



**UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Land Management**

Gunnison Field Office  
650 S 11<sup>th</sup> St.  
Gunnison, CO 81230  
(970) 642-4940



January 28, 2011

In Reply Refer To:  
CO-160 4190.1  
Allotment #06308

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**NOTICE OF PROPOSED DECISION**

It is my proposed decision to issue one permit authorizing livestock grazing on the Camp Kettle Gulch Allotment #06318 for a period of 10 years. The permit will be issued for the same livestock numbers and season of use that are currently permitted. The permit will include the following terms and conditions, goals, and objectives to achieve allotment specific objectives, that will, 1) meet the Gunnison Resource Area Resource Management Plan (RMP) objectives, and 2) achieve or make significant progress towards achieving the Standards for Public Land Health in Colorado and comply with the Guidelines for Livestock Grazing Management in Colorado, in conformance with the Fundamentals of Rangeland Health (43 CFR 4180.1) and Standards and Guidelines (43 CFR 4180.2). The Proposed Action has been reviewed for consistency and conformance with the land use plan and compliance with the National Environmental Policy Act. A copy of Environmental Assessment #DOI-BLM-CO-S060-2009-0004-EA is attached.

Terms and Conditions

Livestock		Season of Use	% P.L.	AUMs
No.	Kind/Class			
103	Cattle	6/1 – 9/30	100	412

1. Kind of livestock use in the Camp Kettle Gulch Allotment is limited to cattle only.
2. Water hauling will be done as needed to distribute livestock to achieve appropriate livestock distribution within each pasture. The water haul sites will be monitored and rotated throughout each pasture to avoid impacts to plant communities. The location of water haul sites will include an assessment of plant community condition and critical sage grouse habitat prior to placement in order to avoid or minimize impacts from concentrated use.
3. Livestock use rates will be as follows:
  - a. Total utilization of key herbaceous forage species within all riparian zones will be limited to 41-60% of the current year's growth, with a 2 ½ inch minimum stubble height maintained throughout the grazing season. These limits are needed to provide a minimum of plant residue to trap sediment during high flows, to buffer or reduce the energy of high flows and to protect stream banks.

b. Uplands will not exceed a utilization level of 41-60% of the current years growth for available key forage during the grazing period of use.

c. Use limits for livestock within important sage grouse nesting and early brood rearing habitat will be as follows: Between March 15 and September 28, the grass droop height in the upland areas of a pasture will be 4-6 inches or greater (current year's growth). This applies to big sagebrush communities below 9200 feet and within 4 miles of a lek with understories dominated by herbaceous vegetation that has the potential to grow to 6 inches or greater.

d. Use limits for livestock within important sage grouse brood rearing habitat will be as follows: For riparian areas within 4 miles of a sage grouse lek, between June 15 and August 30, the stubble height of herbaceous vegetation in all riparian areas will be a minimum of 4-inches over 80% of each riparian area within a pasture. At all other times a minimum 2.5-inch stubble height will be maintained over 80% of the riparian area within each pasture throughout the period of use.

Once these utilization rates have been reached within each of the pastures livestock will be moved to the next pasture. Once all of the pastures have been used, livestock will be removed to the permittees' private pasture.

In situations where residual vegetation is not meeting the use objectives during/following livestock grazing, the potential of the area to achieve the resource and livestock use objectives will be determined prior to taking any permanent adverse actions against the livestock grazing permit.

4. Grazing use for the allotment will be in compliance with the Gunnison Resource Area RMP, which was amended to adopt the Colorado Standards for Public Land Health and Guidelines for Livestock in Colorado.

5. Any objects or sites of cultural or paleontological value, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged or disturbed. If any such resources are encountered, the permittee shall notify BLM immediately.

6. Salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or temporary or permanent watering facility. Excess salt and/or mineral sources will be removed from the allotment following grazing use each year.

7. Temporary water hauling site locations shall be coordinated with the BLM. Troughs associated with these sites must have a wildlife escape ramp. To prevent wildlife deaths, these troughs must be removed or turned over each year when they are no longer needed for livestock grazing use.

8. All range improvements for which the permittee has maintenance responsibility, including fences, troughs, and reservoirs, must be properly maintained prior to livestock turnout. The permittee must notify the BLM prior to beginning any maintenance activities that require the use of heavy equipment, such as tractors, backhoes, or graders. Allotment boundary fences for which the permittee has maintenance responsibility must be maintained every year, even if the allotment is being rested.

