RECLAMATION

Managing Water in the West

Environmental Assessment Seedskadee Revocation Project Wyoming

Seedskadee Project, Wyoming
Upper Colorado Region

U.S. Department of the Interior
Bureau of Reclamation
Provo Area Office
Provo, UT

March 2013

Mission Statements

The mission of the Department of the Interior is to protect and provide access to our Nation's natural and cultural heritage and honor our trust responsibilities to Indian Tribes and our commitments to island communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Environmental Assessment Seedskadee Revocation Project Wyoming

Seedskadee Project, Wyoming
Upper Colorado Region

Lead Agency:
Bureau of Reclamation
Upper Colorado Region
Provo Area Office

Cooperating Agencies:
Bureau of Land Management
U.S. Fish and Wildlife Service
State of Wyoming
Sublette County Commission
Lincoln County Commission
Sweetwater County Commission
Sweetwater County Conservation District

U.S. Department of the Interior
Bureau of Reclamation
Provo Area Office
Provo, Utah

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Chapter 1: Purpose and Need for the Proposed Action

1.1 Introduction

The Seedskadee Revocation Project Environmental Assessment (EA) has been prepared to disclose and analyze the environmental consequences of the U.S. Bureau of Reclamation, Provo Area Office's proposed revocation of its withdrawal of certain lands from the Bureau of Land Management (BLM) administration in southwest Wyoming for the Seedskadee Project. The EA analyzes the potential impacts that could result from the implementation of the proposed action (revocation) as well as the potential impacts of a no action alternative. Reclamation's intent to revoke its withdrawal was made pursuant to the rules, regulations, and policies contained in 43 CFR 2370 and 603 DM 1.

Revocation is needed because Reclamation has determined that certain lands withdrawn from the BLM in Lincoln, Sublette, and Sweetwater Counties, Wyoming, are no longer needed for Seedskadee Project purposes. The Reclamation Act of June 17, 1902 (Reclamation Act) (32 Stat. 388; 43 U.S.C. 416) requires Reclamation to restore public entry to all withdrawn lands no longer needed or required for project purposes. The resulting change due to this revocation would be to management agency jurisdiction. The BLM, with funding from Reclamation, has been managing these lands under various agreements. This EA is intended to meet disclosure and environmental resource considerations required by the National Environmental Policy Act (NEPA). NEPA requires that Alternative scenarios be presented and analyzed for environmental impacts. This EA specifically analyzes and discusses the consequences of either revoking the withdrawal or not revoking the withdrawal (Action Alternative developed as part of the scoping process) and the No Action Alternative (as the base alternative for making comparisons). This EA evaluates potential impacts associated with the alternative proposed for the revocation to determine if the impacts would be significant (requiring the preparation of an Environmental Impact Statement) or non-significant (resulting in a Finding of No Significant Impact (FONSI)).

In addition to the proposed action, Reclamation also evaluated the No Action Alternative. Within this alternative, Reclamation retains approximately 147,556 acres of withdrawn Seedskadee Project lands, and Reclamation, in conjunction with the BLM, continues to fund and manage these lands under the Seedskadee Project.

1.2 Purpose and Need for Action

The purpose of this action is to assure appropriate administration of lands by the U.S. Government. The need for this action is to fulfill Reclamation's requirements to restore to public entry any withdrawn lands when such lands are not required for Reclamation project purposes as outlined in the Reclamation Act of June 17, 1902 (Reclamation Act) (32 Stat. 388; 43 U.S.C. 391). Reclamation has determined that certain lands withdrawn from public entry in Lincoln, Sublette, and Sweetwater Counties are no longer needed for the purposes of the Seedskadee Project.

This action responds to the goals and objectives pursuant to the rules, regulations, and policies contained in 43 CFR 2370 and 603 DM 1.

1.2.1 Project Description

The proposal is to revoke the withdrawal of approximately 147,556 acres of lands that are no longer required for the Seedskadee Project (Appendix A, Description of Lands for Revocation) (Figure 1.3).

1.2.2 Related Actions

There are no related actions to this revocation

1.2.3 Decision Framework

Given the purpose and need, Reclamation will review the environmental effects of the proposed action and other alternatives to make the following decisions:

- To revoke the withdrawal of approximately 147,556 acres (placing them under BLM administration) or,
- to continue to manage these lands in conjunction with the BLM.

1.3 Background

In the 19th century, the United States enacted a number of claiming statutes. These statutes allowed persons to enter public lands and lay claim (take steps to acquire ownership) to various lands or interests in lands. The term "public entry" refers to the public's access to public lands under these statutes. In general, the objective of these statutes was to encourage the settlement and development of the landmass of the nation. The claiming acts included a variety of acts that permitted homesteading, grazing, logging, mining, railroad construction, etc.

The Reclamation Act of 1902, 32 Stat. 388, (1902 Act) established the Reclamation program and, eventually, the Bureau of Reclamation. Section 3 of the 1902 Act empowered Reclamation to "withdraw from public entry the lands required for any irrigation works" planned and developed by Reclamation. This withdrawal from public entry of lands required for the construction of irrigation

facilities (dams, diversions, canals, etc.) is referred to as a "Form One Withdrawal." Section 3 of the 1902 Act also permits Reclamation to "withdraw from entry … any public lands believed to be susceptible of irrigation from said [irrigation] works." This withdrawal from public entry of lands that are planned to be irrigated is referred to as a "Form Two Withdrawal."

Form one and form two withdrawals remove lands from jurisdiction of the claiming acts and, in effect, remove lands from the management and administration of the BLM. These withdrawals place the land under the management and administration of Reclamation.

Section 3 of the 1902 Act also deals with withdrawn lands that are no longer needed for project purposes. In the cases of both form one and form two withdrawals, Section 3 calls on Reclamation to "restore to public entry any of the lands so withdrawn." This restoration to public entry is referred to a "revoking" or "revocation of the withdrawal." Revocation authority is also found in the Federal Land Policy Management Act, P.L. 94-579 (FLPMA).

For the development of the Green River Project, Reclamation began withdrawing public lands from public entry (and acquiring private lands through purchase) in the 1920s for construction of the project and for development of irrigated farmland. These withdrawals and acquisitions continued until 1956 when the Colorado River Storage Project Act authorized the Seedskadee Project as a participating project and replaced the Green River Project.

The Seedskadee Project was authorized by Congress under the authority of the Colorado River Storage Project Act of April 11, 1956 (70 Stat. 105). Seedskadee Project purposes included: municipal and industrial (M&I), irrigation, flood control, and power.

The Act of August 28, 1958 (P.L. 85-797) augmented the authorizing legislation for the Seedskadee Project. It authorized Reclamation to sell to private individuals and business entities the withdrawn and acquired lands that were to be irrigated by the Seedskadee Project. The ultimate objective of the project was to create (through providing irrigation facilities and irrigation water) privately-held, economically-viable agriculture operations. It was for this purpose that Reclamation acquired and withdrew large tracts of land in addition to the lands needed for the dam and reservoir.

After several years, Reclamation determined that agriculture was unfeasible on the Seedskadee lands because of poor climate, soil, and drainage conditions. In 1962, Reclamation ceased further development of irrigation as part of the project. The end of project irrigation rendered the withdrawn lands excess to project purposes—no viable farms could be sold to the public. Under the provisions of Section 3 and under associated policy, Reclamation must revoke its withdrawal of those lands. Reclamation has identified approximately 147,556 acres of

withdrawn lands which are excess to the amount required for the Seedskadee Project.

In 1976, the Federal Land Policy and Management Act (FLPMA) consolidated and replaced many of the terms and conditions of the claiming statutes. It is under authority of Section 3 of the 1902 Act and FLPMA that Reclamation is revoking its withdrawal of these lands. In 1980 Reclamation requested to revoke the withdrawal of the project acres, however the application was never processed. Reclamation began the process again to revoke lands associated with the Seedskadee Project in 1997. This process was suspended pending further analysis of the project area. The revocation will transfer administration and management of these lands from Reclamation to BLM.

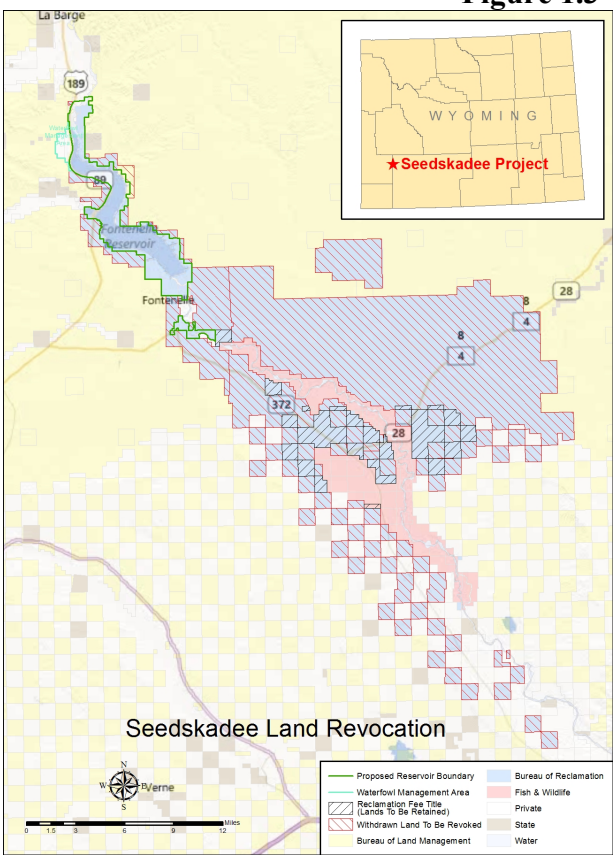
It is important to note that under the terms of FLPMA, Reclamation has partnered with the BLM in the administration and management of these lands for over 30 years. Although Reclamation has had direct responsibility, it recognized the BLM's proximity to the project lands as well as its capability in managing the demands for multiple uses of these lands. As a result, BLM has managed these lands, with Reclamation funding and under Reclamation's direction, consistent with its mission and objectives as outlined in its current Resource Management Plan for the area.

For these reasons, the revocation amounts to little more than an administrative change. It is likely that for some period of time after revocation, BLM will continue to manage these lands as it has under Reclamation's direction. That period may continue for several years. At such time as BLM determines that a significant change in management and administration of these lands may be warranted, it will conduct a public process (according to its law and policy), gathering information and opinions on the scope and nature of any proposed change. BLM's public process will include compliance with NEPA and other applicable statutes.

1.3.1 Location

This map displays the Reclamation withdrawn lands to be revoked, as described under the action alternative. Physical location descriptions of site(s), see Appendix A.

Figure 1.3


La Barge
189
88
Fontenelle Reservoir
Fontenelle
28
4
372
WYOMING
★Seedskadee Project
Seedskadee Land Revocation
Verne
N
S
W
E
0 1.5 3 6 9 12
Miles
Proposed Reservoir Boundary
Waterfowl Management Area
Reclamation Fee Title (Lands To Be Retained)
Withdrawn Land To Be Revoked
Bureau of Land Management
Bureau of Reclamation
Fish & Wildlife
Private
State
Water

1.4 Decision to be Made

Reclamation must decide whether to revoke approximately 147,556 acres of the Seedskadee Project to the BLM.

1.5 Public Involvement

The Seedskadee Revocation Project proposal was presented to the public and cooperating agencies, via a mailing list, and during a public scoping meeting held on October 2, 2012. Comments were accepted at the scoping meeting as well as by e-mail, facsimile, telephone, and standard mail. Using the comments from the public and other agencies, the interdisciplinary team identified issues which are included in Appendix C Public Comments.

