

**U.S. Department of the Interior
Bureau of Land Management
Glenwood Springs Field Office
50629 US Highway 6 & 24
Glenwood Springs, CO 81601**

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: CO-140-2008-080 DNA

CASEFILE/PROJECT NUMBER (optional): 0503702

PROJECT NAME: Eight Bar Ranch Grazing Transfer and Permit Issuance

PLANNING UNIT: Eagle

LEGAL DESCRIPTION: T2S R85W, T3S R85W, T3S 86W, T3S R87W (see attached maps).

APPLICANT: Eight Bar Ranch CO., LLLP

ISSUES AND CONCERNS (optional):

DESCRIPTION OF PROPOSED ACTION: The Proposed Action is to transfer grazing preference and issue a term grazing permit for the above applicant. The previous permit was issued to Albertson Ranch Company and is due to expire on February 28, 2017. The base property associated with the grazing preference has recently been sold to Eight Bar Ranch CO., which has applied for the transfer of grazing preference. The number/kind of livestock, period of use, percent public land and Animal Unit Months (AUMs) will remain the same as the previous permit. The permit would be issued for the same expiration date (February 28, 2017) as the previous permit. The proposed action is in accordance with 43 CFR 4110.2-3 and 4130.2. The tables below summarize the scheduled grazing use and grazing preference for the permit.

Scheduled Grazing Use :

Allotment Name & No.	Livestock Kind & No.	Period of use	%PL	AUMs
River Common 08615	13 Cattle	05/01 – 05/31	100	13
Red Dirt 08626	16 Cattle	05/15 – 06/11	100	15
	63 Cattle	12/04 – 12/20	100	35
Willow Creek 08629				
Lower Pasture	70 Cattle	05/15 – 06/11	100	64
Watson Pasture	89 Cattle	06/11 – 06/21	100	32
Ralph Place Pasture	96 Cattle	06/22 – 07/01	100	32
Ralph Place Pasture	135 Cattle	09/27 – 10/15	100	84
Hack Creek 08632	96 Cattle	07/01 – 09/27	100	281

Grazing Preference (AUMS):

Allotment Name & No.	Total	Suspended	Active
River Common 08615	13	0	13
Red Dirt 08626	50	0	50
Willow Creek 08629	212	0	212
Hack Creek 08632	281	0	281

The following terms and conditions that existed on the previous permit will also be carried forward on the renewed permit:

- In accordance with the settlement agreement of grazing appeal #CO-07-95-1, the permittee shall not intentionally put livestock east of Horse Creek in the Hack Creek Allotment., including use for access to the Hack Creek Allotment. Additionally, the permittee shall minimize travel across Horse Creek in order not to create a trail that will facilitate cattle movement east of Horse Creek. Any trails that are used or created by the permittee would be closed by the permittee with downed trees or brush to reduce cattle movement.
- Grazing in Riparian areas by livestock within mapped lynx habitat along Red Dirt and Poison Creek should leave an average minimum 4-inch stubble height of herbaceous vegetation and should not exceed an average utilization of 40% of the current year's growth for browse species. Within the uplands, average livestock utilization levels will be limited to 50% by weight on key grass species. Livestock will be moved to another portion of the allotment, moved to the next scheduled pasture, or removed immediately from the allotment when the above utilization levels occur.
- If an assessment of rangeland health results in a determination that changes are necessary in order to comply with the Standards for Public Land Health and the Guidelines for Livestock Management in Colorado, this permit will be reissued subject to revised terms and conditions.
- The permittee and all persons specifically associated with grazing operations must be informed that any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed, moved, or disturbed. If in connection with allotment operations under this authorization any of the above resources are encountered, the proponent shall immediately suspend all activities in the immediate vicinity and notify the BLM authorized officer of the findings. The discovery must be protected until notified in writing to proceed by the authorized officer (36CFR800.110 & 112, 43CFR 0.4).
- River Common Allotment - To minimize the areas of concentrated grazing use on the River Common allotment and to allow the vegetation to recover, permittees shall not use the same salting areas in any two consecutive years and shall avoid salting within ¼ mile of water sources.
- Red Dirt Allotment – Fall grazing will be restricted to the lower elevation portion of the allotment located in SW4 Sec. 12, E2SE4, NW4, Sec. 13, and E2SW4 Sec. 14, T3S, R86W, 6th P.M. Should snow depth exceed 10 inches, grazing use will not be permitted.

