



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Grand Junction Field Office
2815 H Rd
Grand Junction, Colorado 81506
www.co.blm.gov/gjra/gjra.html



4160 Sec. 3 (LLCON03000)
Allotment #06839

NOTICE OF PROPOSED DECISION

CERTIFIED MAIL NO. 7014 1200 0001 4306 7035
RETURN RECEIPT REQUESTED

Gunderson Ranch LLP, Celia Eklund
2452 Home Ranch Court
Grand Junction, CO 81505

Dear Mrs. Eklund,

Your current Grazing Permit for the Collier Allotment expires 9/30/14. The proposed action would renew Grazing Permit #0500259 for Gunderson Ranch LLP, Celia Eklund on the allotment for a period of 10 years. The term of the new Grazing Permit will be October 1, 2014 to September 30, 2024. We have completed the environmental review of your allotment and prepared a new grazing permit. The grazing periods and AUMs for the Collier Allotment will remain the same as the current permit.

Enclosed is your new grazing permit which will be effective for the period October 1, 2014 to September 30, 2024. Please sign, date and return **both copies** to this office. I will return a copy for your records following approval.

Therefore in accordance with 43 CFR 4130.2, it is my proposed decision to issue Grazing Permit #0500259 for the period of October 1, 2014 to September 30, 2024, with the following Schedule, Permitted Use and Terms and Conditions.

Grazing Schedule:

Allotment/#	Livestock #/Kind	Grazing Period	%PL	Type Use	AUMS
Collier 06839	100 C	06/08 – 06/30	100	A	76
	100 C	10/01 – 10/14	100	A	46

%PL is the percentage of BLM lands used for grazing within the allotment.

AUM-The amount of forage necessary for the sustenance of one cow/calf pair or its equivalent for a period of one month.

Allotment Summary:

Allotment	Federal Acres	AUMs		
		Active	Suspended	Total
Collier	945	121	0	121

Terms and Conditions:

1. Use supervision checks by BLM staff will be conducted to assure grazing compliance. The Grand Junction Field Office will use utilization checks, collect trend data, and evaluate allotments whenever necessary. Evaluation of monitoring will be used to make appropriate changes to grazing management in order to protect land health.
2. This permit is subject to change if results from a land health or riparian proper functioning condition assessment conclude that the Standards for Rangeland Health or Riparian Health are not being met and livestock grazing is determined to be the cause.
3. Salting and mineral blocks will be placed at least one quarter (1/4) mile or further from water sources and riparian areas. Less than one quarter mile may be allowed if terrain does not allow for one quarter mile distance and approved by the BLM AO.
4. All new range improvement projects will be in accordance with BLM standards.
 - Example - wildlife escape ramps are required in water troughs under BLM standards.
5. Water source areas will be monitored by the permittee and BLM for infestation of noxious weeds. The permittee and BLM will coordinate to treat and eradicate any weed infestations should they occur.
6. Upon approval by the Authorized Officer (AO), the permittee will have the option to apply for more cattle over a shorter time period as long as AUMs are not exceeded in a grazing season and use is within the season of use.

7. Maintenance of all structural rangeland improvements (RI) and other projects are the responsibility of the permittee to which they have been assigned. Maintenance would be in accordance with cooperative agreements and/or range improvement permits (43 CFR 4120.3-1). Failure to maintain assigned projects in a satisfactory/functional condition may result in withholding authorization to graze livestock until maintenance is completed. Construction of new RI on BLM administered lands is prohibited without approval from the authorized officer.
 - a. The BLM authorized officer will be contacted prior to any range project maintenance activity involving soil surface disturbance. An example includes but not limited to cleaning of ponds with heavy equipment, which would involve soil surface disturbance. All heavy equipment will be washed and free of debris before entering BLM lands.
8. Permittees or lessees shall provide reasonable access across private and leased lands to the Bureau of Land Management for the orderly management and protection of the public lands related to grazing administration.
9. Grazing will be deferred on new vegetation treatments and rehabilitated burned areas to allow two growing seasons of rest unless otherwise authorized. Coordination and cooperation will occur with the permittee prior to any treatment.
10. It is the responsibility of the Permittee to inform all persons associated with work on federal lands subject to the permit that they would be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts.
11. Surface disturbing range improvements associated with the allotment (e.g., fences, ponds) are subject to compliance requirements under Section 106 and will undergo standard cultural resources inventory and evaluation procedures.
12. If newly discovered cultural resources are identified during project implementation, work in that area should stop and the BLM Authorized Officer should be notified immediately (36 CFR 800.13).
13. Notify the Authorized Officer (AO) by telephone and with written confirmation, immediately upon discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Activities would stop in the immediate area of the find, and the discovery would be protected for 30 days or until notified to proceed in writing by the AO.
14. During dry and drought conditions adjustments will be made that involve reduction of AUMs or non-use as stated under Code of Federal Regulations