1.6 Natural Resource Protection Laws

- National Environment Policy Act of 1969, (42 U.S.C. §§ 4321-4370c.)
- Endangered Species Act of 1973 as amended, (16 U.S.C. 1531-1544, 87 Stat. 884)
- Clean Water Act of 1972 as amended (33 U.S.C. 1251 *et seq.*)
- Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712)
- Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668-668c)
- Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S.C. 9601)
- Superfund Amendments and Reauthorization Act of 1986 (6 U.S.C. Public Law 107-296)
- Resource Conservation and Recovery Act of 1979 (42 U.S.C. 9601)

Cultural Resource Laws

- National Historic Preservation Act of 1966 (16 U.S.C. 470 *et seq.*)
- Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa-470mm *et seq.*)
- Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines (48 FR 44716)

Native American Laws

- American Indian Religious Freedom Act (AIRFA) of 1978 (42 U.S.C. 1996 and 1996a)
- Enhancing the Intergovernmental Partnership (Executive Order 12875, October 26, 1993 [58 Federal Register 58093])

- Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001 *et seq.*)
- Consultation and Coordination with Indian Tribal Governments (Executive Order 13084, May 14, 1998 [63 Federal Register 27655])
- Indian Sacred Sites (Executive Order 13007, May 24, 1996 [61 Federal Register 26771])

Paleontological Resource Laws

- Paleontological Resources Preservation Act of 2009 (Section 6301-6312 of the Omnibus Land Management Act of 2009 [Public Law 111-11 123 Stat. 991-1456]).

1.7 Relationship to Other Projects

There are no known related actions in the project area.

1.8 Document Organization

This EA has been prepared by Reclamation in compliance with the NEPA and other relevant Federal and state laws and regulations. This EA discloses the direct, indirect, and cumulative environmental impacts that would result from the proposed action and alternatives. The document is organized into four sections:

- *Introduction:* This section briefly describes the project history and background, the purpose of and need for the project, and the agency's proposal for achieving that purpose and need. This section also details how Reclamation informed the public of the proposal and how the public responded.
- *Alternatives, including the Proposed Action:* This section provides a detailed description of the agency's proposed action and alternatives considered.
- *Environmental Consequences:* This section describes the environmental effects of implementing the proposed action and other alternatives. This analysis is organized by resource. Within each section, the affected environment is described first, followed by the effects of the No Action Alternative that provides a baseline for evaluation. Effects of the action alternative follow.
- *Consultation and Coordination:* This section provides a list of agencies consulted during the development of the EA.
- *Appendices:* Appendices provide more detailed information to support the analyses presented in the EA.

Additional documentation, including more detailed analyses of project-area resources, may be found in the administrative record located at the Provo Area Office.

Chapter 2: Alternatives

2.1 Introduction

This section describes and compares the alternatives considered for the Seedskadee Revocation Project. It includes a description of each alternative considered. This section also presents the alternatives in comparative form, defining the differences between each alternative.

2.2 No Action Alternative

Under the No Action Alternative, current management plans would continue to guide management of the project area. No administrative action would be implemented to accomplish project goals. The need for Federal action is required by Reclamation's requirement to revoke the withdrawal of lands not needed for project purposes.

2.3 Proposed Action Alternative (Preferred)

After comparing and weighing the benefits and impacts of both feasible alternatives, Reclamation has identified the Proposed Action Alternative as the Preferred Alternative, which is to revoke approximately 147,556 acres of withdrawn lands back to the BLM.

2.4 Comparison of Alternatives

No Action Alternative

Under this alternative, the withdrawal of Seedskadee lands would not be revoked. All resources within the project area would remain under the same management as is currently recognized. Any development of land within the Seedskadee Project would continue to be under the management of the BLM through an agreement with Reclamation.

Proposed Action Alternative

Under this alternative the withdrawal of Seedskadee lands would be revoked and administration of the lands would be turned back to the BLM. All resources within the project area would fall under BLM management. Reclamation would no longer have ownership, nor the option of jurisdictional management, of the

lands identified to be revoked, as recognized within this EA. BLM may decide to alter the plan for land use, after this action, but would do this only after following BLM protocol for public involvement, including NEPA compliance.

2.5 Alternatives Considered But Rejected

During the scoping process, entities and organizations suggested the following alternatives. Reclamation considered each of these three alternatives, and rejected each, as described below.

Lands Exchange with Wyoming Board of Land Commissioners

On October 16, 2012 The Wyoming Office of State Lands & Investments submitted a comment letter to Reclamation outlining an alternative. The alternative they proposed was to exchange Seedskadee Project withdrawn lands, and water that is attached to them, for lands administered by the Board of Land Commissioners. This alternative fails to meet the purpose of securing administration and management of the lands by a Federal agency as well as the need to fulfill Reclamation's requirement to revoke its withdrawal under the authority of Section 3 of the 1902 Act and the Federal Land Policy and Management Act.

Sell or Transfer of Seedskadee Withdrawn Lands to the State of Wyoming

On October 16, 2012 The Wyoming State Legislature's Subcommittee on Federal Natural Resource Management submitted a comment letter to Reclamation outlining two possible alternatives. The Subcommittee's alternative was for Reclamation to sell or transfer Seedskadee Project withdrawn lands to the State of Wyoming or the transfer of management of those lands to the State of Wyoming. The Subcommittee's second alternative was for Reclamation to retain control of the Seedskadee withdrawn lands. This alternative fails to meet the purpose of securing administration and management of the lands by a Federal agency as well as the need to fulfill Reclamation's requirement to revoke its withdrawal under the authority of Section 3 of the 1902 Act and the Federal Land Policy and Management Act.

Revocation of Seedskadee Withdrawn Lands to U.S. Fish & Wildlife Service

The U.S. Fish and Wildlife Service (Service) has expressed an interest in obtaining a portion of the withdrawn lands for the expansion of the Seedskadee National Wildlife Refuge. Although this alternative would allow administration and management of the lands by a Federal agency (in keeping with the purpose), it fails to meet the need to fulfill Reclamation's requirement to revoke its withdrawal under the authority of Section 3 of the 1902 Act and the Federal Land Policy and Management Act.

Chapter 3: Affected Environment and Environmental Consequences

3.1 Introduction

This chapter describes the affected environment and environmental consequences of the proposed action alternative on key resources in the study area. The effects on these resources under the No Action Alternative described in Chapter 2 provide the basis of comparison for the effects of the Proposed Action Alternative.

The following resources are not discussed in this EA: public safety, public health, wilderness, wild and scenic rivers, prime and unique farmland, air quality and climate change, visual resources, agricultural farmlands, wetlands, water quality, floodplain, paleontological resources, and Indian Trust Assets. Impacts to these resources were considered, but not analyzed in detail because they were determined to not be affected by the Proposed Action.

3.2 Resources Eliminated from Analysis

Table 3.2

Resource	Rationale for Elimination from Further Analysis
Public Safety, Public Health	There would be no negative impacts on public safety or public health from the proposed action.
Wilderness and Wild and Scenic Rivers	There are no designated wilderness areas or Wild and Scenic Rivers within the project area; therefore, there is no impact to these resources from the proposed action.
Prime and Unique Farmland	There is no Prime and Unique Farmland within the project area and therefore, there are no impacts to this resource from the proposed action.
Air Quality & Climate Change	There would be no effects to air quality or climate change, as a result of the administrative action associated with this project area.
Visual Resources	There are no impacts to visual resources within the project area.
Agricultural Farmlands	There would be no effects to agricultural farmlands as a result of the administrative action associated with this project area.
Wetlands	There would be no effects on wetlands found within the project area.
Water Quality	There would be no effects to water quality as a result of the administrative action associated with this project area.
Floodplains	There are no impacts to floodplains within the project area from the proposed action.
Paleontological Resources	There are no effects on paleontological resources resulting from the proposed action.
Indian Trust Assets	There are no effects on Indian Trust Assets resulting from the proposed action.

3.3 Affected Environment

During the implementation of this revocation, there would be no related terrestrial, sub-terrestrial, or atmospheric disturbance directly associated with the preferred action. No measurable environmental effects have been recognized to be related to the Seedskadee Revocation Project EA. Specialist information regarding the analyses performed is captured within the following chapter. These aforementioned analyses were conducted by agency professionals, in collaboration with other subject matter experts.

3.3.1 Water Rights

The United States holds various water rights to cover the actual and anticipated diversions, storage, and use of water under the Seedskadee Project. These water rights were acquired by Reclamation, and are backed by water right applications, administered by the Wyoming State Engineers Office. A brief description of each Seedskadee Project water right and its attributes are detailed below.

Permit No. P6629R has a priority date of January 22, 1962, and represents the primary water right for the Seedskadee Project. It allows for the storage of 345,397 acre-feet of water in Fontenelle Reservoir to be used for municipal, industrial, irrigation, domestic, fish propagation, power, recreation, and stockwatering purposes. When this permit was filed in 1962, it listed 190,250 acre-feet of active storage, 154,584 acre-feet of inactive storage, and 563 acre-feet of dead storage. The large inactive capacity was to maintain a minimum water elevation in Fontenelle Reservoir needed to move water into the West and East Side Outlet Canals. However, when Permit No. P6629R was adjudicated and certificated, it was clarified that this permit covers the storage and beneficial use of the entire Fontenelle Reservoir storage capacity regardless of Reclamation's operational constraints.

Permit No. P9502R has a priority date of December 7, 1973, and updates the active and inactive storage limits listed under Permit No. P6629R to reflect the abandonment of the West and East Side Outlet Canals. The active capacity was increased to 264,366 acre-feet and inactive capacity was decreased to 81,031 acre-feet, with the dead storage of 563 acre-feet remaining the same. The inactive capacity was based on hydropower considerations and is the lowest level that riprap extends on the upstream face of the dam. However, this is an operations constraint and Reclamation can change its operations to store and beneficially use the entire storage capacity of Fontenelle Reservoir.

Permit No. P22296 has a priority date of April 3, 1962, and allows for a 1,924 cfs diversion from Fontenelle Dam for hydropower generation at an existing 12 MW powerplant.

Permit No. P22364 has a priority date of April 26, 1955. This permit originally allowed for direct flow diversions from the Green River through the West and East Side Outlet Canals at Fontenelle Reservoir. The diversions and beneficial use of water under Permit No. P22364 are tied to the water available in the river and are completely independent from the water storage and beneficial use under P6629R. As originally filed, this permit allowed for the diversion of 1140 cfs for irrigation, 115 cfs for fish and wildlife purpose at the Seedskadee Refuge, and 110 cfs for Municipal and Industrial Purposes.

On March 1, 1989, Reclamation filed an update to Permit No. P22364 with the Wyoming State Engineer to reflect the abandonment of the plans to build the West and East Side Outlet Canals. This update moved the point of diversion of this water right from the canals to the outlet of Fontenelle Dam and reduced the irrigation component of this water right to 657.3 acres at the Seedskadee Development Farm. The municipal and industrial uses and the fish and wildlife uses remained unchanged.

The Seedskadee lands being considered for revocation were to be irrigated under the West and East Side Outlet Canals. All Seedskadee Project water rights were removed from these lands when the plans to build these canals were abandoned and Permit No. P22364 was updated in 1989. The water stored in Fontenelle Reservoir under Permit No. P6629R is not tied to any specific lands under this permit or any other supplemental secondary permits. Direct flow Permit No. P22364 is now only tied to lands at the Seedskadee Wildlife Refuge and the Seedskadee Development Farm (which is part of the refuge).

