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-130-2012-0008-DNA
CASEFILE/PROJECT NUMBER: Grazing Permit #0504526

PROJECT NAME: Grazing Permit Transfer. Bruce and Turk, Josephine L. Clatterbaugh (#0502693) to Puma Paw Ranch, LLC, Manager – Matt Smith (#0504526) on the Mount Garfield Allotment (#16509).

PLANNING UNIT: Grand Junction Field Office.

APPLICANT: Puma Paw Ranch, LLC, Manager – Matt Smith.

ISSUES AND CONCERNS: No issues or concerns have been brought forth. The current grazing program associated with this permit was analyzed under an environmental assessment in 2009 (CO-130-2009-045-EA) and a new grazing permit issued to Bruce and Turk, Josephine L. Clatterbaugh from 06/18/2009 to 02/28/2019.

DESCRIPTION OF PROPOSED ACTION
The proposed action is to transfer the grazing preference from Bruce and Turk, Josephine L. Clatterbaugh to Puma Paw Ranch, LLC and issue Puma Paw Ranch, LLC a new grazing permit under the same terms and conditions as the current permit from 12/01/2011 to 02/28/2019. The new grazing permit would be a continuation of the current permit to the expiration date of 02/28/2019 with the only change being a new owner of the permit, Puma Paw Ranch, LLC.

The grazing scheduled for the new permit would continue as the current permit:

Allotment/#	Livestock Number	Livestock Kind	Grazing Period		%PL	Type Use	AUMs
			From	To			
16509	203	Cattle	12/01	02/28	100	Active	601
	203	Cattle	03/01	04/30	100	Active	407

%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 of the Grazing Permit would be:

1. 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.

2. 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.

3. This grazing permit/lease is subject to cancellation or suspension, 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

4. 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.

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

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

7. 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).

8. 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.

9. 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).

10. 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.

11. 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.

12. 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.

13. 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.

14. 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).

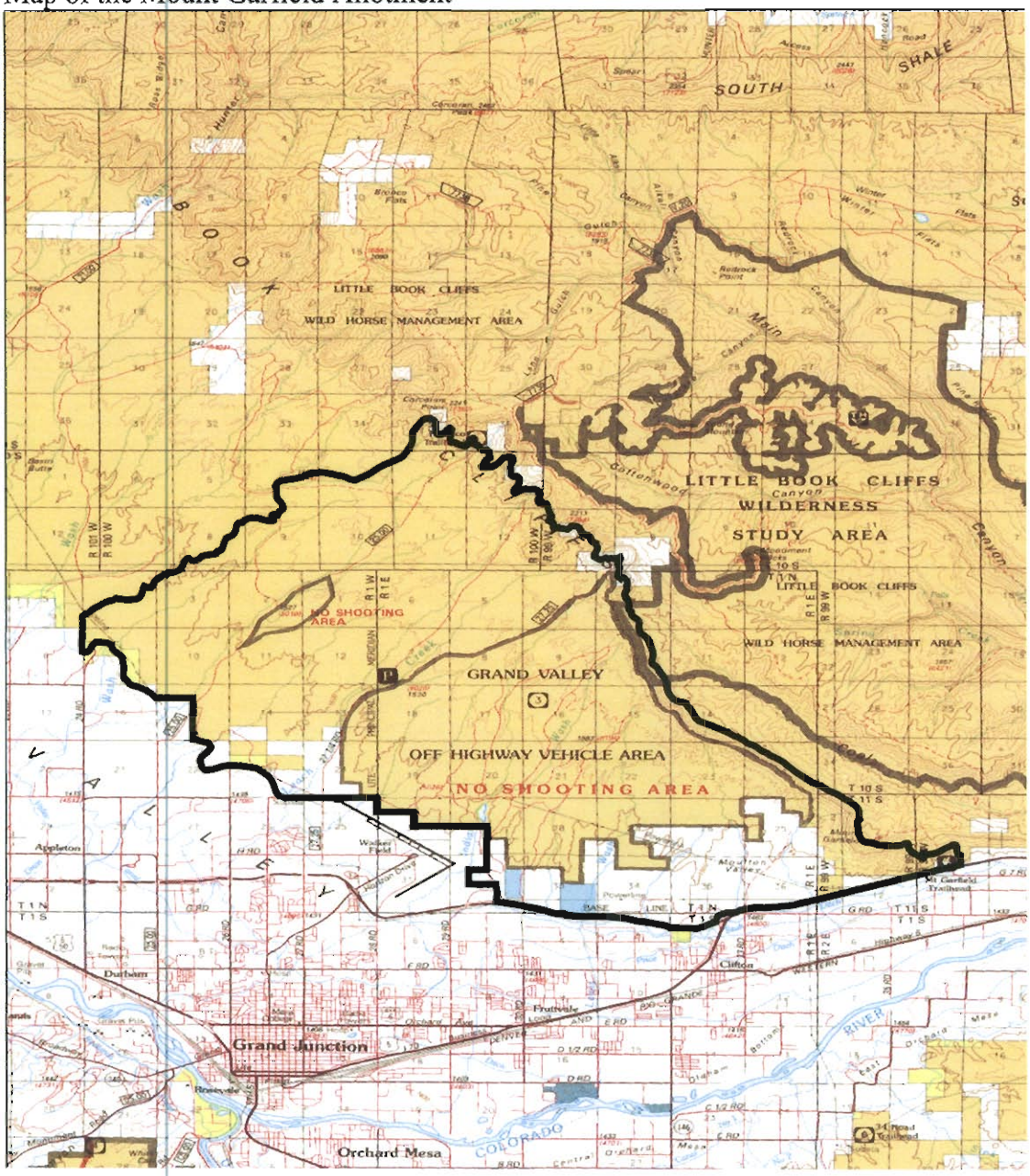
15. Notify the AO by telephone and with written confirmation, immediately upon discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Activities would stop in the immediate area of the find, and the discovery would be protected for 30 days or until notified to proceed in writing by the AO.

