U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2009-
PESTICIDE USE PROPOSAL NUMBER: 09-CO-100-53 and09-CO-100-54

PROJECT NAME: Herbicide application to control invasive weeds on BLM in the Lower James Creek Allotment #04614.

LEGAL DESCRIPTION: T3N, R93W, Sec 15, 22, 27. Also see map (Attachment #1).

APPLICANT: Richard Ott

A. Describe the Proposed Action

Herbicide application would be made to control invasive and noxious weeds in the Lower James Creek Allotment #4614. This would incorporate the BLM parcels into the permittee's weed management of adjacent private land. Application would be made with an ATV mounted sprayer using a handgun. Treatment method would be primarily spot spraying. Targeted species and proposed herbicide treatments are listed below. Approximately 1 acre total area would be treated within the allotment each year.

PUP #	Targeted Weed	Trade Name	Formulated Product	Application Rate (Chemical)
09-CO-100-53	Leafy Spurge	Outpost 22K (picloram)	1-2 qts./ac	0.5-1.0 lbs a.i./ac
09-CO-100-54	Hounds tongue	Escort (metsulfuron methyl)	1 oz./ac	0.0375 a.i./ac
		Cornbelt 4lb. Amine (2,4-D)	1 qt./ac	0.95 lb a.e./ac

All herbicide applications would conform with stipulations in Attachment #2.

B. Land Use Plan (LUP) Conformance

LUP Name: Little Snake Resource Management Plan and Record of Decision (ROD)
Date Approved: April 26, 1989

Final RMP/EIS, September 1986

Draft RMP/EIS, February 1986

Other Documents:

Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado
Date Approved: February 12, 1997

The Federal Land Policy and Management Act of 1976, as Amended (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement, December 1994.

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions.

The Proposed Action is in conformance with the decision of the RMP as weed control will occur in association with all surface disturbing activities and management of the public land. The RMP Oil and Gas objective on page 6 of the ROD provides for the environmentally sound exploration and development of oil and gas resources using balanced multiple use management. The Proposed Action also conforms with county use plans.

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

Vegetation Treatments on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) (June, 2007).

Final Environmental Impact Statement (FEIS) Vegetation Treatment on BLM Lands in Thirteen Western States, June 5, 1991, and the Colorado Record of Decision (ROD, July 1991).

EA# CO-016-94-056 Noxious Weed Treatment in the Little Snake Resource Area (March 30, 1994) resulted in a Finding of No Significant Impact. This Environmental Assessment considered the options of Integrated Pest Management as outlined in the FEIS and adopted the standard operation procedures for vegetation treatment program implementation.

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?
Yes. There are no changes from the Proposed Action analyzed in 1994. The site includes all BLM land within the Little Snake Resource Area, congruent with pesticide use proposal stipulations (see Attachment 2). The Pesticide Use Proposals that are reviewed and approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?
Yes. The density of some invasive noxious and undesirable plant species has been reduced in some areas, and although, noxious and undesirable weeds have been identified in new locations, there have been no changes in environmental concerns, interests or resource values since 1994.

3. Is the existing analysis valid in light of any new information or circumstances?
Yes. The Proposed Action would have no disproportionate impacts on minority populations or low income communities per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?
Yes. The methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the current proposed action. Impacts to all resources were analyzed.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?
Yes. Direct and indirect impacts of the current proposed action are unchanged from those identified in the existing NEPA documents. The Pesticide Use Proposals that are reviewed and approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?
Yes. The cumulative impacts that would result from implementation of the proposed action would remain unchanged from those identified in the existing NEPA documents.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequately for the current proposed action?
Yes. Extensive public outreach through scoping and involvement of the publics and other agencies occurred in the development of the RMP/EIS. The appropriate individuals were contacted in 1994 and there have been no significant changes since.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

Name	Title	Resource	Initials	Date
Christina Rhyne	Rangeland Management Spec.	Air Quality, Floodplains Prime/Unique Farmlands, Water Quality – Surface	CR	8/7/09
Robyn Morris	Archaeologist	Cultural Resources, Native American Concerns	RWM	8/5/09
Louise McMinn	Realty Specialist	Environmental Justice	LM	8/6/09
Christina Rhyne	Rangeland Management Spec.	Hazardous Materials	CR	7/21/09
Christina Rhyne	Rangeland Management Spec.	Invasive Non-native Species	CR	7/21/09
Hunter Seim	Rangeland Management Spec.	Sensitive Plants, T&E Plant	JHS	8/4/09
Tim Novotny	Wildlife Biologist	T&E Animal	TMN	8/5/09
Jennifer Maiolo	Mining Engineer	Water Quality - Ground	JAM	8/4/09
Christina Rhyne	Rangeland Management Spec.	Wetlands/Riparian Zones		
Gina Robison	Recreation Specialist	WSA, W&S Rivers	GMR	8/6/09
Tim Novotny	Wildlife Biologist	Animal Communities	TMN	8/5/09
Tim Novotny	Wildlife Biologist	Special Status, T&E Animal	TMN	8/5/09
Christina Rhyne	Rangeland Management Spec	Plant Communities	CR	7/21/09
Hunter Seim	Rangeland Management Spec	Special Status, T&E Plant	JHS	8/4/09
Christina Rhyne	Rangeland Management Spec.	Riparian Systems	CR	8/7/09
Christina Rhyne	Rangeland Management Spec.	Water Quality	CR	8/7/09
Christina Rhyne	Rangeland Management Spec.	Upland Soils	CR	8/7/09

Land Health Assessment

This action has been reviewed for conformance with the BLM's Public Land Health Standards adopted February 12, 1997. This action meets Public Land Health Standards. Land health assessments have been conducted in landscapes and watersheds within the Field Office Planning Area. Invasive plants, especially annuals weeds have been found to be a problem on many sites and once established are a threat to the herbaceous component of the plant communities.

Conclusion

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

Signature of Lead Specialist_____ Date_____

Signature of NEPA Coordinator_____ Date_____

Signature of the Authorizing Official_____ Date_____

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

Attachment #2
DOI-BLM-CO-N010-2009-00
BLM LSFO PUP Stipulations

General Stipulations:

- All herbicide treatments on BLM administered lands will comply with applicable federal and state statutory and regulatory requirements.
- Manufacturers label directions and guidelines, including but not limited to, application rates, uses, handling instructions, storage and disposal requirements, will be followed
- All BLM procedures (BLM Handbook H-9011-1 Chemical Pest Control) and Manuals 1112 Safety, 9011 Chemical Pest Control, and 9015 Integrated Weed Management, and any other BLM requirements will be followed. Where more restrictive, BLMs requirements for rates, uses, and handling instructions will apply.
- Only certified applicators, or those directly supervised by a certified applicator, may apply herbicide on BLM administered public lands.

To ensure that risks to human health and the environment from herbicide treatments are kept to a minimum, and that all practicable means to avoid or minimize environmental harm have been adopted, the following will apply:

- All herbicide treatments will be consistent with the Standard Operating Procedures (SOPs) presented in the ROD of the 2007 Final *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement* (PEIS).
- Measures to mitigate potential adverse environmental effects as a result of herbicide treatments as found in the ROD of the PEIS.
- All conservation measures, designed to protect plants and animals listed or proposed for listing as threatened or endangered under the Endangered Species Act, as found in the Biological Assessment of the PEIS.

Cultural Resources Discovery

The applicator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000. Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and 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.

SOURCE:
DOI-BLM-CO-N010-2009-0025-EA (Draft)