3.3.2 Fisheries and Wildlife

Mammals

Big game species common to the area are pronghorn, mule deer, and moose. Although less than 1 percent of Wyoming is classified as riparian, almost 80 percent of its wildlife requires riparian areas for critical portions of their life cycle. Mule deer range throughout the area, but concentrate in greater numbers within riparian habitats. Moose forage extensively on willows and shrubs associated with riparian habitat and also utilize the project area for breeding and calving. Pronghorn range year-round throughout most of the area. The area lies within the range of the Sublette antelope herd, which is one of the largest migratory ungulate herds in the lower 48 states.

Many small mammals are present within the area and utilize all habitat types. More common species include dusky shrew, little brown myotis, cottontail rabbit, white-tailed jackrabbit, least chipmunk, Wyoming ground squirrel, white-tailed prairie dog, northern pocket gopher, deer mice, beaver, meadow vole, muskrat, porcupine, coyote, red fox, raccoon, badger, and striped skunk. Other small animals that may occur, but are less common, include long and short-tailed weasels, otter, pygmy rabbit, marmot, mink, and bobcat.

Birds

Many migratory water birds rely on wetland, riverine, and marsh habitats found in the area for foraging and resting during spring and fall migration. The most common species of ducks breeding in the area include mallard, gadwall, and cinnamon teal. Other duck species found in the area include the green-winged teal, northern pintail, blue-winged teal, northern shoveler, gadwall, and American wigeon. These species utilize wetland and upland habitats during their lifetimes. The lesser scaup, canvasback, redhead, ruddy duck and bufflehead rely upon riverine habitats and open ponded water. The Barrow's goldeneye, common goldeneye, and common merganser utilize riverine and wetland habitats. The Canada goose is an abundant year-round resident of the area utilizing riverine, wetland/marsh, and grass/forb habitats. The trumpeter swan uses open ponded water, marsh, and riverine habitats. Trumpeters use the area for migration, breeding and as wintering habitat. As many as 36 trumpeter swans (2000) have been observed wintering on the Seedskadee National Wildlife Refuge (Refuge) in addition to numerous tundra swans (U.S. Fish and Wildlife Service 2002).

Wading birds found in the area include the great blue heron, white-faced ibis, and sandhill crane. The heron and ibis forage in wetlands and shallow riverine areas and nest over water in cottonwood trees or tall shrubs. Sandhill cranes utilize both wetland/marshy areas and grass/forb habitats for foraging and nesting.

Shorebirds found in the area include: killdeer, spotted sandpiper, greater and lesser yellowlegs, willet, long-billed dowitcher, Wilson's phalarope, and common snipe.

The common merganser, pied-billed grebe, and American coot are found in the area and use open water and tall emergent marshes. The double-crested cormorant and American white pelican subsist on a diet of fish found in riverine and open-water habitats. Exposed river rocks, cottonwood trees, and graveled shorelines provide roosting habitat.

Raptors common to the area include the northern harrier, Swainson's hawk, red-tailed hawk, rough-legged hawk, golden eagle, American kestrel, and the great horned owl. Raptors utilize a variety of wetland, riparian, and upland habitats to forage and nest. Old growth cottonwood trees are heavily utilized by red-tailed hawks, bald eagles, American kestrel, and great horned owls. Small mammal and fish populations in the area are the primary forage base for raptors.

Upland bird species found in the area include sage-grouse, horned lark, and mourning dove. The sage-grouse and horned lark are year-round resident species. The mourning dove is a summer resident that nests in riparian or upland areas and forages primarily in moist riparian or upland grasslands.

Fish

The Big Sandy River is considered a Wyoming State Class 3 trout fishery, one of regional importance. Fish species commonly found in the Green River and its tributaries include rainbow trout, Snake River cutthroat trout, Bonneville cutthroat trout, kokanee salmon, brown trout (naturally reproducing), mountain whitefish, mottled sculpin, white sucker, flannel-mouthed sucker, Utah chub, Bonneville redside shiner, speckled dace, mountain sucker, and fathead minnow.

Since natural successful spawning does not appear to be substantial for Kokanee salmon, the Wyoming Game and Fish spawn the adults, hatch the eggs, and then restock the Green River. Two different strains were stocked, and as a result, two different spawning runs were produced, one in September and one in late October/November, which has occurred since 2002 (U.S. Fish and Wildlife Service 2002).

Reptiles and Amphibians

Amphibians include the tiger salamander, Great Basin spadefoot toad, northern leopard frog, and the boreal chorus frog. The tiger salamander and the spadefoot toad utilize a combination of habitats including marsh, wetland, and riverine areas as well as upland shrub communities near open water. The frogs are found along vegetated margins of rivers, open ponded water, and emergent marshes. Other wetland and riparian areas may be used when close to water or flooded.

Reptiles found in the area include the many-lined skink, northern sagebrush lizard, eastern short-horned lizard, and the wandering garter snake. The many-lined skink can be found in upland grasses with moist subsoils, riparian grass/forb, riparian shrub, and big sagebrush communities. The lizards are likely to be found in upland shrub and grass habitats and particularly in rock outcrops. The eastern yellowbelly racer and the gopher snake prefer upland grass/forb habitats, upland shrub, riparian meadows with rocky outcrops which are important for overwintering. The garter snake's habitat is similar, but also includes emergent marshes or upland habitats which are near open water (U.S. Fish and Wildlife Service 2002).

3.3.3 Threatened and Endangered Species

The Wyoming Field Office of the Service maintains and publishes a compilation of federally-listed endangered, threatened, and candidate species and designated critical habitat in the state by county (USFWS 2012). Table 3.3.1 lists these federally-listed species and their habitat associations that have been documented to occur within Lincoln and/or Sweetwater Counties, and which may occur within the project area.

Table 3.3.3
Endangered, Threatened, and Candidate Species

ENDANGERED	Habitat Association	Known Occurrence in Project Area
FISH		
*Bonytail *Gila elegans*	Riverine habitat downstream of Wyoming in the Yampa, Green, and Colorado River Systems	None
*Humpback chub *Gila cypha*	Riverine habitat downstream of Wyoming in the Yampa, Green, and Colorado River Systems	None
*Colorado pike minnow *Ptychocheilus lucius*	Riverine habitat downstream of Wyoming in the Yampa, Green, and Colorado River Systems	None
*Razorback sucker *Xyrauchen texanus*	Riverine habitat downstream of Wyoming in the Yampa, Green, and Colorado River Systems	None
MAMMALS		
Black-footed ferret *Mustela nigripes*	Prairie dog towns	None
Gray wolf *Canis lupus*	Greater Yellowstone ecosystem (experimental/non-essential population)	None
THREATENED		
MAMMALS		
Canada lynx *Lynx canadensis*	Montane forest	None
Grizzly bear *Ursus arctos horriblis*	Montane forest	None
PLANTS		
Ute ladies' -tresses *Spiranthes diluvialis*	Riparian	None
CANDIDATE		
MAMMALS		
North American wolverine *Gulo gulo luscus*	Subalpine to alpine	None
BIRDS		
Yellow-billed cuckoo *Coccyzus americanus*	Riparian forest	Possible migrant
Greater Sage-Grouse *Centrocercus urophasianus*	Sagebrush/grass	Yes. Suitable habitat exists within project area
PLANTS		
Whitebark pine *Pinus albicaulis*	Subalpine to alpine	None

*These fish species exist within the Upper Colorado River Basin. Any water depletion from the basin is grounds for a jeopardy ruling. Water depletions from *any* portion of the occupied drainage basin are considered to adversely affect or adversely modify the critical habitat of these endangered fish species, and must be evaluated with regard to the criteria described in the pertinent fish recovery programs.

Endangered Species

Colorado River Fish

The four endangered fish species listed in Table 9 are not found in the project area. They are included on the list because any water depletion from the Upper Colorado River Basin would result in a jeopardy ruling for any specific project. The proposed project would not deplete water from the basin. Prior to Fontenelle Dam these fish may have occurred as far north as Green River, Wyoming. These native fish require turbulent rivers with great extremes of flow, temperature, and turbidity. Such conditions no longer exist below Fontenelle Dam.

Black-footed Ferret

The black-footed ferret once occurred throughout the grasslands and basins of interior North America, from southern Canada to Texas (Caughley and Gunn 1996). The black-footed ferret was believed to be extinct throughout North America when a small relic population was discovered in a prairie dog colony near Meeteetse, Wyoming, in 1981. Canine distemper and sylvatic plague decimated that population in 1986 and 1987. The 18 surviving ferrets were captured and became the founder population for federal captive breeding efforts initiated by the Wyoming Game and Fish Department (Thorne and Oakleaf 1991). The only population currently known in the state has been reintroduced into the Shirley Basin area near Medicine Bow in 1991 (Grenier et al. 2007). It is a year-round resident in Wyoming (Van Fleet and Grenier 2009).

The black-footed ferret is a dietary specialist of prairie dogs (Cynomys spp.) and is seldom found outside of prairie dog colonies in basin-prairie shrublands, sagebrush-grasslands, and grasslands (Campbell et al. 1987). It is dependent on prairie dogs for food and all essential aspects of its habitat (Sheets et al. 1972). Important habitat considerations include size of prairie dog complex, prairie dog population abundance and density, spatial arrangement of prairie dog colonies, potential for disease in prairie dogs and ferrets, potential for prairie dog expansion, abundance of predators, future resource conflicts and ownership stability, and public and landowner attitudes (Clark 1989).

Gray Wolf

As of August 31, 2012, Wyoming's thriving population of gray wolves no longer requires the protection of the Endangered Species Act, allowing the Service to return management to the State of Wyoming. As of September 30, 2012, wolves in Wyoming have been managed by the State under an approved management plan. Wyoming's regulatory framework will maintain the State's share of the recovered Northern Rocky Mountain gray wolf population in the absence of the Act's protections.

Gray wolves are not found within the project area. They exist north of the project area mainly in the Bridger-Teton National Forest and the Greater Yellowstone Area.

Threatened Species

Canada Lynx

The Canada lynx occurs throughout the boreal forests of Alaska and Canada and extends south into portions of the Continental United States. In Wyoming, it occurs in the western mountains of the Bridger-Teton, Shoshone, and Targhee National Forests, and Grand Teton and Yellowstone National Parks. It has also been documented in the Uinta, Bighorn, and Laramie mountain ranges as well. The Canada lynx is considered rare in Wyoming.

The Canada lynx inhabits mountain regions, primarily at elevations between 2,356 and 2,869 meters (7,730 to 9,413 feet) and on slopes of 8 to 12 percent. It usually occurs in extensive tracts of dense coniferous forest, primarily Engelmann spruce and subalpine fir. It feeds primarily on snowshoe hares, especially during winter. Older forests with a substantial understory of conifers or small patches of shrubs and young trees provide good quality lynx foraging habitat. The most important component of denning habitat is large woody debris, especially dense tangles of fallen trees and root wads. Such preferred habitat is relatively limited in Wyoming and occurs primarily in multiple use areas of the Shoshone and Bridger-Teton National Forests. The National Parks and designated wilderness areas in Wyoming tend to be marginal lynx habitat as they are either dominated by dry even aged lodgepole pine forests, or are too steep and high in elevation.

Grizzly Bear

Grizzly bear populations within the state of Wyoming are generally found within the Greater Yellowstone Area. They may be found occasionally outside of this area in montane forest habitats. Grizzly bears are not found within the project area.

Ute ladies'-tresses

Ute ladies'-tresses is an orchid that is dependent on sub-irrigated soils in wet meadows that occur along perennial streams, rivers, lakes, or springs between 4,400 and 6,800 feet above mean sea level. This early-seral species often occurs on point bars and sedimentary surfaces created by recent flooding. It prefers open habitats and recent disturbances. Ute ladies'-tresses have not been found in the project area.

