

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: CO-120-2007-33-DNA

PROJECT NAME: Sandra J. Baker Base Property Lease Renewal for Bureau of Land Management (BLM) Grazing Permit # 051759 on Allotment # 07530 (Linke)

LEGAL DESCRIPTION: Allotment # 07530 (Linke) consists of all or part of the following:

T1N, R77W, 6th PM
Sections: 11, 12, 13, 14, 23, 24

APPLICANT: Sandra J. Baker

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would renew the base property lease and livestock grazing permit # 051759 between Sandra J. Baker and William C. Linke, Carl E. Linke Irrevocable Trust, and M&M Trust. The lease includes the livestock grazing on BLM allotment # 07530 (Linke). The term of the lease is from May 1, 2007 until May 1, 2014 (see Attachment #1 for project map).

BLM livestock grazing permit # 051759 authorizes livestock grazing on Allotment # 07530 (Linke) to the following extent:

Allotment	Active AUMs*	Suspended AUMs	Total AUMs
07530 (Linke)	48	0	48

* AUM = animal unit month = the amount of forage required to sustain one cow and calf for one month

No changes would be made to the number or kind of livestock, season of use, or number of AUMs as a result of the Proposed Action.

BLM livestock grazing permit # 051759 would authorize:

Allotment	Number of Livestock	Kind of Livestock	Grazing Season Start	Grazing Season End	% Public Land	Type of Use	AUMs
07530	72	Cattle	06/01	09/15	19	Active	48

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action is subject to the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

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

Decision Language: Objectives of the RMP/ROD include allocation of a base level of livestock forage and maintaining or improving forage production and conditions in areas where livestock grazing is a priority or is compatible with the land use priority (Section 4, Page 7). The public land associated with this livestock grazing permit is designated with a priority for wildlife and forestry products. Livestock grazing is compatible with these priority designations.

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: CO-120-2005-14-EA. Renewal of Livestock Grazing Permit # 051759 for Sandra J. Baker

Date Approved: 2/15/05

NEPA Adequacy Criteria	Yes	No
1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document? Explanation: No changes would be made to the number or kind of livestock, season of use, or number of authorized AUMs with implementation of the Proposed Action. The allotment is the same as that analyzed in (CO-120-2005-14-EA).	X	
2. Was a reasonable range of alternatives to the Proposed Action analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values?	X	

<p>Explanation: The original NEPA document (CO-120-2005-14-EA) analyzed a reasonable range of alternatives. No comments were received at that time. The same conditions currently exist on Allotment # 07530 (Linke).</p>		
<p>3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? Is the analysis still valid in light of new studies or resource assessment information?</p> <p>Explanation: The same livestock grazing management system is being used on Allotment # 07530 (Linke). Monitoring studies have not found any new conditions that would affect the livestock grazing on the allotment.</p>	X	
<p>4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?</p> <p>Explanation: The methodology and analytical approach continues to be appropriate for the Proposed Action. No changes would be made to the livestock grazing system with implementation of the Proposed Action.</p>	X	
<p>5. Are the direct and indirect impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document?</p> <p>Explanation: All impacts would be the same with implementation of the Proposed Action.</p>	X	
<p>6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?</p> <p>Explanation: The cumulative impacts would remain the same. No changes would be implemented with approval of the Proposed Action.</p>	X	
<p>7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?</p> <p>Explanation: The public has not expressed any concerns with the livestock grazing system that is in effect on Allotment # 07530 (Linke).</p>	X	

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian Issues	05/07/07
Charles Cesar	Wildlife Biologist	Wildlife, T/E, Sensitive Species	7/9/07
Frank G. Rupp	Archaeologist	Cultural Resources/Native American Religious concerns	7/10/07
Richard Johnson	Rangeland Management Specialist	Range	7/9/07
Joe Stout	Planning and Environmental Coordinator	NEPA Compliance	8/15/07

REMARKS:

Cultural Resources: Lease renewal of a grazing permit is a federal undertaking for cultural resources. BLM lands were identified for cultural inventory in 2005 upon renewal of the permit. Standard cultural discovery stipulations are made part of this DNA of the grazing permit.

Native American Religious Concerns: The American Indians (all three Ute Tribes, Shoshone and the Arapaho) were consulted in 2005 for the original grazing permit renewal. No concerns were identified at that time. A new consultation was not initiated for this grazing permit transfer.

Threatened and Endangered Species: The proposed project would not impact Endangered, Threatened, or Sensitive Species

MITIGATION:

Standard Cultural Stipulations:

-The holder is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for disturbing historic or archaeological sites, or for collecting artifacts.

-The holder shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The holder shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the

Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the holder shall bear the cost of the services of a non-Federal professional.

Within five working days the Authorized Officer will inform the holder as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures BLM will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
- A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.

If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the holder will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the holder will then be allowed to resume construction.

-Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.

-Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the holder's cost.

Native American Religious Concerns:

-Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

COMPLIANCE PLAN: Compliance with the renewed livestock grazing permit # 051759 and its associated terms and conditions would be accomplished through the Kremmling Field Office (KFO) Range Management Program. Livestock grazing would be monitored by the range staff and other BLM personnel, as appropriate, to ensure compliance. The KFO Range Monitoring Plan would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment conditions. When activity plans have been developed covering these allotments, the monitoring methods and schedules included in them would be applied to the allotments.

Changes would be made to the permit, based on monitoring, when changes are determined necessary to further protect land health.

NAME OF PREPARER: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 8/15/07

ATTACHMENTS:

- 1). Allotment # 07530 (Linke) Map
- 2). Livestock Grazing Permit # 051759
- 3). Standard Terms and Conditions

CONCLUSION

CO-120-2007-33-DNA

Based on the review documented above, I conclude that this proposal conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL: /s/ David Stout

DATE SIGNED: 8/17/07

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.