U.S. Department of the Interior
Bureau of Land Management
GRAND JUNCTION Field Office
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GRAND JUNCTION, CO 81506

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-130-2010-0056-DNA

CASEFILE/PROJECT NUMBER : Grazing Permits for Marion Holt 0507135 and Jesses Coates 0507135

PROJECT NAME: Grazing Permit Renewal for Marion Holt (0507135) and Jesse Coates (0507135) on the Kimball Foothills allotment (#06728).

PLANNING UNIT: Debeque, CO

APPLICANT: Marion Holt and Jesse Coates

ISSUES AND CONCERNS: No issues or concerns have been brought forth; the allotment contained in this Permit is ranked as "Custodial".

DESCRIPTION OF PROPOSED ACTION:
The proposed action is to approve an application for Grazing Permit renewal for Marion Holt and Jesse Coates on the Kimball Foothills allotment (#06728). The term of the new permits would be from October 1,2010 to September 30, 2020. The new permits will remain the same as the expiring permits. No changes have been proposed.

Kimball Foothills Common proposed grazing schedule and associated permittees is as follows:

Permittee	Livestock Number	Livestock Kind	Grazing Period		%PL	Type Use	AUMs
			ON	OFF			
Jesse Coates	18	C	5/15	6/14	100	A	18
Marion Holt	31	C	5/15	6/13	100	A	31

%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 or its equivalent for a period of one month.

TERMS AND CONDITIONS:

Terms and Conditions on the Grazing Permit would be:

1. This permit is valid only with a current base property agreement.

2. No grazing use can be authorized under this grazing permit/lease during any period of delinquency in the payment of amounts due in settlement for unauthorized grazing use.

3. Grazing use authorized under this grazing permit/lessee may be suspended, in whole or in part, for violation by the permittee/lessee of any of the provisions of the rules or regulations now or hereafter approved by the Secretary of the Interior.

4. This grazing permit/lease is subject to cancellation, in whole or in part, at any time because of:

a. Noncompliance by the permittee/lessee with rules and regulations now or hereafter approved by the Secretary of the Interior.
b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based.
c. A transfer of grazing preference by the permittee/lessee to another party.
d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described herein.
e. Repeated willful unauthorized grazing use

5. This grazing permit is subject to the provisions of executive Order NO. 11246 of September 24, 1965, as amended, which sets forth nondiscrimination clauses. A copy of this order may be obtained from the authorized officer.

6. The permittee/lessee must own or control and be responsible for the management of the livestock authorized to graze under this grazing permit/lease.

7. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.

8. In accordance with 43 CFR 4130.8-1(F): Failure to pay grazing bills within 15 days of the due date specified in the bill shall result in a late fee assessment. Payment made later than 15 days after the due date, shall include the appropriate late fee assessment. Failure to make payment within 30 days may be a violation of 43 CFR Sec. 4140.1(b) (1) and shall result in action by the authorized officer under 43 CFR Secs. 4150.1 and 4160.1-2 (Trespass).

9. 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.

10. The permittee shall submit an Actual Use form within 15 days after completing their annual grazing use as outlined in 43 CFR 4130.3-2(d).

11. 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.

12. This permit is subject to change if results from a land a health assessment conclude that the Standards for Rangeland Health are not being met and livestock grazing is determined to be the cause.

13. 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.

14. 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.