Candidate Species

North American Wolverine

The wolverine has a circumpolar distribution that corresponds with the boreal zone of the northern Hemisphere. Historically, North American wolverines were distributed throughout the northern part of the continent, including Alaska, the majority of Canada, the northern tier of states, and south along the Rocky Mountains to Arizona and New Mexico. The current distribution is significantly reduced (Pasitschniak-Arts and Larivière 1995). By the 1920s, it was nearly

extirpated from the northern Rocky Mountains, primarily as a result of fur trapping. The wolverine is an opportunistic feeder that preys on carrion and ungulates in deep snow. Currently, populations in the Greater Yellowstone Ecosystem, northwestern Montana, and central Idaho are low in density but expanding (Wildlife Conservation Society 2007).

The wolverine inhabits subalpine coniferous forests, especially dense, continuous stands in remote mountain areas, and alpine habitats (Pasitschniak-Arts and Larivière 1995). It is closely tied to areas that have greater than 50 percent snow cover in the spring and traditional hypotheses about the importance of roadless areas and low human densities have recently been questioned as not to being the driving characteristics of suitable habitat for wolverines (Aubry et al. 2007, Wildlife Conservation Society 2007). Wolverines occupy a wide range of mature alpine forests, including douglas fir and lodgepole stands. They den primarily in caves, rock crevices, under fallen trees, or in snow (Pasitschniak-Arts and Larivière 1995).

Yellow-billed cuckoo

The Yellow-billed cuckoo is found from southern Canada to South America, breeding across most of the United States (except Oregon, Washington, Idaho, and Montana) and wintering in South America. It is found mainly along the eastern edge of Wyoming, with a few scattered reports from elsewhere in the state. The only areas in Wyoming that currently support the large cottonwood-riparian stands that are required by this species occur in isolated stands along the Bighorn, Powder, and North Platte rivers. The Yellow-billed cuckoo is considered an uncommon summer resident in Wyoming. The population of Yellow-billed cuckoos that occupies areas west of the Continental Divide in Wyoming is included within a distinct population that is a candidate for listing under the Endangered Species Act.

The Yellow-billed cuckoo nests primarily in large stands of cottonwood-riparian habitat below 2100 m (7000 feet). It is a riparian obligate species that prefers extensive areas of dense thickets and mature, deciduous, cottonwood gallery forests near water, and requires low, dense, shrubby vegetation for nest sites. Each nesting pair requires a minimum of 10 ha (25 ac) of broad-leafed forest.

The cuckoo migrates through and breeds within the project area in small numbers. It breeds in willow and cottonwood forests along rivers and streams. Populations are in decline primarily as a result of destruction of their streamside habitat.

Greater sage-grouse

The Greater sage-grouse is a large, long-lived sagebrush-dependent upland game bird. Sage-grouse nest on the ground under sagebrush and feed on sagebrush, forbs, and insects. The degree to which the different sage grouse populations in the state migrate is variable depending on location and severity of winter. Although still considered common in Wyoming, available data and anecdotal

accounts indicate Wyoming's populations have experienced declines over the last half century. Extirpation is not imminent.

Habitat is limited and loss is severe and continues to increase in severity. The ongoing loss of habitat as a result of energy exploration and development is both significant and increasing. Other human activities and disease (West Nile virus) are additional impacts affecting the species.

Sage-grouse depend on sagebrush community types and associated habitats, including basin-prairie and mountain foothill shrub lands. During summer, wet-moist meadows, alfalfa, and irrigated meadows also serve as habitat when immediately adjacent to sagebrush.

Whitebark Pine

Whitebark pine is typically found in cold, windy, high elevation or high latitude sites in western North America and as a result, many stands are geographically isolated. It is a stress-tolerant pine and its hardiness allows it to grow where other conifer species cannot. The species is distributed in Coastal Mountain Ranges (from British Columbia, Washington, Oregon, down to east-central California) and Rocky Mountain Ranges (from northern British Columbia and Alberta to Idaho, Montana, Wyoming, and Nevada).

Whitebark pine is considered a keystone species because it regulates runoff by slowing the progress of snowmelt, reduces soil erosion by initiating early succession after fires and other disturbances, and provides seeds that are a high-energy food source for some birds and mammals. Whitebark pines do not exist within the project area.

Special Status Species

Special status species are those species for which state or federal regulations or designations have been implemented to protect or enhance their populations. These species may have population viability concerns, as evidenced by a significant current or predicted downward trend in numbers or density, or a significant current or predicted downward trend in habitat capability that would reduce the species' existing distribution.

Bald eagles occur year-round in Wyoming. The largest nesting concentration is in the Greater Yellowstone area along the Yellowstone and Snake Rivers. Other major rivers in the state, such as the Green, Upper North Platte, and Bighorn, also support locally high numbers of breeding pairs (Travsky and Beauvais 2004). The species is widespread across the State of Wyoming, with reports in every county. Over 90 breeding pairs occur within the State.

Wintering bald eagles are opportunistic feeders that can be found in a variety of habitats, most often congregating near rivers, lakes, and marshes looking for unfrozen, open water from which to catch fish and waterfowl. Along rivers, bald

eagles typically perch and roost in large cottonwood trees and snags. Bald eagles are protected under the Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, and Lacey Act.

Habitat for Colorado River cutthroat trout *(Oncorhynchus clarki pleuriticus)* typically includes well oxygenated, clear, cool water in rivers, streams, and lakes with clean gravel, cobble, and boulder substrate and abundant cover. In general, cutthroat trout are limited to cooler, clearer tributaries high in a watershed.

The whooping crane has been infrequently observed in the area during migration. Whooping cranes have infrequently been observed on the Hawley wetland unit of the Refuge. The birds are suspect migrants. This population was recently determined to be extinct by the Service (U.S. Fish and Wildlife Service 2002).

The white-faced ibis, black tern, and the American bittern are state special status species that have been observed utilizing wetland/marsh habitat within the area. The white-faced ibis is a common migrant seen in the spring and fall. The American bittern and black tern are infrequently observed in migration. Northern goshawks are rare migrants in the area. Numerous sightings on the Wind River and Wyoming mountain ranges indicate that the Green River may occasionally be used as a migration corridor between summer and winter range (U.S. Fish and Wildlife Service 2002). Trumpeter swans utilize the Refuge for breeding, migration, and as wintering habitat.

Some of the last recorded breeding territories for merlins on the Green River were located on the Refuge. Merlin nesting has not been documented on the Refuge since the late 1980s. A 1999 survey detected no sign of merlins during the breeding season. Through 4 consecutive years (1996 to 2000), one peregrine sighting was recorded in the Tallman, Hay Farm, and Hawley management units of the Refuge, respectively. Maintenance of migration habitat is important for this species (U.S. Fish and Wildlife Service 2002).

Other special status species known to occur in the project area include: pygmy rabbit, American white pelican, ferruginous hawk, burrowing owl, and long-billed curlew, mountain plover, long-eared myotis, Townsend's big-eared bat, pallid bat, snowy egret, Clark's grebe, western grebe, Caspian tern, Forester's tern, black-crowned night-heron, Lewis' woodpecker, Rollins' cat-eye, Wilcox's woolystar, juniper prickly-pear, Nelson's milkvetch, and dwarf milkweed.

Two wild horse herd management areas exist within the project area (i.e., Little Colorado and White Mountain). The Big Sandy River is a natural boundary separating these management areas. These animals are protected under the Wild Free-Roaming Horses and Burrows Act of 1971.

Migratory Birds

Neotropical migratory bird species are found within the project area. Many of these species not only migrate through the area but stop to nest as well. Most of these species rely upon riparian habitats for cover, foraging, and roosting sites.

Swallows use a combination of habitats, to include wetland/marsh, open water, riverine, riparian shrub, forest, and grass/forb communities. The tree swallow and violet-green swallow nest in trees and tree cavities. Northern rough-winged swallow, cliff swallow, and barn swallow, rely on cliffs, river banks or rock outcrops for nest sites. The riparian shrub and forest habitats are the primary habitats utilized by the rufous hummingbird, cordilleran flycatcher, western kingbird, eastern kingbird, western wood-pewee, hermit thrush, warbling vireo, yellow warbler, yellow-rumped warbler, Wilson's warbler, northern oriole, house wren, Lincoln sparrow, common yellowthroat, and western tanager. A few of these species also use grass/forb, upland shrub, or emergent marsh habitats for foraging.

The common nighthawk and brownheaded cowbird use a combination of almost all the habitats found in the area. The marsh wren's habitat is tall emergent marsh. The vesper sparrow uses the grass/forb and upland shrub communities. The savannah sparrow utilizes short emergent marsh and grass/forb communities. Primary nesting habitat for the belted kingfisher, rock wren, and Say's phoebe consists of cliffs and outcrops. The kingfisher forages in open water, while the rock wren and phoebe tend to forage in upland shrub and grass communities.

The northern flicker inhabits the riparian forest's large diameter trees and standing dead wood. It also uses upland shrub and grass/forb habitats. Other less common woodpeckers include downy and hairy woodpeckers and the red-naped sapsucker.

Resident and migrant songbirds includes the mountain bluebird, American robin, dark-eyed junco, white-crowned sparrow, pine siskin, and American goldfinch that use both riparian and upland habitats. The western meadowlark, sage thrasher, Brewer's sparrow, and sage sparrow predominantly use upland habitats. Species like the rubycrowned kinglet and the black-capped chickadee use primarily the riparian forest/shrub habitat. Three blackbirds (the red-winged, yellow-headed, and Brewer's) utilize dense wetland marsh for nesting and foraging. The Brewer's blackbird will also utilize riparian shrub/forest and upland shrub for foraging and migration habitat. The song sparrow often nests near permanent open-water, in dense riparian shrub, dense regenerating forest, or dense upland shrubs. Forage habitat for the song sparrow is in marsh and riparian meadows (U.S. Fish and Wildlife Service 2002).

3.3.4 Vegetation

Since the project area is located on the high desert plain of Wyoming, topography consists mostly of rolling hills and flat bluffs overlooking the Green and Big Sandy rivers. The average annual precipitation is 8 inches with 1/3 of the

precipitation arriving in May and June. Native upland habitats are dominated by sagebrush/grass, greasewood and shadscale plant communities, while bottomland plant communities include wet meadow riparian types.

Riparian Habitats
The Big Sandy River riparian corridor has very few large tree species. Woody species within the areas riparian habitat include several willow species, Wood's rose, silver buffaloberry, skunkbush, gooseberry, basin big sagebrush, mountain silver sagebrush, and redosier dogwood. Other species present include thick spike wheatgrass, alkali sacaton, inland saltgrass, Sandberg bluegrass, Nebraska sedge, and Baltic rush.

Uplands
Uplands are generally characterized by sagebrush/grass communities interspersed with areas of bare ground, desert pavement, and rocks. The predominant shrub species are Wyoming big sagebrush, Douglas' rabbitbrush, spiny hopsage, winterfat, shadscale, and four-wing saltbush. Grasses are dominated by needle-and-thread, Indian ricegrass, downy wheatgrass, and Sandberg's bluegrass.

Upland mixed-grass habitats are found in well-drained upland sites that are rarely flooded within the project area. These communities are dominated by the grass species mentioned above as well as bottlebrush, squirreltail, Junegrass, lupine, globemallow, desert paintbrush, milkvetch, penstemon, evening primrose, wild onion, snakeweed, and numerous composite species.

Saltgrass habitats are found on mildly saline soils that are flooded for short periods in the spring. Saltgrass sites are characterized by a preponderance of saltgrass, alkali sacaton, and whitetop.

Greasewood communities dominate seasonally flooded lowlands where soils are moderately saline. Grass and forbs are uncommon but may include saltgrass, Baltic rush, alkali sacaton, and pickleweed on the most alkaline sites.

