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-130-2012-0051-DNA

CASEFILE/PROJECT NUMBER: Grazing Permit #0504665

PROJECT NAME: Grazing Permit Renewal for Ty and Carrie Bevan on the Wild Country Allotment (#16809).

PLANNING UNIT: Collbran, CO

APPLICANT: Ty and Carrie Bevan

ISSUES AND CONCERNS No issues or concerns have been brought forth, the allotment contained in this permit is ranked "I" for intensive management.

BACKGROUND:
The Wild Country Allotment is a common allotment with four grazing permits. Three of these permits were recently analyzed under EA's and permits renewed as follows: Nichols and Son Land and Cattle Company – permit analyzed under an EA in July 2008 and permit issued from March 1, 2009 to February 28, 2018; Dennis and Rita Bevan, and Ben E. Nichols - permits analyzed under an EA in February 2009 and permits issued from March 1, 2009 to February 28, 2019.

This permit is the only remaining permit for renewal of the four. The grazing preference for this permit renewal on the Wild Country Allotment is being transferred from the Charles N. Jr. Nichols Estate to Ty and Carrie Bevan. There are a total of 759 active AUMs on the allotment of which 100 active AUMs would apply to this grazing permit.

Below are the schedules for all the Grazing permits on the Wild Country Allotment:

Permittee	Livestock #/Kind	Grazing Period	%PL	Type Use	AUMS
Dennis and Rita Bevan	175 C	4/15 – 6/15	100	A	351
Nichols and Son L and C Company	67 C	4/16 – 6/15	100	A	137

Nichols and Son L and C Company	61 C	5/1 - 6/15	43	A	40
Ben E. Nichols	108 C	5/10 – 6/15	100	A	131
Estate of C. Nichols (being transferred to Ty and Carrie Bevan)	49 C	4/15 – 6/15	100	A	100
TOTAL					759

DESCRIPTION OF PROPOSED ACTION

The proposed action is to issue a new grazing permit to Ty and Carrie Bevan from October 1, 2012 to February 28, 2018 under the same terms and conditions as the current permit.

The proposed grazing schedule is as follows:

Allotment/#	Livestock Number	Livestock Kind	Grazing Period		%PL	Type Use	AUMs
			From	To			
16809	49	Cattle	04/15	06/15	100	Active	100

%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/lease 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. 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.

4. 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).

5. 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.

6. 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.

7. 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.

8. 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.

9. 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).

10. 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.

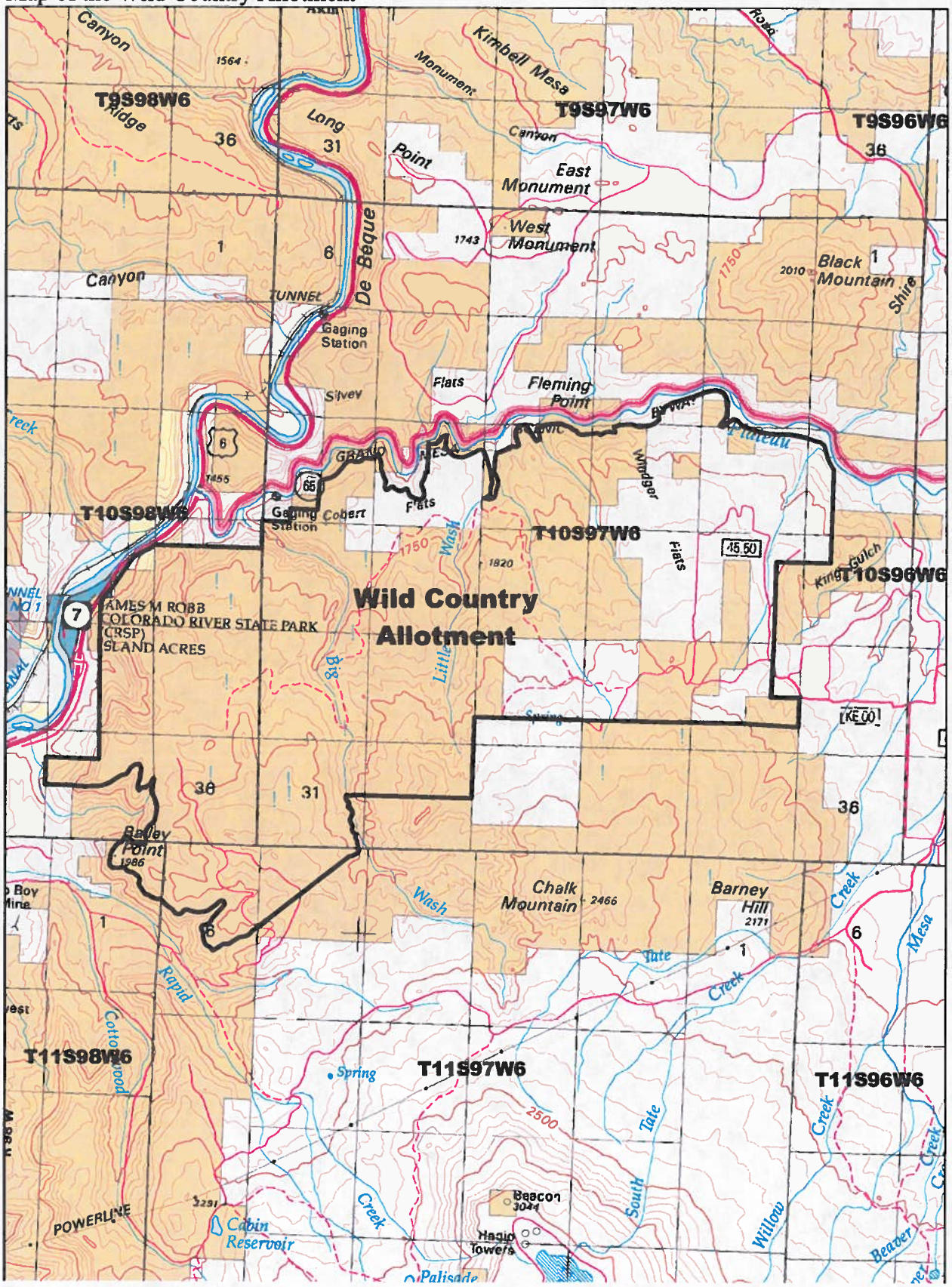
Additional standard terms and conditions can be found on the signature page of the Grazing Permit.