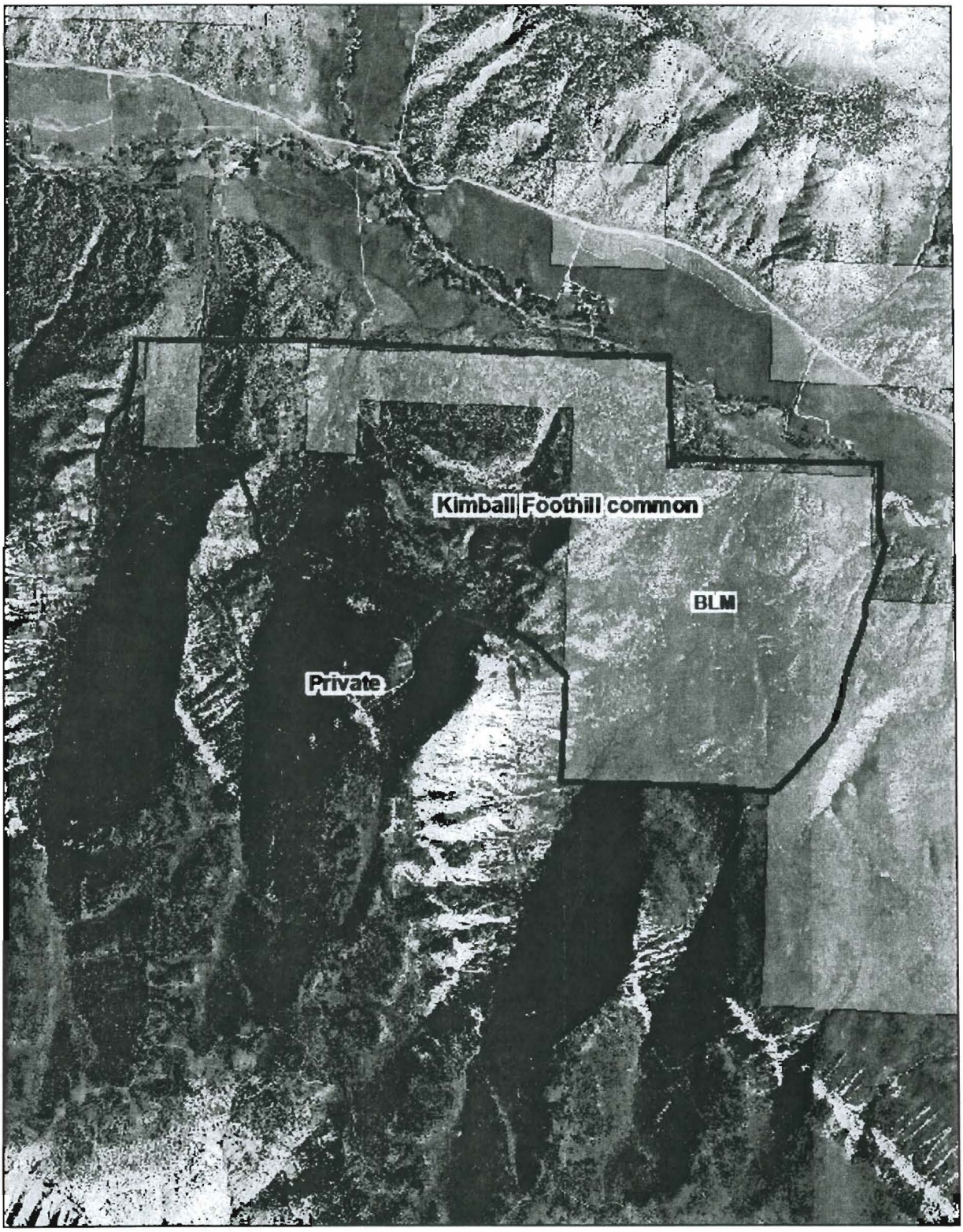
15. If newly discovered cultural resources are identified during project implementation, work in that area should stop and the BLM Authorized Officer should be notified immediately (36 CFR 800.13).

16. Notify the 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.

Allotment Summary:

Allotment	Federal Acres	Private Acres	Animal Unit Months (AUMs)		
			Active	Suspended	Total
Kimball Foothill	442	275	49	0	49

Map of the allotment is shown below.


Kimball Foothill common
BLM
Private

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

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: GRAND JUNCTION Resource Management Plan

Date Approved: January 1987

Decision Number/Page: 2-17

Decision Language: Manage livestock grazing as described in the Grand Junction Grazing Management Environmental Statement using the new priorities and general management categories established through the allotment categorization process and this plan.

REVIEW OF EXISTING NEPA DOCUMENTS:

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

Name of Document:
CO-GJFO-00-95-EA Grazing Permit Renewal for Kimball Foothills common (#06728) allotment.
CO-GJFO-02-39-EA Grazing Permit transfer to Jesse Coates from Mike Trout on Kimball Foothills allotment.