3.3.6 Cultural Resources
Cultural resources are defined as physical or other expressions of human activity or occupation. Such resources include culturally significant landscapes, prehistoric and historic archaeological sites, as well as isolated artifacts or features, traditional cultural properties, Native American and other sacred places, and artifacts and documents of cultural and historic significance.

Section 106 of the NHPA mandates that Reclamation take into account the potential effects of a proposed Federal undertaking on historic properties. Historic properties are defined as any prehistoric or historic district, site, building, structure, or object included in, or eligible for, inclusion in the NRHP. Potential effects of the described alternatives on historic properties are the primary focus of this analysis.

The affected environment for cultural resources is identified as the area of potential effects (APEs), in compliance with the regulations to Section 106 of the NHPA (36 CFR 800.16). The APE is defined as the geographic area within which federal actions may directly or indirectly cause alterations in the character or use of historic properties. The APE for the proposed action consists of all lands proposed for revocation.

Cultural Resources Status

A records search was completed by Reclamation's archeologist in August 2012, with the assistance of the Wyoming State Historic Preservation Office (SHPO), for the APE as defined in the Action Alternative and analyzed for the Proposed Action. As a result of the records search, a total of 785 previously conducted cultural resource inventories were identified. A total of 909 cultural resource sites were recorded during these inventories. A total of 122 sites have been determined eligible for the NRHP with SHPO concurrence. A total of 53 sites have been recommended eligible for the NRHP. A total of 325 sites have been determined ineligible for the NRHP with SHPO concurrence, while another 188 have been recommended ineligible. Six sites have been destroyed since their initial recording and three sites are listed on the NRHP. The NRHP eligibility of 212 sites remains unknown. A total of 361 isolates were also recorded during the aforementioned inventories.

In compliance with 36 CFR 800.4(d)(2) and 36 CFR 800.11(e), a determination of no historic properties affected has been submitted to the Wyoming SHPO as well as tribes which may attach religious or cultural significance to historic properties possibly affected by the proposed action for consultation. Copies of the cultural resource-related response letters are located in Appendix B.

3.3.7 Recreation

The potential revocation of certain lands associated with the Seedskadee Project in Wyoming manifests itself, recreation-wise, only at Fontenelle Reservoir and the various surrounding recreation sites. Fontenelle Reservoir is situated approximately 32 miles north of Kemmerer, Wyoming, on US 189 at an elevation of 6,500 feet. Reclamation is responsible for recreation management with assistance from the BLM through an inter-agency agreement.

Recreation Opportunities and Facilities

There is moderate demand for recreation on the reservoir such as camping, day-use activities and boating. However, demands of the recreation-minded public below the dam has increased. Most popular recreation pursuits include: fishing, camping, and boating; and during the winter ice fishing on the reservoir. Recreational day-use and camping facilities are as follows:

Names Hill
Names Hill is located on the north end of the reservoir and is used mainly as a 'take-out' for boaters coming down the Green River. A single vault toilet was installed in 2011with ADA parking.

Fontenelle Creek Campground
Fontenelle Creek Campground is located on the west side of the reservoir along US 189. Current facilities include a boat ramp, a lower loop of 24 camp sites, an upper loop of 31 camp sites, a day use group shelter, and restroom. All camp units will be provided with a fire ring, picnic table, and shelters. Flush restrooms and running water are available. This area also features a boat ramp.

Spillway Boat Ramp
Spillway Boat Ramp is the second ramp on Fontenelle Reservoir. This recreation facility features a double vault toilet and large boat parking.

River Access
River Access is a point on the Green River below the dam that accommodates raft and river boat launching. This area includes a single vault toilet.

Weeping Rock Campground
Weeping Rock Campground is one of two campgrounds below the dam on the west bank of the Green River. The proximity to the dam is just over ½ mile away. There exists one double unit vault toilet and a river-boat access point. Facilities are primitive. Currently, there are no entry or launch fees.

Slate Creek Campground
Slate Creek Campground is the largest and most used facility at the Fontenelle Reservoir Recreation Facility. It is located below the dam on the west bank of the Green River and adjacent to the first bridge. There exist two double unit vault toilets and a river-boat access on the south end near the campground entrance. Facilities are primitive. Currently, there are no entry or launch fees.

Tailrace Campground
Tailrace Campground is a small facility located on the east side of the Green River. This campground is accessible by crossing downstream from Slate Creek Campground and traversing gravel roads for approximately 4.6 miles. Tailrace Campground is within the vicinity of Fontenelle Dam (2,000 feet). There exists a single unit vault toilet and five to seven primitive camp sites. Currently, there are no entry or launch fees.

3.3.8 Socioeconomic Resource

Fontenelle Dam and Reservoir are the most prominent physical features in the southwest corner of Lincoln County, Wyoming. The reservoir is a significant source of recreational opportunities for area residents and is the only body of water capable of supporting power-boating activities within a 70-mile driving radius. There are four designated campgrounds and one day-use area at

Fontenelle Reservoir. According to Reclamation Recreation Specialists, Fontenelle recreation areas received a total of 4,201 visitor days in fiscal year 2011.

3.3.9 Land Use

The Seedskadee Revocation Project (Project) includes approximately 147,556[1] acres of withdrawn land that are managed primarily by the BLM through an agreement with Reclamation. In addition there are an additional 8,475 acres of withdrawn land that will be retained for Project purposes located immediately around the reservoir (156,031 total acres of withdrawn land). In addition to these withdrawn lands, Reclamation acquired through fee purchase (fee) approximately 20,882 acres. The fee lands will be retained by Reclamation. These lands and the surrounding lands are primarily rural high desert and are tied to traditional natural resource based industries. They are managed for multiple purposes including agricultural, wildlife habitat, and mineral extraction, particularly oil and gas. The Project lands are adjacent to the Seedskadee Wildlife Refuge which is managed by the Fish and Wildlife Service.

Grazing is the primary agricultural use of the lands in the Project area. Arid conditions and relatively unproductive soils preclude extensive crop development. Livestock grazing is currently managed by BLM.

Oil and gas extraction is jointly managed by Reclamation and BLM. The BLM is the lead agency for the mineral leasing and for issuing Area of Potential Development (APD) permits. They also permit surface uses that involve both Reclamation withdrawn lands and BLM administered lands. Reclamation issues surface use permits for mineral uses, including gravel extraction, that are exclusively contained on Reclamation lands. The BLM manages the Project lands for fish and wildlife habitat through following the Resource Management Plans published by its various offices within their jurisdictions.

3.3.10 Hazardous Materials and Waste

The Project area contains many oil and gas development sites and distribution facilities. These sites may include well pads, settling ponds, above ground storage tanks for fuel or well-produced fluids, and other appurtenant facilities associated with oil and gas exploration and production. The distribution facilities are mainly underground pipelines transporting oil, gas, and fluids produced from oil and gas wells. Trucks are used to transport fuel or oil and gas products on access roads in the Project area.

[1] This number may be subject to further revision.

3.3.11 Non Renewable Resources

Oil and gas extraction is jointly managed by Reclamation and the BLM. The BLM is the lead agency for producing NEPA documents associated with the mineral leasing and for the issuing area of potential disturbance. They also permit surface uses that involve both Reclamation withdrawn lands and BLM administered lands. Reclamation issues surface use permits for mineral uses, including gravel extraction, that are exclusively contained on Reclamation lands.

3.4 Environmental Consequences

This portion of Chapter 3 will provide recognized environmental consequences by alternative, for both the No Action and Proposed Action Alternatives.

3.4.1 Water Rights

No Action Alternative

Seedskadee Project water rights will not be affected by this alternative because the lands involved are not tied to any project water rights. A portion of the study area may have been originally intended for irrigation via the West and East Side outlet canals. However, all Seedskadee Project water rights were moved from these lands when the plans to build these canals were abandoned and Permit No. P22364 was updated in 1989. The water stored in Fontenelle Reservoir is not tied to any specific lands and the direct flow Seedskadee water rights are only tied to lands at the Seedskadee Wildlife Refuge and Seedskadee Development Farm.

Proposed Action Alternative

Seedskadee Project water rights will not be affected by this proposed alternative because the lands involved are not tied to any project water rights. A portion of the study area may have been originally intended for irrigation via the West and East Side outlet canals. However, all Seedskadee Project water rights were moved from these lands when the plans to build these canals were abandoned and Permit No. P22364 was updated in 1989. The water stored in Fontenelle Reservoir is not tied to any specific lands and the direct flow Seedskadee water rights are only tied to lands at the Seedskadee Wildlife Refuge and Seedskadee Development Farm.

3.4.2 Cultural Resources

No Action Alternative

Under the No Action Alternative, there would be no impacts to cultural resources. The existing conditions would remain intact and would not be affected.

Proposed Action Alternative

Under the Action Alternative, there would be no impacts to cultural resources. The existing conditions would remain intact and would not be affected.\

3.4.3 Fisheries and Wildlife

No Action Alternative

Under the No Action Alternative, fish, terrestrial wildlife, and habitat would remain in its current condition, and there would be no gains or losses to fish and wildlife, or their habitats as a result of this revocation.

ProposedAction Alternative

Under the Action Alternative, fish, terrestrial wildlife, and habitat would remain in its current condition, and there would be no gains or losses to fish and wildlife, or their habitats as a result of this administrative land reassignment.

Special Status Species

No Action Alternative

There would be no impact to State Sensitive Species under the No Action Alternative.

Proposed Action Alternative

There would be no impact to State Sensitive Species under the Action Alternative.

3.4.4 Threatened and Endangered Species

No Action Alternative

The No Action Alternative would have a "No Effect – Not likely to adversely affect" on threatened or endangered species. Not performing the land transfer would not affect threatened and endangered species, because their habitats would be unchanged.

Proposed Action Alternative

The Proposed Action would have a "No Effect – Not likely to adversely affect" on threatened and endangered species. The transfer would not affect threatened and endangered species, because their habitats would be unchanged.

3.4.5 Vegetation

No Action Alternative

Under the No Action Alternative, there would be no impacts to vegetative communities. The existing conditions would remain intact and native flora would not be affected.

Proposed Action Alternative

Under the Action Alternative, there would be no impacts to vegetative communities. The existing conditions would remain intact and native flora would not be affected.

3.4.6 Invasive Species

No Action Alternative

Under the No Action Alternative, there would be no impacts from invasive species by not performing the revocation. The existing conditions would remain

intact and current site noxious weed conditions would not be intensified as a result.

Proposed Action Alternative
Under the Action Alternative, there would be no impacts from invasive species as a result of this action. The existing conditions would remain intact and current site noxious weed conditions would not be intensified as a result.

3.4.7 Recreation

No Action Alternative
Under the No Action Alternative, there would be no impacts to recreation, by not performing the revocation. The existing conditions would remain intact and current site management for recreation would continue as a result.

Proposed Action Alternative
Under the Action Alternative, there would be no impacts to recreation, by performing the revocation. The existing conditions would remain intact and current site management for recreation would continue as a result.

3.4.8 Socioeconomic Resources

No Action Alternative
Under the No Action Alternative, there would be no impacts to socioeconomic resources. Reclamation would continue to hold title to the lands and recreation facilities, and the BLM would continue to operate and maintain the lands and recreation facilities under the terms and conditions as specified in the Interagency Agreement between Reclamation and the BLM signed on March 25, 1983.

Proposed Action Alternative
The proposed action alternative would have minimal impacts on the socioeconomic factors in the area surrounding Fontenelle Reservoir. The BLM has operated the subject lands and campgrounds under Reclamation ownership since 1972 and under the proposed alternative would continue to operate them under BLM proprietorship. Much of the subject land is currently used for grazing, hunting, or other recreational pursuits, and any variance of such uses is not subject to the proposed changes under this EA.