- Maintenance of range improvements is required and shall be in accordance with all approved cooperative agreements and range improvement permits. Maintenance shall be completed prior to turnout.

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

Name of Plan: Glenwood Springs Resource Management Plan

Date Approved: Jan. 1984, revised 1988, amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance.

__X__ The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):

Decision Language: The action is in conformance with Administrative Actions (pg. 5) and Livestock Grazing Management (pg. 20). Administrative actions states, “Various types of actions will require special attention beyond the scope of this plan. Administrative actions are the day-to-day transactions required to serve the public and to provide optimal use of the resources. These actions are in conformance with the plan”. The livestock grazing management objective as amended states, “To provide 56,885 animal unit months of livestock forage commensurate with meeting public land health standards.”

_____ The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

REVIEW OF EXISTING NEPA DOCUMENTS:

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

Name of Document: CO-140-2007-045 EA, Grazing Permit Renewals (Albertson Ranch CO. and Mike Luark).

Date Approved: April 10, 2007

List by name and date any other documentation relevant to the Proposed Action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Name of Document:

Cultural Resource Assessment GSFO #1007-5, January 30, 2007
Section 7 Consultation with the US Fish and Wildlife Service – Glenwood Springs Field Office Programmatic Grazing Biological Opinion (ES/GJ-6-CO-03-F-013) dated December 4, 2003
Sweetwater to Burns Watershed Land Health Assessment Report and Determination Document, 2006

NEPA ADEQUACY CRITERIA:

1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document?

Documentation of answer and explanation: Yes. The current Proposed Action was analyzed in the above mentioned Environmental Assessment which analyzed the affects of grazing as proposed. The amount of grazing use in the proposed action is the same action 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?

Documentation of answer and explanation: Yes. The existing NEPA document analyzed the proposed action. No unresolved conflicts concerning alternative uses of available resources were identified through public scoping; therefore, other alternatives were not analyzed. The same applies to the current proposed action given current 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? Is the analysis still valid in light of new studies or resource assessment information?

Documentation of answer and explanation: Yes. The analysis contained in existing NEPA document remains valid in light of new studies and/or resource assessment information. The circumstances upon which the existing NEPA document is based remain valid and germane to the Proposed Action. No new threatened or endangered animal species have been identified on the grazing allotments and Proposed Action would not adversely impact migratory birds per EO 13186.

4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?

Documentation of answer and explanation: Yes. We are not aware of any inappropriate methodology or analytical approach in the existing environmental assessment.

5. Are the direct and indirect impacts of the Proposed Action unchanged from those identified in the existing NEPA document?

Documentation of answer and explanation: Yes. Grazing use under the Proposed Action is the same as what was analyzed in the existing NEPA document. The direct /indirect impacts would be the same as those identified in the existing NEPA document. The environmental assessments thoroughly reviewed the many specific environmental impacts including vegetation, water resources, air quality, wildlife, cultural, threatened and endangered species, wilderness, and riparian resources.

6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?

Documentation of answer and explanation: Yes. The current Proposed Action is the same as what was analyzed in the existing NEPA document. The cumulative impact remains the same as those analyzed in the existing NEPA document. There have been no new relevant activities that have been implemented or projected that would alter cumulative impacts identified in the existing NEPA document.

7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?

Documentation of answer and explanation: Yes. For the existing NEPA document, notices of public scoping were issued through Colorado BLM's internet web page seeking public comments on grazing permit/lease renewals. The Glenwood Springs Field Office Internet NEPA register also listed grazing permit renewal NEPA documents that were initiated. No comments specific to the allotments were received through the scoping process.