Allotment Summary:

Allotment	Federal Acres	Private Acres	Animal Unit Months (AUMs)		
			Active	Suspended	Total
Wild Country	9,180	3,234	759	25	784

Legal Description:
Township 10 South, Range 97 West, Sections 10, 11, 13 – 23, 26 – 32.
Township 10 South, Range 98 West, Sections 23, 24, 25, 26, 35, 36.
Township 11 South, Range 97 West, Sections 5, 6.

Map of the Wild Country 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-130-2009-037-EA Grazing Permit Renewal for Dennis and Rita Bevan, and Ben E. Nichols On the Wild Country Allotment
Date Approved: February 10, 2009

Name of Document
EA #CO-130-2007-036-EA Nichols and Son L&C Co. for the Wild Country Allotment
Date Approved: July 24, 2008

Name of Document
EA #CO-076-9-39-EA Grazing Permit Renewal – Nichols and Bevan
Date Approved: May 19, 1999

NEPA ADEQUACY CRITERIA:

1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document? The Proposed Action is substantially the same action analyzed in the existing documents on the Wild Country Allotment with the same permit requirements.

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 2008 and 2009 prior to permit renewals.

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 2008 and 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 2008 and 2009 documents 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 documents 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	9/4/12
Alissa Leavitt-Reynolds	Archaeologist	9/6/12
Anna Lincoln	Ecologist	8/22/12
Nate Dieterich	Hydrologist	9/5/12

REMARKS:

Threatened, Endangered, and Sensitive Species:
The analysis completed for the 2009 grazing permit renewal (DOI-BLM-CO-130-2009-0037-EA) is still accurate and no additional analysis is required for rare plants, fish or wildlife.

Continued monitoring and adaptive management of stocking rates and season of use should ensure that special status wildlife habitats are not impacted.

Water Quality/Hydrology/Water Rights: The analysis for the 2009 grazing permit renewal (DOI-BLM-CO-130-2009-0037-EA) sufficiently analyzes the impacts from grazing on water rights, hydrology and water quality in this allotment. Portions of the Wild Country allotment in the Plateau Creek watershed have been reclassified into stream segment 16 of the Lower Colorado River Basin (this portion of Plateau Creek and tributaries was formerly combined with segment 15). Water quality in stream segment 16 continues to meet State water quality standards. No additional analysis is required for water quality, hydrology, or water rights.

Soils: The analysis for the 2009 grazing permit renewal (DOI-BLM-CO-130-2009-0037-EA) sufficiently analyzes the impacts from grazing on soil health in this allotment. A formal land health assessment was conducted in 2010 which assessed the conditions of rangeland health including soil health. Results from this assessment indicate 189.38 acres of the 9,180 federal acres were not meeting public land health standard 1 for soils. The 2009 EA identifies 386.72 federal acres not meeting public land health standard 1. Thus, it appears that soil health has improved on 197.34 acres since 2009 under current management. No additional analysis is required soil health.

Cultural Resources: The analysis for the 2009 grazing permit renewal (DOI-BLM-CO-130-2009-0037-EA) sufficiently analyzes the impacts from grazing on cultural resources in this allotment. A number of Ute sites have been recorded in this allotment with features that would be vulnerable to damage if range improvements were developed causing cattle to congregate in the area. If this situation arises in future project specific applications the proposal should not be authorized. With an ever increasing understanding of the historic Ute period there are sites that were recorded decades ago that need to be reevaluated to determine their cultural affiliation or confirm their location relative to ownership. No additional survey is recommended, but the following 12 sites should be revisited and monitored.