3.4.9 Land Use

No Action Alternative
This alternative would have no affect on land use within the Seedskadee revocation project area. The BLM will continue to manage the Seedskadee lands under an existing agreement with Reclamation.

Proposed Action Alternative
The proposed action would have a no affect as the BLM is currently responsible for the majority of the land use management.

3.4.10 Hazardous Waste

No Action Alternative

Under the No Action Alternative, there would be no impacts associated with the use and management of hazardous materials. Reclamation, through its withdrawal, would continue to have jurisdiction over the Project lands. Joint management of the lands by Reclamation and BLM would continue as outlined under the 1983 Interagency Agreement, thereby allowing the same land and mineral use activities currently practiced on the Project lands.

Proposed Action Alternative

The Action Alternative would have minimal impacts on the use and management of hazardous materials. Oil and gas extraction is jointly managed by Reclamation and the BLM; however, the BLM manages the majority of this work by preparing NEPA documents, issuing mineral leases and APDs, and managing some oil and gas surface use while Reclamation only manages some oil and gas surface use. BLM also monitors most of the oil and gas sites, including those licensed by Reclamation. Therefore, the Action Alternative would have minimal impacts on the management of hazardous materials as the BLM can easily absorb Reclamation's management activities into its current actions.

3.4.11 Non-Renewable Resources

No Action Alternative

The action alternative would have no effect on the management for this use. The BLM will continue to manage the Seedskadee lands site as directed by its Resource Management Plan for that resource area.

Proposed Action Alternative

The proposed action would have no affect on the management of energy, oil, and gas. The BLM will continue to manage the Seedskadee lands site as directed by its Resource Management Plan for that resource area.

Table 3.4
Summary of Environmental Consequences by Alternative

	No Action Alternative	Proposed Action Alternative
Water Rights	Seedskadee Project water rights will not be affected by this proposed alternative because the lands involved are not tied to any project water rights.	Seedskadee Project water rights will not be affected by this proposed alternative because the lands involved are not tied to any project water rights.
Fisheries and Wildlife	Fish, terrestrial wildlife, and habitat would remain in its current condition, and there would be no gains or losses to the fish, wildlife, and habitat as a result of not performing this administrative land reassignment.	Fish, terrestrial wildlife, and habitat would remain in its current condition, and there would be no gains or losses to the fish, wildlife, and habitat as a result of performing this administrative land reassignment.
Threatened and Endangered	The No Action Alternative would have a "No Effect – Not Likely to Adversely Affect" on threatened or endangered species or their respective habitats.	The Action Alternative would have a "No Effect – Not Likely to Adversely Affect" on threatened and endangered species or their habitats would be unchanged.
Vegetation	There would be no impacts to vegetative communities. The existing conditions would remain intact and native flora would not be affected.	There would be no impacts to vegetative communities. The existing conditions would remain intact and native flora would not be affected.
Invasive Species	There would be no impacts from invasive species by not performing the revocation. The existing conditions would remain intact and current site noxious weed conditions would not be intensified as a result.	There would be no impacts from invasive species as a result of this action. The existing conditions would remain intact and current site noxious weed conditions would not be intensified as a result.
Cultural	There would be no impacts to cultural resources. The existing conditions would remain intact and would not be affected.	There would be no impacts to cultural resources. The existing conditions would remain intact and would not be affected.
Recreation	There would be no impacts to recreation by not performing the revocation. The existing conditions would remain intact and current site management for recreation would continue as a result.	There would be no impacts to recreation by performing the revocation. The existing conditions would remain intact and current site management for recreation would continue as a result.
Socioeconomic	There would be no impacts to socioeconomic resources.	There would be minimal impacts to socioeconomic resources.
Land Use	No Effect	No Effect
Hazardous Waste	No Effect	No Effect
Energy Oil and Gas	No Effect	No Effect

3.6 Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, signed by President Clinton on February 11, 1994, directs Federal agencies to take steps to identify and address disproportionately high and adverse effects of Federal projects on the health or environment of minority and low-income communities. The definition of low-income populations is based on Department of Health and Human Services poverty guidelines. For the year 2012, this was $23,050 for a family of four. Minority is defined using census data as Black, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander.

According to the U.S. Census Bureau (2012), during the 2006 to 2010 period, 93 percent of the population of the three counties in the Seedskadee revocation project area was white. Table 3.6.1 shows the numbers and percentages by county, compared to the United States. The row labeled “Hispanic or Latino” reflects the people of any race who self-identified as Hispanic. It cross-cuts the racial categories listed in the rows above. The three counties cannot be classified as having a high percentage of minorities for environmental justice purposes.

Table 3.6.1
Population of Sublette, Sweetwater, and Lincoln Counties, Wyoming, by Race, 2006 – 2010

	Sublette	Sweetwater	Lincoln	3 Counties	U.S.
Population Number	9,322	42,266	17,447	69,035	303,965,272
White alone	8,229	39,112	16,969	64,310	224,895,700
Black or African American alone	2	111	5	118	37,978,752
American Indian alone	91	132	99	322	2,480,465
Asian alone	52	232	59	343	14,185,493
Native Hawaiian & Other Pacific Islander alone	0	5	0	5	491,673
Some other race alone	7	875	38	920	16,603,808
Two or more races	941	1,799	277	3,017	7,329,381
Hispanic or Latino	1,164	5,849	645	7,658	47,727,533
Percent of Total					
White alone	88.3	92.5	97.3	93.2	74.0
Black or African American alone	0.0	0.3	0.0	0.2	12.5
American Indian alone	1.0	0.3	0.6	0.5	0.8
Asian alone	0.6	0.5	0.3	0.5	4.7
Native Hawaiian & Other Pacific Islander alone	0.0	0.0	0.0	0.0	0.2
Some other race alone	0.1	2.1	0.2	1.3	5.5
Two or more races	10.1	4.3	1.6	4.4	2.4
Hispanic or Latino	12.5	13.8	3.7	11.1	15.7

Source: U.S. Department of Commerce (2012). Census Bureau, American Community Survey Office, Washington DC.

Table 3.6.2 shows the statistics on poverty for the three counties. In the 2006 to 2010 study period, the U.S. had almost 14 percent of the population living below the poverty threshold, while the three counties in Wyoming had only 7.6 percent of the people or 5.3 percent of families living in poverty. This table shows that the three counties cannot be defined as low-income populations for environmental justice purposes.

Table 3.6.2
Poverty Levels for Sublette, Sweetwater, and Lincoln Counties, Wyoming, 2006 – 2010

Number	Sublette	Sweetwater	Lincoln	3 Counties	U.S.
People	9,204	41,560	17,389	68,152	296,141,149
Families	2,370	11,630	4,795	18,795	76,254,318
People below Poverty	384	3,407	1,403	5,194	40,917,513
Families below Poverty	64	715	219	998	7,685,345
Percent of Total					
People below Poverty	4.2	8.2	8.1	7.6	13.8
Families below Poverty	2.7	6.1	4.6	5.3	10.1

In conclusion, no minority or low-income populations have been identified that would be adversely affected by the Proposed Action Alternative. Therefore, this proposed action is not subject to the provisions of Executive Order 12898 and no further analysis is required

3.8 Cumulative Effects

An accurate assessment of cumulative effects requires an analysis of the impacts resulting from the Proposed Action Alternative over time and space. Cumulative effects were examined for all the resources analyzed within this EA. Under both the No Action Alternative and the Proposed Action Alternative, no past, present, or reasonably foreseeable actions are expected to result in cumulative effects

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Chapter 4: Consultation and Coordination

4.1 Introduction

Reclamation's public involvement process, to include other agencies, endeavors to obtain information about a given project and allows all interested parties to participate in the NEPA process through written comments. The key objective is to create and maintain a well-informed, active public that assists decision makers throughout the process, culminating in the implementation of an alternative. This section of the EA discusses public involvement activities undertaken to date for the Seedskadee Revocation Project.

The following agencies, tribes and individuals were consulted during the development of this EA.

4.2 Native American Consultation

Reclamation's archeologist conducted Native American consultation throughout the public involvement process. Consultation letters, dated November 28, 2012, including a map and list of the legal descriptions detailing the APE, were sent to the Ute Indian Tribe of the Uintah and Ouray Reservation, the Northwestern Band of Shoshoni Nation of Utah, the Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho, the Arapahoe Tribe of the Wind River Reservation, and the Shoshone Tribe of the Wind River Reservation. This consultation was conducted in compliance with 36 CFR 800.2(c)(2) on a government-to-government basis. Through this effort each tribe is given a reasonable opportunity to identify any concerns about historic properties; to advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance; to express their views on the effects of the proposed action on such properties; and to participate in the resolution of adverse effects. Reclamation received no response from the consulted tribes.

4.3 Wyoming State Historic Preservation Office

In a letter dated November 27, 2012, Reclamation's archeologist submitted a determination of no historic properties affected for the proposed action to the SHPO. SHPO concurred with Reclamation's determination in a letter dated December 19, 2012 (Appendix B).

4.4 Bureau of Indian Affairs

In a letter dated October 15, 2012, Reclamation's archeologist requested an evaluation of Indian Trust Assets (ITAs) within the APE from the Bureau of Indian Affairs (BIA). A response letter was received on October 29, 2012, from the BIA. The BIA indicated that no ITAs are within the project area (Appendix B).

4.5 Coordination with Cooperators and the Public

4.5.1. Cooperating Agency Involvement

A Cooperating Agency request letter was sent by Reclamation to the following cooperators on June 22, 2012: BLM, USFS, State of Wyoming, Sublette County Commission, Lincoln County Commission, Sweetwater County Commission, and Sweetwater County Conservation District. A cooperators meeting was held in Rock Springs, Wyoming, on September 25, 2012. Meetings with individual cooperators regarding the project were held by Reclamation from November 27, 2012 to December 14, 2012.

4.5.2 Public Involvement

The public scoping period for this EA began on June 4, 2012, and ended on October 9, 2012. During this time, the public was encouraged to submit comments. During the public scoping period, one public meeting was held on October 2, 2012, and multiple public comments were received (see Appendix C).

A copy of this EA was made available to the public on February 4, 2013.

Chapter 5: Preparers

The following table provides a list of the agency representatives and consultants who participated in the preparation of the EA.

Table 5.1
List of Preparers

Name	Title/Position	Contributions
Agency Representatives		
Kerry Schwartz	Water and Environmental Resources Division Manager, Bureau of Reclamation, Provo Area Office	Project Manager
Jeffrey D'Agostino	Environmental Group Chief, Bureau of Reclamation, Provo Area Office	Project Coordination
Bryson Code	Biologist, Bureau of Reclamation, Provo Area Office	Biological Resource Oversight
W. Russ Findlay	Biologist, Bureau of Reclamation, Provo Area Office	Biological Resource Oversight
Brian Joseph	Archaeologist, Bureau of Reclamation, Provo Area Office	Cultural Resources, Paleontological Resources, and Indian Trust Assets
C. Shane Mower	Biologist, Bureau of Reclamation, Provo Area Office	Biological Resource Oversight
Peter Crookston	Environmental Protection Specialist, Bureau of Reclamation, Provo Area Office	NEPA Oversight
David Krueger	Lands Group Chief, Bureau of Reclamation, Provo Area Office	Lands Oversight
Dick Marvin	Realty Specialist, Bureau of Reclamation, Provo Area Office	Lands Oversight

Name	Title/Position	Contributions
Agency Representatives		
Justin Record	Water Rights Engineer, Bureau of Reclamation, Provo Area Office	Water Rights
Johnn Sterzer	Landscape Architect, Bureau of Reclamation, Provo Area Office	Recreation

Chapter 6: References

Aubry, K.B., K.S. McKelvey, and J.P. Copeland. 2007. Distribution and broadscale habitat relations of the wolverine in the continental United States. Journal of Wildlife Management 71:2147-2158.