4110.3-2 “Decreasing permitted use” (a) Permitted use may be suspended in whole or in part on a temporary basis due to drought, fire, And 4110.3-3 “Implementing reductions in permitted use” (a) After consultation, cooperation, and coordination with the affected permittee or lessee,..., reductions of permitted use shall be implemented through a documented agreement or by decision of the authorized officer. (b) When the authorized officer determines that the soil, vegetation, or other resources on the public lands require immediate protection because of conditions such as drought, fire,, the authorized officer shall close allotments or portions of allotments to grazing by any kind of livestock or modify authorized grazing use notwithstanding the provisions of paragraph (a) of this section.

Additional Standard Terms and Conditions can be found on the signature page of the Grazing Permit.

Rationale

The Collier Allotment is a “C” category allotment. Monitoring in 2010 assessed the allotment as meeting the Standards for Public Land Health and apparent vegetation trend monitoring in 2013 rated upward. The same grazing schedule and AUMs will be continued for this grazing permit.

The Grand Junction Field Office will continue to monitor rangeland conditions on the allotment and as stated in the Terms and Conditions of the permit: use supervision checks by BLM staff will be conducted to assure grazing compliance. The Grand Junction Field Office will use utilization checks, collect trend data, and evaluate the allotment whenever necessary. Evaluation of monitoring will be used to make appropriate changes to grazing management in order to protect land health. This permit is subject to change if results from a land health or riparian proper functioning condition assessment conclude that the Standards for Rangeland Health or Riparian Health are not being met and livestock grazing is determined to be the cause. Under the Grand Junction Field Office rangeland monitoring program and terms and conditions of the proposed grazing permit, rangeland conditions are expected to maintain or improve.

Issuance of the permit is necessary for the continuance of the livestock operation of the grazing permittee. Analysis of the proposed action has concluded impacts to the human environment are not significant. The proposed action is in conformance with the Colorado Standards for Rangeland Health as discussed in the environmental assessment. Monitoring of the rangeland will continue. Based on these results, the livestock management identified in the proposed action is appropriate.

Authority

The authority for this proposed decision is contained in Title 43 Code of Federal Regulations (CFR) §4130, §4160, and §4180 which in part state:

§4130.2(a) “Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans. Permits or leases shall specify the types and levels of use authorized, including livestock grazing, suspended use, and conservation use. These grazing permits or leases shall also specify terms and conditions pursuant to §§ 4130.3, 4130.3-1, and 4130.3-2.”

§4130.2(d) “The term of grazing permit or leases authorizing livestock grazing on the public lands and other lands under the administration of the Bureau of Land Management shall be 10 years unless.....” (Unless circumstances require the permit to be less than 10 years).

§4130.3 “Livestock grazing permits and leases shall contain terms and conditions determined by the authorized officer to be appropriate to achieve the management and resource condition objectives for the public lands and other lands administered by the Bureau of Land Management, and to ensure conformance with the provisions of subpart 4180 of this part.”

§4160.1 (b) “Proposed decisions shall state the reasons for the action and shall reference the pertinent terms, conditions and the provisions of applicable regulations.”

§4180.1(a) "Watersheds are in, or are making significant progress toward, properly functioning physical condition, including their upland, riparian-wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, water quantity, and timing and duration of flow."

Protest and/or Appeal

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Grand Junction Field Manager, Bureau of Land Management, 2815 H Road, Grand Junction, Colorado 81506, within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error.

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

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

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.3 and 4160 .4. The appeal must be filed within 30 days following receipt of the

final decision, or within 30 days after the date the proposed decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471 and 4.479, pending final determination on appeal. The appeal and petition for a stay must be filed in the office of the authorized officer, as noted above. The appellant must serve a copy of the appeal by certified mail on the Office of the Field Solicitor, Rocky Mountain Region, 755 Parfet Street Suite 151, Lakewood, Colorado, 80215 and person(s) named (43 CFR 4.421(h)) in the Copies sent to: section of this decision.

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

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

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

In accordance with 43 CFR 4160.1(a) a copy of this proposed decision shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, by certified mail or personal delivery. Copies of this proposed decision shall also be sent to any interested public who has requested involvement in a specific allotment.

If you have any questions concerning the above matter please contact Scott Clarke of this office at (970) 244-3017.

Sincerely,



Katie Stevens
Field Manager

Enclosure
Grazing Permit (Two Copies)