Allotment #	Acres Inventoried at Class III level	Acres NOT Inventoried at Class III level	% of Allotment Inventoried at Class III level	# Cultural Resources known in allotment	High Potential of Historic Properties (yes/no)	Recommended Management (Inventory Required & Sites * to visit)
Wild Country #6809	1970	3,405	15% to standard 27% not to standard	66 sites, 124 IFs	Yes	no additional survey 5ME6674 5ME14198 5ME14199 5ME470 5ME482 5ME268 5ME279 5ME280 5ME1524 5ME417 5ME409 5ME471

Native American Religious Concerns:
Based on previous consultation for other projects, the environment of the allotment, and the results of the current literature review, there is evidence that suggests that there are sites that hold special significance for Native Americans in the allotment. Known Ute sites in the allotment will be monitored. Because the cultural affiliation of other archaeological sites previously recorded in the allotment has not been established, it is possible that more sites that are affiliated to the Ute could be confirmed. As sites are reevaluated and survey is conducted in the allotment further consultation with the Ute Tribes will be conducted.

Riparian and Wetland Zones:
Effects sufficiently analyzed and mitigated in DOI-BLM-CO-130-2009-037-EA.

Table 1– Potentially Impacted Resources (double click on boxes to check)

Resources	Not Present On Location	No Impact	Potentially Impacted	Mitigation Necessary	Comments included in DNA text	BLM Evaluator Initial & Date
PHYSICAL RESOURCES						
Air and Climate	☐	☒	☐	☐	☐	N.Dieterich 9/4/12
Geological	☐	☒	☐	☐	☐	DSG 8/27/12
Mineral Resources	☐	☒	☐	☐	☐	DSG 8/27/12
Soils	☐	☒	☐	☐	☒	N.Dieterich 9/5/12
Water (surface & subsurface, floodplains)	☐	☒	☐	☐	☒	N.Dieterich 9/5/12
BIOLOGICAL RESOURCES						
Invasive, Non-native Species	☐	☒	☐	☐	☐	MT 9/14/12
Sensitive Species	☒	☒	☐	☐	☐	ARL 8/22/12
Threatened or Endangered Species	☐	☒	☐	☐	☐	HLP 9/4/12
Vegetation, Forestry	☐	☒	☐	☐	☐	SC 8/21/12
Wetlands/Riparian Zones	☐	☐	☐	☐	☒	CARS 9/18/12
Wildlife	☐	☐	☒	☐	☒	HLP 9/4/12
HERITAGE RESOURCES AND HUMAN ENV.						
Cultural or Historical	☐	☐	☒	☐	☐	ALR 9/6/12
Paleontological	☐	☒	☐	☐	☐	DSG 8/27/12
Tribal & American Indian Religious Concerns	☐	☒	☐	☐	☐	ALR 9/6/12
Visual Resources	☐	☒	☐	☐	☐	CPP 9/10/12
Social	☐	☒	☐	☐	☐	SC 8/21/12
Economic	☐	☒	☐	☐	☐	SC 8/21/12
Environmental Justice	☐	☒	☐	☐	☐	SC 8/21/12
Transportation and Access	☐	☒	☐	☐	☐	CPP 9/10/12
Wastes, Hazardous or Solid	☐	☒	☐	☐	☐	SC 9/19/12
LAND RESOURCES						
Prime or Unique Farmlands	☒	☐	☐	☐	☐	SC 8/21/12
Recreation	☐	☒	☐	☐	☐	CPP 9/10/12
Special Designations (ACEC, SMAs etc.)	☒	☐	☐	☐	☐	CPP 9/10/12
Wild and Scenic Rivers	☒	☐	☐	☐	☐	CPP 9/10/12
Wilderness	☒	☐	☐	☐	☐	CPP 9/10/12
Range Management	☐	☒	☐	☐	☐	SC 8/21/12

Table 1– Potentially Impacted Resources (double click on boxes to check)

Resources	Not Present On Location	No Impact	Potentially Impacted	Mitigation Necessary	Comments included in DNA text	BLM Evaluator Initial & Date
Wild Horse and Burros	☒	☐	☐	☐	☐	SC 8/21/12
Land Tenure, ROW, Other Uses	☐	☒	☐	☐	☐	RBL 8/22/12

NAME OF PREPARER: Scott Clarke RMS

NAME OF ENVIRONMENTAL COORDINATOR: Collin Ewing

DATE: 9/19/12

CONCLUSION

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__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: _____
GRAND JUNCTION, Field Manager

DATE SIGNED: 9-25-12

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.