Campbell III, T. M., T. W. Clark, L. Richardson, S.C. Forrest, and B.R. Houston. 1987. Food habits of Wyoming black-footed ferrets. American Midland Naturalist 117:208-210.

Caughley G, Gunn A. 1996. Conservation biology in theory and practice. Cambridge (MA): Blackwell Science. 459 p.

Clark, TW. 1989. Conservation biology of the black-footed ferret *Mustela nigripes*. Wildlife Preservation Trust International.

Grenier, M.B., D.B. McDonald, S.W. Buskirk . 2007. Rapid population growth of a critically endangered carnivore. Science 317:779.

Pasitschniak-Arts M, Lariviére S. 1995. Gulo gulo. Mammalian Species 499:1-10.

Schmidt, Owen L. 2008. Writing the perfect EA/FONSI or EIS. 2nd ed. Portland, OR: Rose City Park Press Publishing**.**

Sheets, R. G., R.L. Linder, and R.B. Dalhgren. 1972. Food habits of two litters of black-footed ferrets in South Dakota. American Midland Naturalist 87:249-251.

Thorne ET, Oakleaf B. 1991. Species rescue for captive breeding: black-footed ferret as an example. In: Beyond captive breeding. Symp Zool Soc London 62:241-61.

Travsky, A., Beauvais, G.P. 2004. Species Assessment for Bald Eagle (*Haliaeetus leucocephalus*) in Wyoming.

U.S. Department of Commerce. 2012. Census Bureau, American Community Survey Office, Washington D.C.,

U.S. Fish and Wildlife Service. 2002. Seedskadee National Wildlife Refuge Comprehensive Conservation Plan.

U.S. Fish and Wildlife Service. 2010. U.S. Fish and Wildlife Service, Wyoming Field Office, 5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009. Accessed October 2012. http://www.fws.gov/wyominges

Van Fleet, L. and M. Grenier. 2009. Spotlighting for free ranging black-footed ferrets in the Shirley Basin/Medicine Bow Management Area, Wyoming. In: Orabona, A., ed.

Wildlife Conservation Society. 2007. Greater Yellowstone Wolverine Program. Wildlife Conservation Society, Wolverine Program Field office, Ennis, MT.

Appendices

Appendix A
Description of Lands for Revocation

SEEDSKADEE PROJECT, WYOMING
(GREEN RIVER RECLAMATION PROJECT)
DESCRIPTION OF LANDS FOR REVOCATION
SECRETARY'S ORDER DATED DECEMBER 23, 1919
SERIAL NO. W-71832

	Township 19 North, Range 108 West	
Section		**Acres**
18	All	624.24
20	All	640.00
	Total	1,264.24
	Township 22 North, Range 108 West	
Section		**Acres**
3	All	752.60
4	All	750.80
5	All	750.80
6	All	736.31
7	Lot 5, NE¼NW¼, N½NE¼	157.31
8	All	640.00
9	N½ ,N½ S½	480.00
10	All	640.00
11	All	640.00
12	All	640.00
13	NE¼, N½NW¼, SE¼NW¼, NE¼SW¼, N½SE¼	400.00
14	ALL	640.00
15	N½NE¼, NE¼NW¼	120.00
16	All	640.00
18	All	630.40
20	All	640.00
22	All	640.00
	TOTAL	9,898.22
	Township 23 North, Range 108 West	
Section		**Acres**
4	All	640.48
5	All	640.36
6	All	662.59
7	All	655.92
8	All	640.00
9	All	640.00
10	All	640.00
15	All	640.00
16	All	640.00
17	All	640.00
18	All	648.76
19	All	642.04
20	All	640.00
21	All	640.00

22	All	640.00
26	All	640.00
27	All	640.00
28	All	640.00
29	All	640.00
30	All	636.60
31	All	630.00
32	All	640.00
33	All	640.00
34	All	640.00
35	All	640.00
	Total	16,036.75
	Township 24 North, Range 108 West	
Section		**Acres**
31	All	665.92
	Total	665.92
	Township 19 North, Range 109 West	
Section		**Acres**
2	All	643.94
	Total	643.94
	Township 20 North, Range 109 West	
Section		**Acres**
6	All	564.61
18	All	683.52
20	All	640.00
26	E½NE¼, W½, S½SE¼	480.00
36	All	546.59
	Total	2,914.72
	Township 21 North, Range 109 West	
Section		**Acres**
18	Lots 1-4, E½W½, SE¼	478.95
20	All except NE¼NE¼	600.00
26	NE¼NE¼	40.00
28	All	640.00
30	All	640. 80
32	All	640.00
34	All	640.00
	Total	3,679.75
	Township 22 North, Range 109 West	
Section		**Acres**
1	All	533.30
2	All	562.84
3	Lots 5-8, S½N½, N½S½	402.04
4	All	561.20
5	Lots 5-8, S½N½, N½S½	400.00
6	All except Lot 14	510.39
8	All	640.00
10	All	640.00
11	NE¼NE¼	40.00

12	All	605.48
14	All	640.00
18	Lots 12-13, W½NE¼SW¼, SE¼NE¼SW¼, SE¼SW¼	144.44
22	All	640.00
24	All	605.87
26	All	640.00
28	E½ , E½W½	480.00
30	All except NE¼NE¼NE¼	621.40
34	All	640.00
	TOTAL	9,306.96
	Township 23 North, Range 109 West	
Section		**Acres**
1	All	726.47
2	All	718.32
3	All	716.56
4	All	713.24
5	All	710.32
6	All	624.14
7	All	567.24
8	All	640.00
9	All	640.00
10	All	640.00
11	All	640.00
12	All	653.48
13	All	661.92
14	All	640.00
15	All	640.00
16	All	640.00
17	All	640.00
18	All	567.60
19	All	568.60
20	All	640.00
21	All	640.00
22	All	640.00
23	All	640.00
24	All	670.52
25	All	678.64
26	All	640.00
27	All	640.00
28	All	640.00
29	All	640.00
30	All	569.00
31	All	568.56
32	All	640.00
33	All	640.00
34	All	640.00
35	All	640.00
36	All	640.00
	Total	23,154.61

	Township 20 North, Range 110 West	
Section		**Acres**
12	All	640.00
	Total	640.00
	Township 21 North, Range 110 West	
Section		**Acres**
2	S½	320.00
4	All	637.88
12	All	640.00
24	All	640.00
	Total	2,237.88
	Township 22 North, Range 110 West	
Section		**Acres**
1	Lots 5-8, S½N½, N½SE¼	400.04
2	Lot 5, 16, 18	80.10
3	S½NW¼, N½S½	240.00
4	SE¼NE¼, Portion of the SW¼NE¼, E½SW¼ outside refuge, SE¼	272.83
5	S½NW¼, N½SW¼, SW¼SW¼, Portion of the SW¼NE¼, NW¼SE¼ outside refuge	234.46
6	All except the E½ of Lot 8	596.55
7	Lot 5, NE¼NW¼, N½NE¼	154.56
8	All except a portion of the NE¼NE¼ inside refuge	617.48
10	All	640.00
12	SW¼SW¼, W½SE¼SW¼, SE¼SE¼SW¼	70.00
14	All	640.00
18	All	620.24
20	All	640.00
22	N½, N½S½	480.00
24	All	640.00
28	S½NW¼, SW¼	240.00
30	All	623.00
32	All	640.00
	TOTAL	7,829.26
	Township 23 North, Range 110 West	
Section		**Acres**
1	All	618.72
2	All	611.84
3	All	603.92
4	All	594.96
5	All	585.92
6	All	553.94
7	All	612.92
8	All	640.00
9	All	640.00
10	All	640.00
11	All	640.00

12	All	640.00
13	All	640.00
14	All	640.00
15	All	640.00
16	All	640.00
17	All	640.00
18	All	613.80
19	All	614.84
20	All	640.00
21	All	640.00
22	All	640.00
23	All	640.00
24	All	640.00
25	All	640.00
26	All	640.00
27	All	640.00
28	All	640.00
29	All except Lot 1	600.00
30	Lots 5-6, NE¼, E½NW¼, N½SE¼	387.75
31	Lots 12-14, W½ of Lot 15, SE¼NW¼, E½SW¼, W½SE¼	321.93
34	N½NE¼, N½SW¼NE¼, N½SW¼SW¼NE¼, SE¼SW¼NE¼, SE¼NE¼,	155.00
35	All except the S½ of Lot 1	619.66
36	All	640.00
	TOTAL	20,295.20
	Township 22 North, Range 111 West	
Section		**Acres**
1	All	639.96
2	All	640.20
3	All	640.72
4	Lot 5, SE¼NE¼	80.25
10	All	640.00
11	N½N½	160.00
12	All	640.00
14	All	640.00
	Total	4,081.13
	Township 23 North, Range 111 West	
Section		**Acres**
1	All	569.34
2	All	565.36
3	All	561.84
4	All	557.92
5	All	551.08
6	Lots 14, 15, 20, 21, 22 and 27	121.66
7	Tracts 38A, 38B, 38C and 38D, Lots 18, 20, 22 and the E½ of Lot 21	328.87
8	All	605.28
9	All	640.00
10	All	640.00

11	All	640.00
12	All	640.00
13	All	640.00
14	Lot 12, N½, E½SE¼, NW¼SE¼, N½SW¼SE¼	478.02
15	N½, N½SW¼, W½NW¼SE¼	420.00
17	SW¼, SW¼SE¼	200.00
18	Lots 11, 12, 16 and 17, E½SW¼, SE¼	412.32
19	All	653.92
20	All	640.00
21	Lot 5, SW¼NE¼, W½NW¼, SE¼NW¼, S½	530.08
22	S½	320.00
23	E½E½	160.00
24	All	640.00
25	NE¼, N½NW¼,	240.00
26	NE¼NE¼, W½SW¼, S½NE¼SW¼, SE¼SW¼, S½SE¼	260.00
27	All	640.00
28	All	640.00
35	All	640.00
	Total	13,935.69
	Township 24 North, Range 111 West	
Section		**Acres**
25	All	640.00
26	All	640.00
27	All	640.00
28	All	640.00
29	All	640.00
30	S½ of Lot 11	18.47
31	The east half of Lots 18, 23, 26 and 29, Lots 17, 24 and 25	142.98
32	All	638.99
33	All	640.00
34	All	640.00
35	All	640.00
36	All	640.00
	Total	6,560.44
	Township 23 North, Range 112 West	
Section		**Acres**
1	Lots 5-11, 14-20, SW¼, W½SE¼	639.23
12	NW⅓ of Lot 1, W½NE¼, NW¼, N½SW¼, SW¼SW¼, N½SE¼SW¼, SW¼SE¼SW¼	399.92
13	All except NE¼NW¼	600.00
	TOTAL	1,639.15
	Township 24 North, Range 112 West	
Section		**Acres**
4	NE¼SE¼ , S½SE¼	120.00
5	Lots 3, 4, Portion of Lots 2, 5, 6 and 7 West of state highway, SW¼NW¼	220.00
6	Lots 1-5, N½ of Lot 6	198.27
7	Lots 2-8, S½NE¼, E½W½, SE¼	520.51
8	The portion of W½ above contour elevation 6519	138.00