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

<u>Name</u>	<u>Title</u>	<u>Review Completed</u>
Jeff O'Connell	Hydrologist	Water Quality, Hydrology Air, Soils
Mike Kinser	Rangeland Management Specialist	Riparian Zones, Range
Kay Hopkins	Outdoor Recreation Planner	Wilderness
Carla DeYoung	Ecologist	T&E Plants, Standards, Vegetation, ACEC
Cheryl Harrison	Archaeologist	Cultural & Native American Concerns
Tom Fresques	Fisheries Biologist	Wildlife Aquatic, T&E (Fish)
Desa Ausmus	Wildlife Biologist	Wildlife Terrestrial, T&E (Terrestrial Wildlife)

REMARKS: None

MITIGATION: The same mitigation measures that were approved in the existing NEPA document will be incorporated and implemented in the Proposed Action.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Michael R. Kinser

DATE: May 22, 2008

CONCLUSION

CO-140-2008-080 DNA

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.

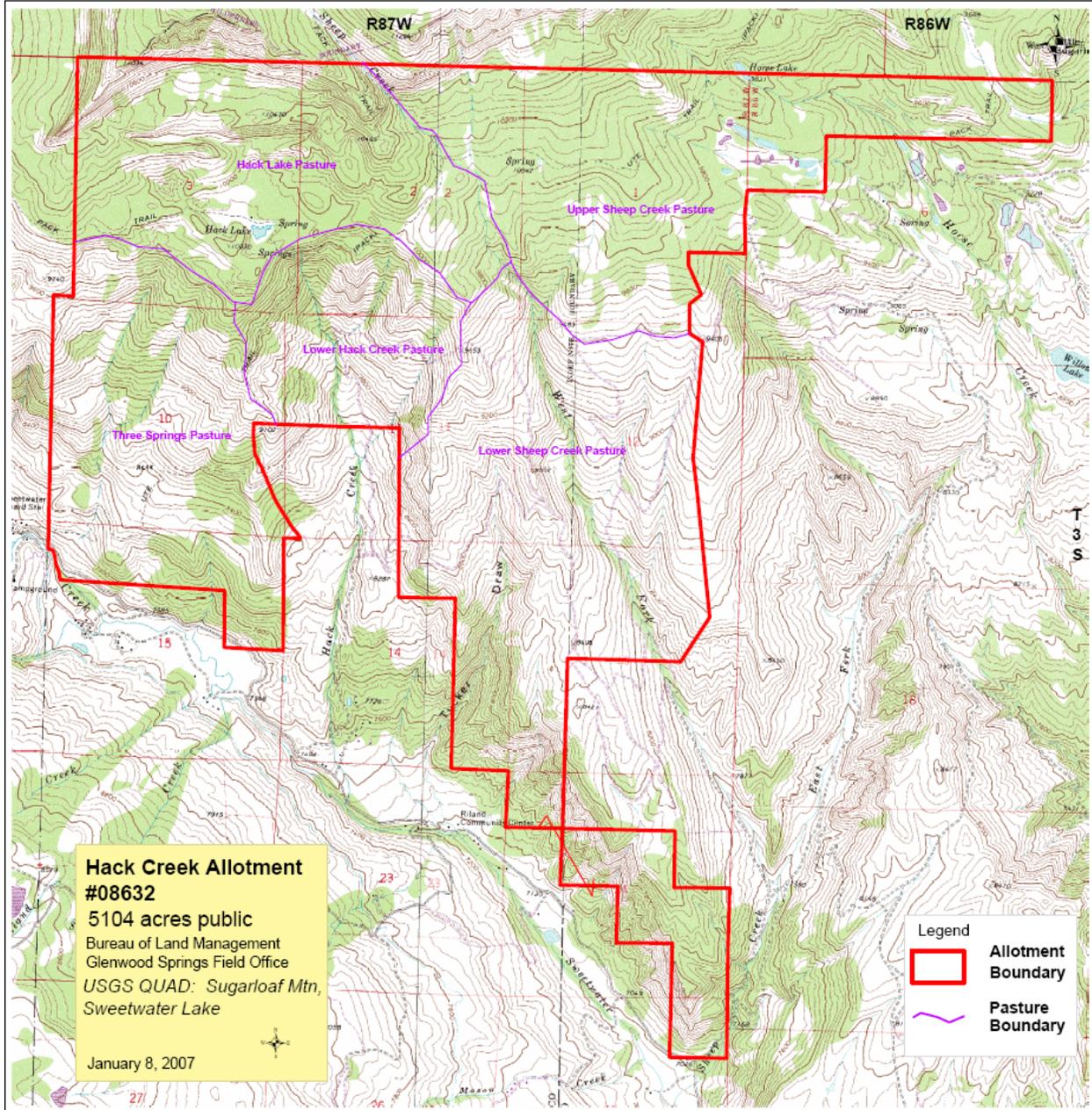
SIGNATURE OF RESPONSIBLE OFFICIAL:

Kyle R. Menden
Supervisory Natural Resource Specialist

DATE SIGNED:

5/27/2008

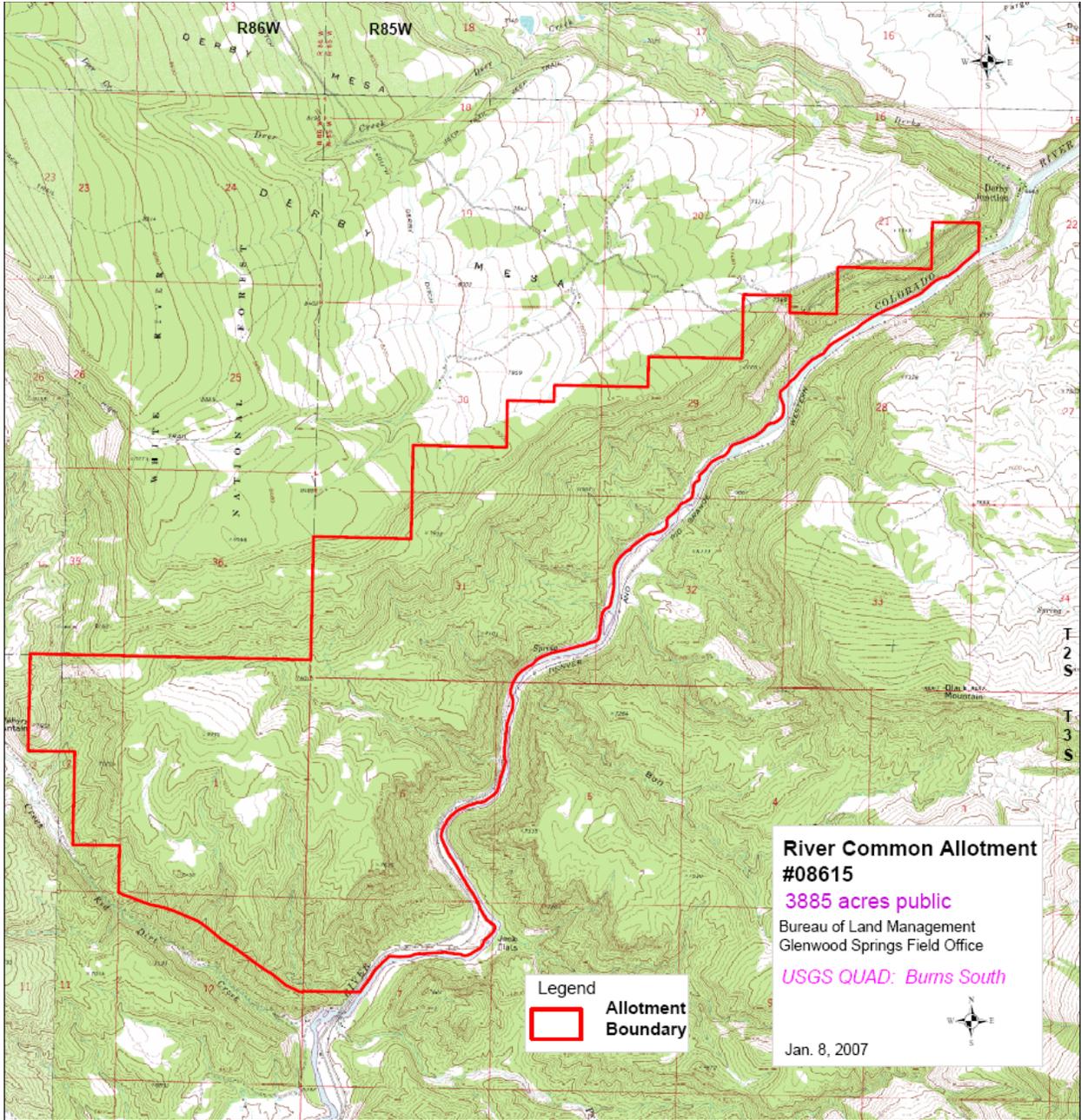
Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