**Camp Kettle Gulch Allotment Range Improvements**

Project		Location				Maintenance Responsibility
Name	Number	Township	Range	Section	Subdivision	
East Cochetopa Spring #1	230018	48 N	2 E	21	SESW	Permittee
East Cochetopa Spring #9	230213	47 N	3 E	6	NWSE	Permittee
East Cochetopa Spring #10	230219	48 N	3 E	19	SWSE	Permittee
Vouga Water Box	230234	47 N	3 E	6	SWSW	Permittee
Steer Gulch Spring #32	231132	48 N	2 E	24	SESE	Permittee
Camp Spring #1	234421	48 N	2 E	33	NENE	Permittee
Abbott Spring	234507	48 N	2 E	24	SESE	Permittee
Acuma Pueblo Spring	234509	48 N	2 E	22	NWNE	Permittee
Escondida Spring	234534	47 N	2 E	12	SWSE	Permittee
Espanola Spring	234535	47 N	2 E	15	NE	Permittee
Frijoles Spring	234536	47 N	2 E	22	NWNE	Permittee
Hazard Spring Excavation #2	235014	47 N	2 E	22	SESW	Permittee
Hidden Draw Spring	230304	48 N	2 E	24	NENE	Permittee

**Camp Kettle Gulch Allotment Range Improvements (Continued)**

Project		Location				Maintenance Responsibility
Name	Number	Township	Range	Section	Subdivision	
Razor Creek Spring #3	238168	47 N	2 E	11	SESE	Permittee
Razor Creek Spring #3 Exclosure	238169	47 N	2 E	11	NESE	Permittee
El Vado Spring	008467	48 N	2 E	13	SESE	Permittee
Cochetopa Dr Fence	230069	47 N	2 E	22	SWSW	Permittee
Razor Needle Fence	230852	48 N	3 E	31	SENE	Permittee
G Mitchell Fence #1	231553	47 N	2 E	16	NWSE	Permittee
Bernalillo Cattleguard	234485	48 N	2 E	15	SESE	Permittee
Camp Kettle Fence	238078	47 N	2 E	11	NENE	Permittee
Yukon Dam	230115	47 N	2 E	2	NWSW	BLM
East Cochetopa Spring #2	230190	48 N	2 E	22	SESE	BLM
Immigrant Spring	230752	47 N	2 E	22	SWSW	BLM
Dsapt Saline Well #7	234533	48 N	2 E	13	SESE	BLM
Meyers Allotment Riparian Exclosure	238123	47 N	2 E	22	SWSW	BLM
Sage Grouse Spike Treatment	238184	49 N	2 E	26	SW	BLM
Camp Kettle Guzzler	238016	48 N	2 E	35	SWNE	BLM

9. The permittee shall provide the Bureau of Land Management with reasonable administrative access across private and leased lands for the orderly management and protection of the public lands.

10. When poisonous plants are identified as a threat to livestock, management actions to avoid grazing the area during the problem period will be developed. Infestations of noxious weeds will be incorporated into the Field Office noxious weed control program as they are identified.

11. Grazing use will be in conformance with Canada lynx habitat standards:

a. Do not allow livestock use in openings created by fire or timber harvest that would delay successful regeneration of the shrub and tree components.

b. Manage grazing in aspen stands to ensure sprouting and sprout survival sufficient to perpetuate the long-term viability of the clones.

c. Within the elevational ranges that encompass forested lynx habitat, shrub-steppe habitats should be considered as integral to the lynx habitat matrix and should be managed to maintain or achieve mid-seral or higher condition.

d. Within lynx habitat, manage livestock grazing in riparian areas and willow carrs to maintain or achieve mid-seral or higher condition to provide cover and forage for prey species.

#### Allotment Goal

The Camp Kettle Gulch Allotment will be managed to provide for a maximum achievable diversity and production of biological resources to improve and sustain habitat for wildlife, to help sustain the economic stability of the permittee, and to allow for quality opportunities for public land users while achieving or making significant progress toward achieving BLM's Standards for Public Land Health in Colorado and conformance to BLM's Guidelines for Livestock Management in Colorado.

#### Allotment Objectives

##### a. Native Uplands

The management objective for native upland vegetation on the Camp Kettle Gulch Allotment is to maintain or improve the vigor, production and diversity of desirable plants to support a variety of resource uses, including, but not limited to livestock grazing, wildlife habitat, and recreation. Native upland sites will be managed to achieve and maintain basal cover values which are equal to or greater than those listed for the slightly/moderately accelerated erosion threshold as described in the Montrose District Soil Erosion Monitoring Guidelines for each ecological site.