16. Grazing management as detailed in the 2009 Environmental Assessment for the Grazing Permit Renewal for Bruce Clatterbaugh on the Mount Garfield Allotment would be a condition of the Terms and Conditions.

Allotment Summary:

Allotment	Federal Acres	Private Acres	Animal Unit Months (AUMs)		
			Active	Suspended	Total
Mount Garfield	26,143	4,549	1008	0	1008

Map of the Mount Garfield Allotment



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
EA #CO-076-9-95-EA-Mt. Garfield Permit Renewal
Date Approved: September 16, 1999

Name of Document
EA #CO-130-2006-036-EA-Mt. Garfield Permit Renewal
Date Approved: June 26, 2006

Name of Document
EA #DOI-BLM-CO-130-2009-045-EA-Mt. Garfield Permit Renewal
Date Approved: April 23, 2009

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 were analyzed considering current environmental concerns, interests, and resource values.

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 2009 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 found that the previous analysis in 2009 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 2009 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 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 found the proposed action, when taken into account with other actions, past and present, would have no additive impact to the environment.

8. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action? Public involvement was conducted 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	Review Completed
Heidi Plank	Wildlife Biologist	11/14/11
Aline LaForge	Archaeologist	11/10/11
Anna Lincoln	Ecologist	11/8/11
Nate Dieterich	Hydrologist	11/15/11

REMARKS:

Special Status Species: Kit fox (state-endangered), Great Basin spadefoot toads (BLM-sensitive), ferruginous hawk (BLM-Sensitive), burrowing owl (state-threatened), and peregrine falcon (state-conservation concern) are known to occur within the allotment. Longnose leopard lizard (BLM-Sensitive), midget faded rattlesnake (BLM-Sensitive), milk snake (BLM-Sensitive), northern pocket gopher (state- species of concern), and some or all of the 5 BLM-Sensitive bat

species are likely to occur within the allotment. The allotment is not within occupied, historic, or potential sage-grouse habitat. There are two BLM Special Status plant Species in the Mt Garfield Allotment: Eriogonum contortum (Grand buckwheat), Gilia stenothyrsa (Narrowstem gilia). No federally listed species are known to occur on the Mt Garfield Allotment.

While 16 BLM Special Status Species (2 plants, 14 animals) have been recorded or are likely to occur on the grazing allotment, the proposed grazing permit transfer is not anticipated to effect any of the protected species. The previous AUM reduction (2009), works towards decreasing grazing related impacts, and improving overall condition of habitat on the allotment. The most egregious issues are related to increased OHV activity which is contributing to desertification and weed spread. Ensuring that the grazing allotment is not over-allotted, and that stocking levels are consistent with available forage levels will help move the allotment towards meeting Standard 4. The Land Health Assessment shows that the upper portions of the allotment meet Standard 4, but the lower areas most impacted by OHV do not.

Frequent monitoring by range staff and adaptive management of the grazing permit by allowing for early removal of cattle will mitigate grazing impacts to special status species on the allotment.

Cultural Resources: This permit was previously reviewed for cultural resources in CO130-2006-36EA and identified as an area of low potential for cultural sites. The new permittee should be verbally notified of the standard stipulation protecting cultural resources in the allotment by the range management specialist. 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: Consultation was previously conducted as part of this permit's renewal evaluation. No specific comments were received and no known religious or sacred sites, or sites of a type that are of concern to the Ute Tribes would be affected by this permit transfer. No additional Native American Consultation was conducted for the transfer.

Hydrology/Water Quality/Water Rights/Soils: No modifications from the proposed action outlined in EA #DOI-BLM-CO-130-2009-045-EA would result from the transfer. Thus, the affected environment and environmental impacts also remain the same as analyzed in the permit renewal. The existing NEPA provided a detailed description of the affected environment/ environmental consequences and is sufficient.

NAME OF PREPARER: Scott Clarke RMS

NAME OF ENVIRONMENTAL COORDINATOR: Collin Avery

DATE: 11/22/11

CONCLUSION

DOI-BLM-CO-130-2012-0008-DNA

The transfer of the grazing preference from Bruce and Turk, Josephine L. Clatterbaugh to Puma Paw Ranch, LLC is categorically excluded from documentation in a EA or EIS under 516 DM 11.9 D. 1. The proposed action to issue a grazing permit to Puma Paw Ranch, LLC conforms to the land use plan and the NEPA documentation previously prepared fully analyzed the impacts of grazing under this preference and constitutes BLM's compliance with the requirements of NEPA.

X 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.

_____ Based on the review documented above, I conclude that either the proposal does not conform with the land use plan, or that additional NEPA analysis is needed.

SIGNATURE OF RESPONSIBLE OFFICIAL: Wayne T.
GRAND JUNCTION, Field Manager

DATE SIGNED: 11-22-11

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.