Date Approved:
August 22, 2000
May 5, 2002

NEPA ADEQUACY CRITERIA:

1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document? The Permit to be issued has exactly the same grazing schedules and permit requirements as analyzed in the existing document.

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? A reasonable range of alternatives was analyzed with consideration that this is ranked as a custodial allotment for management.

3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? The information is valid and germane to the proposed action. This allotment was reviewed in 2000 prior to permit renewal.

4. Is the analysis still valid in light of new studies or resource assessment information? Most recent monitoring information combined with the assessment or resource conditions as found that the previous analysis in 2000 was acceptable and no new information has come forward.

5. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action? The methodology and analytical approach used in the 2000 document was completely appropriate for development of the proposed action.

6. Are the direct and indirect impacts of the Proposed Action unchanged from those identified in the existing NEPA document? The direct and indirect impacts are unchanged from the existing NEPA document in that changing the operator and maintaining the same grazing schedules and Permit terms and conditions maintain consistency.

7. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)? The cumulative impacts remain unchanged. The parent document did not find any cumulative impacts.

8. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action? Public involvement was conducted in 2009 along with interagency review. This review was adequate for the Proposed Action.

INTERDISCIPLINARY REVIEW: Identify those team members conducting or participating in the NEPA analysis and preparation of this work sheet (by name and title).

Name	Title	Area of Responsibility
Aline LaForge	Archaeologist	Cultural and Heritage Resources Native American Religious Concerns
Anna Lincoln	Ecologist	Special Status plants
Heidi Plank	Wildlife Biologist	Aquatic and Terrestrial Wildlife, Migratory Birds, Special status wildlife

REMARKS:

Cultural Resources: Previous file searches for "C" or custodial allotments often result in negative findings because these scattered isolated parcels of BLM lands have not had any Class III inventory. Scattered BLM parcels in the Roan Cliffs area that are on steep north slopes or mountain shrub vegetation community, or a combination of these two environmental factors often result in negative results. Positive findings in this area are often associated with historic homesteading and ranching activity. All discretionary actions associated with the management of this allotment are considered federal undertakings under the National Historic Preservation Act and will be subject to compliance with section 106 which may require Class III cultural inventory survey. The proposed transfer is in compliance with the NHPA, the Colorado State Protocol Agreement, and other federal law, regulation, policy, and guidelines regarding cultural resources.

Native American Religious Concerns: Consultations were previously conducted on permit renewals for allotments adjacent to this allotment. No specific comments were received and no known religious or sacred sites would be affected by this permit transfer. No additional Native American Consultation was conducted.

Threatened and Endangered Species: The allotment does not contain any mapped greater sage grouse habitat though occupied habitat for the Greater Sage Grouse occurs just above the allotment on Brush Mountain. The closest active lek is 1.6 miles to the northeast of the allotment. Kit Fox have been documented adjacent to the allotment, thought the area does not contain typical Kit Fox habitat. The allotment is adjacent to the Roan Creek which contains Greenback Cutthroat Trout, however this population typically occurs upstream of this allotment. Potential habitat for greater sage grouse is defined as areas that could support grouse with restoration. Renewal of the permit and grazing managed to achieve land health standards is not expected to impact the ability of the area to support greater sage grouse or kit fox. While individual Greenback Cutthroat trout may occur in Roan Creek during some times of the year impacts to Greenback Cutthroat Trout are not expected as the managed population occurs upstream of this allotment.

No Threatened, Endangered, or Special Status plant Species are known to occur on the Kimball Mountain Common grazing allotment. Records indicate that the allotment is not known to have ever supported any rare plant species. The action of permit renewal is not anticipated to affect any known rare plant species.

MITIGATION:

COMPLIANCE/MONITORING:

NAME OF PREPARER: Jacob Martin

NAME OF ENVIRONMENTAL COORDINATOR: /S/ Matt Anderson

DATE:

CONCLUSION

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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: Wayne
for GRAND JUNCTION, Field Manager

DATE SIGNED: 8-3-10

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.