Bill Thompson	Range Management Specialist	Impact analysis for livestock grazing and ID Team Leader for preparation of this EA.

APPENDICES

APPENDIX A

INTERDISCIPLINARY TEAM CHECKLIST

APPENDIX B
MAPS OF THE PROPOSED FENCES

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: South Hollow & Baker Canyon Fences

NEPA Log Number: DOI-BLM-UT-W020-2010-0037-EA

File/Serial Number:

Project Leader: Bill Thompson

DETERMINATION OF STAFF: *(Choose one of the following abbreviated options for the left column)*

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determination	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NI	Air Quality	This project is not expected to negatively impact Air Quality.	/s/ Paul Caso	11/3/10
NP	Areas of Critical Environmental Concern	There are no ACEC's within the project area.	/s/SBonar	11/02/10
NI	Cultural Resources	Historic properties are present in the area; however, the placement of the fence is such that no historic properties will be impacted by the project.	/s/ Joelle McCarthy	12-13-10
NI	Greenhouse Gas Emissions**	The emission of greenhouse gases by vehicles during project construction will be negligible.	/s/ Paul Caso	11/3-/10
NI	Environmental Justice	Low income and minority populations would not be disproportionately impacted.	/s/ Cindy Ledbetter	11/5/2010
NP	Farmlands (Prime or Unique)	Consulted with Vic Parslow (NRCS Soil Scientist) and he provided a map of farmlands in the area. There are no prime or unique farmlands mapped in the locations of the proposed fences.	/s/ Bill Thompson	12/6/2010
NP	Fish Habitat	No fish habitat is identified within or near the proposed action.	/s/ James Priest	12/14/10
NI	Floodplains	On September 23, 2010, I did a field review of the proposed Baker Canyon and South Hollow Fence East fence lines. There are no floodplains in the project areas. Since the proposed action is to only install fences, there would not be any indirect or cumulative impacts to floodplains downstream of the project areas at Cove Creek or the Beaver River.	/s/ George Cruz	9/28/2010
NI	Fuels/Fire Management	Fence construction will have no impacts to fuels/fire management	/s/ B. Crosland	11/2/10
NI	Geology / Mineral Resources/Energy Production	There are no active mineral activities in the project areas. Geothermal proposals related to the Sulphurdale geothermal project are approved on National Forest (U.S. Forest Service) lands north of I-70. There are existing geothermal lease parcels near and around the project areas. There are no current plans to explore for develop geothermal resources on these parcels. If these lease parcels or other mining units are explored or developed in this area, the operators would have to mitigate for any access or other intrusions that may impact	/s/ George Cruz	9/28/2010

Determination	Resource	Rationale for Determination*	Signature	Date
		these fences.-		
NI	Invasive Species/Noxious Weeds	Equipment should be cleaned prior to entering the project area to prevent noxious weeds from entering the area.	/s/R.B. Probert	12/20/10
NP	Lands/Access	The proposed project would not affect access to public lands as long as cattle guards or gates are constructed across roadways where new fence lines would block access to public lands.	/s/ Teresa Frampton	9/21/2010
PI	Livestock Grazing	Livestock grazing management would be improved. The permittee would have greater control of when & where livestock grazed in this portion of the allotment. Grazing use levels would be more easily managed.	/s/ Bill Thompson	9/15/2010
NI	Migratory Birds.	Migratory birds are known to occur within and near the proposed action. There is adequate habitat adjacent to the proposed action to off-set habitat any minimal impacts. Stipulations are identified to avoid impacting any active nest identified during construction.	/s/ James Priest	12/14/10
NP	Native American Religious Concerns	No historic properties are impacted, no concerns identified	/s/ Joelle McCarthy	12-13-10
NP	Paleontology	There are no known paleontological resources in the project areas. The drilling of holes to install fences and related activities would not likely have any more than negligible impacts on paleontological resources that may be present in the project areas.	/s/ George Cruz	9/28/2010
NI	Rangeland Health Standards	Construction of the proposed fences would not result in changes to the infiltration rates or productivity of soils, would not affect riparian areas, would not result in a loss of desired species in the area and would not affect water quality.	/s/ Bill Thompson	9/15/2010
NI	Recreation	There would be no impacts to casual recreation use in the project area,	/s/SBonar	11/02/10
NI	Socio-Economics	No quantifiable additional economic impact to the local area would be contributed.	/s/ Cindy Ledbetter	11/5/2010
NI	Soils	There are no anticipated negative impacts to soils as a result of installing these three small sections of fence. The proposed action would not cause undue or accelerated soil erosion.	/s/DWhitaker	9/16/10
NP	Threatened, Endangered, Candidate or Special Status Plant Species	There are no known federally-listed or other special status plant species that occur within the area of the proposed action.	/s/DWhitaker	9/16/10
NP	Threatened, Endangered, Candidate or Special Status Animal Species	There are no known threatened and endangered species within or near the proposed action.	/s/ James Priest	12/14/10
NI	Wastes (hazardous or solid)	Fence construction will not create any hazardous waste. No impacts	/s/ B. Crosland	11/2/10
NI	Water Resources/Quality (drinking/surface/ground)	This project is not expected to negatively impact Water Resources/Quality.	/s/ Paul Caso	9/21/10
NP	Wetlands/Riparian Zones	There is no riparian vegetation or wetlands in the project area.	/s/ Bill Thompson	9/10/2010
NP	Wild and Scenic Rivers	There are no Wild & Scenic Rivers identified in PL 111.11 for the FFO.	/s/SBonar	11/02/10
NP	Wilderness/WSA	There are no Wilderness/WSA's within the project area.	/s/SBonar	11/02/10

Determination	Resource	Rationale for Determination*	Signature	Date
NI	Wildlife Excluding USFW Designated Species	Big game species, mule deer and elk, are known to occur within and near the proposed action. Fence construction may temporarily disrupt movement patterns. Better grazing control should benefit big game.	/s/ James Priest	12-14-10
NI	Woodland / Forestry	No impacts to woodland/forestry	/s/ B. Crosland	11/2/10
NI	Vegetation Excluding USFW Designated Species	Constructing these three short segments of fence to improve livestock distribution will involve relatively limited vegetative disturbance, and would not have a measurable negative impact on the vegetation.	/s/DWhitaker	9/16/10
NI	Visual Resources	This project will not affect the VRM Class IV classification.	/s/SBonar	11/02/10
NP	Wild Horses and Burros	There are no wild horse Herd Management Areas in the project Area	/s/ Eric Reid	12/6/2010
NP	Areas with Wilderness Characteristics**	There have been no wilderness characteristics identified within the project area.	/s/SBonar	11/02/10

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator			
Authorized Officer			