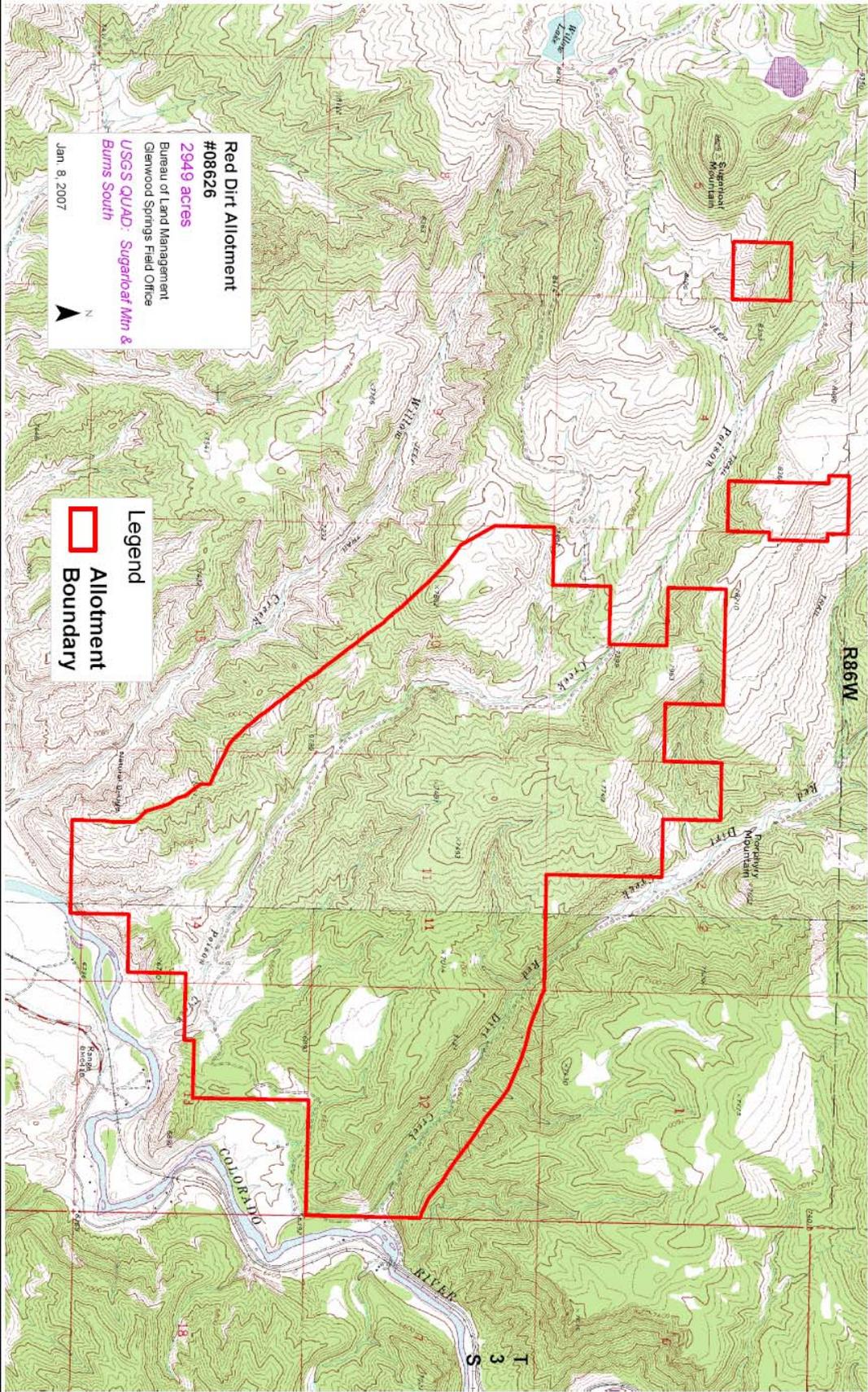


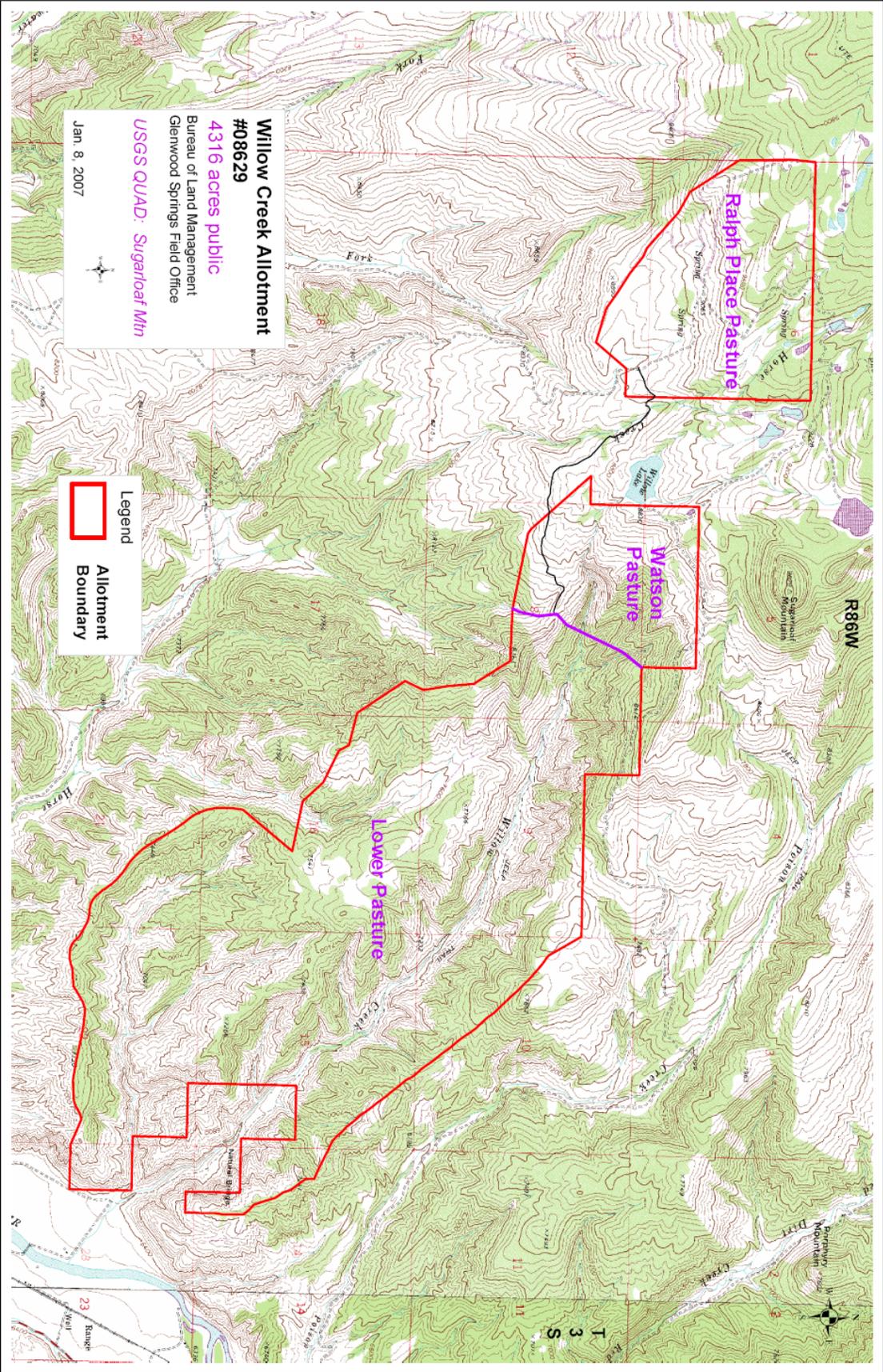
Hack Creek Allotment
#08632
 5104 acres public
 Bureau of Land Management
 Glenwood Springs Field Office
 USGS QUAD: Sugarloaf Mtn,
 Sweetwater Lake
 January 8, 2007

Legend

	Allotment Boundary
	Pasture Boundary







Willow Creek Allotment
#08629
4316 acres public
Bureau of Land Management
Glenwood Springs Field Office
USGS QUAD: Sugarloaf Mtn
Jan. 8, 2007

Legend
Allotment Boundary