##### b. Riparian Areas

Riparian areas will be managed to maintain or achieve a mid-seral or later stage of ecological succession and to provide adequate herbaceous plant residue on stream banks and flood plains during seasons when high flows are likely (spring runoff and the thunderstorm season of July and August). Physical damage to stream banks by people, livestock and wildlife will not exceed 10% of the length of stream banks for any riparian area within a pasture. Physical damage is where stream banks are collapsed or soil is left bare by man or animal trampling. Management prescriptions in this proposed action are designed to maintain adequate vegetation cover over the entire riparian area(s) as stated in the Record of Decision for the Gunnison Resource Management Plan, and Rangeland Program Summary (page 3-4, #5 and #6; Feb. 1993). The intent of the management prescription is to maintain adequate vegetation cover over the entire riparian area(s).

### Monitoring/Evaluation

The BLM will be responsible for implementing the following monitoring/ evaluation requirements:

The monitoring program will include appropriate consultation, cooperation and coordination with the rangeland users, other agencies, and interested publics. Close coordination between the permittees or their representatives, the Colorado Division of Wildlife, and the BLM of all livestock related field monitoring is essential to determine conformity with the terms and conditions of the permits.

Sufficient monitoring data will be collected to determine if management actions are, 1) contributing to the achievement of allotment objectives and the Gunnison Resource Area Resource Management Plan (RMP) management objectives, 2) achieving or making significant progress toward achieving the Standards for Public Land Health in Colorado and conforming to the Colorado Livestock Grazing Management Guidelines.

The intensity and frequency of additional monitoring done on the allotment will be dependent on annual funding allocations and work priorities established for the Gunnison Field Office. Monitoring priorities for the allotment will be determined annually. Guidance provided in BLM Technical References, BLM Manuals, the Gunnison Resource Area Rangeland Monitoring Plan, will be the basis for monitoring/inventory conducted on the allotment. Other appropriate guidance documentation will be considered when establishing, collecting and evaluating data.

Monitoring will include both short-term and long-term studies. Short-term monitoring will include compliance monitoring, actual use data, range readiness when necessary through a joint field inspection with the BLM and the permittees, utilization studies on riparian areas and uplands as well as climate and soil moisture data. Long term monitoring will document and measure trends toward or achievement of objectives over a period of years.

Evaluations may be conducted anytime during the implementation of this proposed action if monitoring data and/or other data support changes to the allotment objectives, management actions or annual permitted use.

### Protest/Appeal Rights

With this decision you have a right to protest and appeal. If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days from receipt of this notice within which to file such a protest with the Field Manager at the address given above. A protest may be made either in person or in writing to the Field Manager and shall specify the reasons why you think the proposed decision is in error.

If a protest is filed within the time allowed, the protest statement of reasons and other pertinent information will be considered and a final decision will be issued with a right of appeal as defined in 43 CFR 4160.3 and 4160.4.

In the absence of a protest within the time allowed, the above proposed decision shall constitute my final decision. Should this notice become the final decision and you wish to appeal for the purpose of a hearing before an Administrative Law Judge (43 CFR 4160.4 and 4.470), you are allowed 30 days from the date this decision becomes my final decision within which to file such an appeal at the address given above. The appeal shall state clearly and concisely why you think the decision is in error.

To receive consideration on staying implementation of the Final Decision, you must file a petition to stay which clearly states your reason(s) why this decision should not become effective on the date indicated. The petition to stay must be filed with the appeal and sent to the Field Manager at the address given above. Your petition to stay our decision must address the following:

- i. The relative harm to the parties if the stay is granted or denied;
- ii. The likelihood of the appellant's success on the merits;
- iii. The likelihood of immediate and irreparable harm if the stay is not granted; and
- iv. Whether the public interest favors granting the stay.

If you have any questions, please feel free to contact me or Tara de Valois at (970)641-0471 or stop by our office in Gunnison. Thank you for your continuing cooperation.

Sincerely,

/s/ Brian St. George

Brian St. George  
Gunnison Field Manager

Enclosure: Environmental Assessment #DOI-BLM-CO-S060-2009-0004-EA

cc:

Gunnison County Stockgrowers  
c/o Sandy Guerrieri  
P.O. Box 1711  
Gunnison, CO 81230

Rocky Mountain Resource Management Services  
c/o Mike and Chris Henkel  
P.O. Box 1832  
Gunnison, CO 81230

Colorado Division of Wildlife  
c/o Jay Wenum  
300 W. New York Avenue  
Gunnison, CO 81230

Paul Taramarcaz  
11 County Road 45  
Gunnison, CO 81230