9	NE¼, N½SE¼	240.00
13	NE¼, N½NW¼	240.00
14	NE¼NE¼	40.00
17	W½NW¼, SW¼, SW¼SE¼	280.00
21	S½N½, S½	480.00
22	S½NW¼, S½	400.00
		2,876.78
	Township 25 North, Range 112 West	
Section		**Acres**
21	SW¼NW¼, NE¼SW¼, N½SE¼, SE¼SE¼	200.00
26	E½, E½NW¼, NW¼NW¼	440.00
27	NE¼NE¼	40.00
28	Portion of Lots 10, 13 and 14 South of state highway, S½SW¼, portion of S½ SE¼ South of state highway	180.58
29	Portion of Lots 4, 5, 8, and 9 South of state highway, SW¼NW¼, SW¼, S½SE¼	343.92
34	Lots 1-2, SW¼ NE¼, NW¼ West of state highway, N½SW¼	302.11
35	Lots 9-10, E½NE¼, NE¼SE¼	185.37
	Total	1,691.98

1919 Total Revocation 129,352.62 acres

SEEDSKADEE PROJECT, WYOMING
(GREEN RIVER RECLAMATION PROJECT)
DESCRIPTION OF LANDS FOR REVOCATION
SERIAL NO. W-0210680
PLO-4196
4/20/1967

	Township 24 North, Range 111 West	
Section		**Acres**
18	SE¼NW¼, E½SW¼	120.00
	TOTAL	120.00
	Township 24 North, Range 112 West	
Section		**Acres**
20	NE¼ (Previously Withdrawn)	--------
	TOTAL	--------

PLO-4196, 1967 Total Revocation 120.00 acres

SEEDSKADEE PROJECT, WYOMING
(GREEN RIVER RECLAMATION PROJECT)
DESCRIPTION OF LANDS FOR REVOCATION
SERIAL NO. W-0175620
PLO-3278
12/3/1963

	Township 23 North, Range 111 West	
Section		**Acres**
33	E½	320.00
	TOTAL	320.00
	Township 24 North, Range 112 West	
Section		**Acres**
10	NW¼SE¼	40.00
11	NE¼SW¼, SW¼SE¼	80.00
18	E½	320.00
20	NE¼	160.00
27	N½N½	160.00
	TOTAL	760.00

PLO-3278, 1963 Total Revocation 1,080.00 acres

SEEDSKADEE PROJECT, WYOMING
(GREEN RIVER RECLAMATION)
DESCRIPTION OF LANDS FOR REVOCATION
SERIAL NO. 2-056654
PLO-4195
4/20/1967

	Township 19 North, Range 109 West	
Section		**Acres**
4	All	637.28
	Total	637.28
	Township 20 North, Range 109 West	
Section		**Acres**
30	All	670.55
32	All	640.00
	Total	1,310.55
	Township 24 North, Range 109 West	
Section		Acres
18	Lots 7-12	200.74
19	Lots 1-12	402.12
30	Lots 1-12	402.96
31	Lots 1-6	201.73
36	S ½	320.00
	Total	1,527.55

	Township 20 North, Range 110 West	
Section		**Acres**
2	All	527.71
10	All	640.00
14	All	640.00
	Total	1,807.71
	Township 21 North, Range 110 West	
Section		**Acres**
8	All	640.00
10	All	640.00
14	All	640.00
22	All	640.00
26	All	640.00
	Total	3,200.00
	Township 24 North, Range 110 West	
Section		**Acres**
13	S½	320.00
14	S½	320.00
15	S½	320.00
21	E½	320.00
22	All	640.00
23	All	640.00
24	All	640.00
25	All	640.00
26	All	640.00
27	N½, SE¼	480.00
28	NE¼	160.00
36	NE¼	160.00
	Total	5,280.00
	Township 22 North, Range 111West	
Section		**Acres**
24	All	640.00
26	All	640.00
	Total	1,280.00
	Township 23 North, Range 111 West	
Section		**Acres**
29	All	640.00
34	All	640.00
	Total	1,280.00
	Township 24 North, Range 111 West	
Section		**Acres**
19	E½NW¼, N½SE¼	160.00
	Total	160.00

	Township 23 North, Range 112 West	
Section		**Acres**
13	NE¼, NW¼NW¼, S½NW¼ , S½ (Previous Withdrawal)	
	TOTAL	
	Township 25 North, Range 112 West	
Section		**Acres**
5	NW¼NW¼	40.00
21	SW¼NW¼, NE¼SW¼, N½SE¼, SE¼SE¼ (Previous Withdrawal)	
22	S½NE¼, SE¼NW¼, SW¼, N½SE¼, SE¼SE¼	400.00
33	N½ NE¼	80.00
	TOTAL	520.00

1967, PLO-4195 Total Revocation 17,003.09 acres

Seedskadee Project Total Revocation from all withdrawals 147,555.71

Appendix B
Cultural Resources Correspondence

COPY ORIGINAL
United States Department of the Interior
Bureau of Indian Affairs
Branch of Natural Resources
Wind River Agency
P.O. Box 158
Fort Washakie, WY 82514

RECEIVED
OCT 2 '12
700
105
127
700
770
772 cy
SEED
ENV-3.00
120673321
115 0131

To: Curtis A. Pledger, Area Manager, Bureau of Reclamation, Upper Colorado Region, Provo Area Office, 302 East 1860 South, Provo, UT 84606-7317

From: Ed Lonefight, Superintendent, Wind River Agency

Subject: Reply to Memorandum PRO-772, ENV-3.00

Mr. Pledger, thank you for your memorandum requesting BIA evaluation of Indian Trust Assets in the Seedskadee Project Area. At this time, the Bureau has not identified such assets in your project area. However, we do request that upon completion of an archeological survey, any sites discovered within the project area receive consultation with BIA archeology personnel as well as the Eastern Shoshone and Northern Arapaho Tribal Historic Preservation Officers (THPO), to determine its importance to the Tribes.

I am forwarding a copy of your memorandum to the THPOs, as well as to Tribal Game and Fish, for their review and possible comments.

Edward Lone Fight

Ed Lonefight, Superintendent
Wind River Agency

ARTS. PARKS. HISTORY.
Wyoming State Parks & Cultural Resources

State Historic Preservation Office
Barrett Building, 3rd Floor
2301 Central Avenue
Cheyenne, WY 82002
Phone: (307) 777-7697
Fax: (307) 777-6421
http://wyoshpo.state.wy.us

PRO OFFICIAL FILE COPY
RECEIVED
DEC 2 '12
APPT CODE: 100 105 107 700 770 772
ACTION:
PROJECT: Seed
CLASSIFICATION: ENV-3.00
CONTROL NO: 12076021
FOLDER: 1150131
NOTE: IF YOU DETACH ENCLOSURES, INSERT CODE:

December 19, 2012

Jeffrey D'Agostino
Chief, Environmental Group
U.S.D.I. Bureau of Reclamation
Upper Colorado Region
Provo Area Office
302 East 1860 South
Provo, UT 84606-7317

re: Proposed Seedskadee Revocation Project, Sweetwater, Lincoln and Sublette Counties, Wyoming - Seedskadee Project (SHPO File # 1212RLC009)

Dear Mr. D'Agostino:

Thank you for consulting with the Wyoming State Historic Preservation Office (SHPO) regarding the above referenced undertaking. We have reviewed the associated report and find the documentation meets the Secretary of the Interior's Standards for Archaeology and Historic Preservation (48 FR 44716-42). We concur with your finding that no historic properties, as defined in 36 CFR § 800.16(l)(1), will be affected by the undertaking as planned.

This letter should be retained in your files as documentation of a SHPO concurrence on your finding of no historic properties affected. Please refer to SHPO project #1212RLC009 on any future correspondence regarding this undertaking. If you have any questions, please contact me at 307-777-5497.

Sincerely,

Richard L. Currit
Senior Archaeologist

Matthew H. Mead, Governor
Milward Simpson, Director

Appendix C
Public Scoping Comments

Issue Category	Subcategory	Issues
Economics	multiple uses	Allowing multiple use of the lands in the area is essential to help maintain the economic viability of our community.
Economics	multiple uses	Placing a single use restriction on these lands would deliver a devastating blow to the public land users of southwest Wyoming, impact mineral right owners, and livestock permittees, in addition to the negative revenue impact to the State of Wyoming and local governments.
Land use	mineral rights	We have interests in certain lands and mineral that will be impacted by this project. Specifically, we own the mineral rights and much of the surface of the odd sections of the large checkerboard area, termed the "Union Pacific Railroad Company Land Grant." We have existing rights to access and develop minerals on some of the proposed project lands.
Land use	multiple uses	The proposed withdrawal revocation area is rich in resources, including oil and gas leases and trona, and is more suitable for multiple use management under the FLPMA. The proposed withdrawal revocation area also includes several grazing allotments which have been managed by BLM pursuant to the Taylor Grazing Act and FLPMA.
Land use	multiple uses	We are concerned that the Service will force transfer of a portion of these revocated lands into the footprint of the existing refuge, limiting existing multiple use practices with emphasis on oil, gas, and trona extraction also to include grazing.
Land use	grazing	Livestock have been grazing in the area since at least 1913. BLM grazing permits have been issued since the inception of the Taylor Grazing Act. We are concerned that current grazing practices will be adversely affected or limited by this revocation action.
Land use	multiple uses	We support the continued management of the lands for multiple use, wildlife, grazing by domestic animals, public access, and when appropriate, mineral development.
Land use	multiple uses	If the anticipated management of the land remains as currently managed for multiple uses under BLM jurisdiction, we have no comments. However, if an exchange between BLM and the Service occurred, we would have concerns. We have objections on any action that would limit use and development of state trust lands.
Land use	multiple uses	We want assurance that these nearly 140,000 acres continue to be managed for multiple resources uses.
Land use	multiple uses	The lands are currently managed for multiple-use by the BLM under an agreement with Reclamation. On these lands such disparate activities as mineral development, livestock grazing and trailing, hunting and fishing, motorized and non-motorized recreation, wild horse management, and Greater Sage-grouse protection occur. We fear a transfer to the Service would restrict these multiple uses to a single use, of protecting wildlife habitat. We support the protection of traditional multiple uses of these lands, multiple uses which have been occurring on these lands for over a century.

Issue Category	Subcategory	Issues
Land use	grazing	Reclamation lands have been retained and managed basically for seasonal livestock grazing, and trailing of large sheep herds to and from winter ranges on the "checkerboard," known locally as "the lease."
Land use	grazing	The valid and existing mineral and grazing rights are best managed by the BLM. Any single use management would harm our livestock operation, as well as mineral and other livestock operators in the area.
Land use	multiple uses	The valid and existing mineral and grazing rights are best managed by the BLM.
Land use	grazing	Any single use management would harm our livestock operation, as well as mineral and other livestock operators in the area.
Support		I support revocation of unnecessary lands to the BLM.
Support		Proceed with the revocation and return to the administration of the BLM.
Support		Reclamation lands are now critical to support the multiple uses and established resource development of the surface and mineral estates of Sweetwater County. In a practical sense, BLM, in cooperation with Reclamation, has managed these lands under multiple-use concepts for decades. These lands should be formally assigned to the BLM which has been, and is the logical steward of these federal lands.
Support		No terrestrial wildlife or aquatic concerns pertaining to this project.
Support		We encourage Reclamation to proceed with revocation to the BLM.
Water rights		Of the original water rights secured for irrigation of the withdrawn lands, most of these rights have been converted to other uses through time. Reclamation has testified that approximately 10,000 of the withdrawn acres retain water rights today. We have concerns related to the ultimate use of the water rights associated with the lands.
Wildlife	Sage-grouse	If lands were transferred to the State of Wyoming, the Greater Sage-grouse would still be protected by Governor Mead's Executive Order on Greater Sage-Grouse Core Area Protections.
Wildlife	Sage-grouse	Concerned about impacts revocation would have on Sage-grouse habitat and Sage-grouse populations as they relate to predation and habitat degradation due to increased populations of wild ungulates and wild horses.