



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652
www.co.blm.gov



DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NEPA NUMBER: DOI-BLM-CO-N040-2013-0073-DNA

CASEFILE NUMBER: 0507550

PROJECT NAME: Grazing Permit Renewal on the Beaver Creek allotment # 08113

LOCATION: Garfield County, Rifle, CO

LEGAL DESCRIPTIONS: T7S R93W Sec 6, 7 and 17, See attached map

APPLICANT: Grazing Permittee

PURPOSE AND NEED FOR ACTION:

This permit is subject to renewal or transfer at the discretion of the Secretary of the Interior for a period of up to ten years. The U.S. Bureau of Land Management has the authority to renew the livestock grazing permit/lease consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, and Glenwood Springs Field Office's Resource Management Plan/Environmental Impact Statement. This Plan/EIS has been amended by Standards for Public Land Health in Colorado.

The renewal of the grazing permit is needed for the following reasons: (1) to meet the livestock grazing management goal and objective of the Resource Management Plan, (2) to continue to allow livestock grazing on the specified allotment, (3) to meet the forage demands of local livestock operations, (4) to provide stability to these operations and help preserve their rural agricultural lands for open space and wildlife habitat, and (5) to allow use of native rangeland resource for conversion into protein suitable for human consumption.

Decision to be made: Whether or not to renew a grazing permit.

DESCRIPTION OF PROPOSED ACTION:

The Proposed Action is to renew a term grazing permit. The number/kind of livestock, season of use, percent public land and Animal Unit Months (AUMS) will remain the same as the previous permit. The permit would be issued for a 3-year period. The proposed action is in accordance with 43 CFR 4130.2. Scheduled grazing use and grazing preference for the permit are summarized below.

Mandatory Terms and Conditions (Scheduled Grazing Use):

Allotment Name & No.	Livestock No. & Kind	Period of use	Percent Public Land	AUMs
Beaver Creek #08113	73 Cattle	5/12 – 10/14	11	41

Grazing Preference AUMS:

Allotment Name & No.	Active	Suspended	Total
Beaver Creek #08113	41	0	41

The following Other Terms and Conditions will be included on the renewed permit:

- 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. Maintenance activities shall be restricted to the footprint (previously disturbed area) of the project as it existed when it was initially constructed. The Bureau of Land Management shall be given 48 hours advance notice of any maintenance work that will involve heavy equipment. Disturbed areas will be reseeded with a certified weed-free seed mixture of native species adapted to the site.
- The permittee and all persons associated with grazing operations must be informed that any person who injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law. 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 of the discovery that might further disturb such materials and notify the BLM authorized officer of the findings. The discovery must be protected until further notified in writing to proceed by the authorized officer.

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; amended in September 2009; and amended in October 2012 - Approved Resource Management Plan Amendments/ Record of Decision (ROD) for Solar Energy Development in Six Southwestern States.

- ✓ 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: DOI-BLM-CO-N040-2011-0019-EA, Grazing Permit Renewal for the Beaver Creek Allotment.

Date Approved: March 22, 2011

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: Rifle West Land Health Assessment Evaluation and Determination.

Date Approved: August 31, 2005

NEPA ADEQUACY CRITERIA:

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Documentation of answer and explanation: Yes. The current Proposed Action was analyzed in the above mentioned Environmental Assessment. The proposed action is essentially similar to the action analyzed in the existing document.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given 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. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Documentation of answer and explanation: Yes. The analysis contained in the 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, endangered or sensitive species have been identified on the allotment and the Proposed Action would not adversely impact migratory birds per EO 13186.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

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

5. Are the public involvement and interagency review associated with the existing NEPA document(s) adequate for the current 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. No comments specific to the proposed action were received.

INTERDISCIPLINARY REVIEW:

<i>Name</i>	<i>Title</i>	<i>Responsibility</i>
Isaac Pittman	Rangeland Management Specialist	NEPA Lead, Range Management, Invasive, Non-native Species
Carla DeYoung	Ecologist	Areas of Critical Environmental Concern; Vegetation; T/E/S Plants; Land Heath Standards
Pauline Adams	Hydrologist	Air Quality, Water Quality, and Soils

Greg Wolfgang	Outdoor Recreation Planner	VRM, Recreation, Travel Management
Kimberly Miller	Outdoor Recreation Planner	Wild and Scenic Rivers, Wilderness, Recreation
Erin Leifeld	Archaeologist	Cultural Resources and Native American Concerns
Darren Long	Wildlife Biologist	Migratory Birds, Terrestrial Wildlife, Aquatic Wildlife, T/E/S Terrestrial & Aquatic Wildlife
Everett Bartz	Rangeland Management Specialist	Riparian and Wetlands
Kristy Wallner	Rangeland Management Specialist	Invasive, Non-Native species (Noxious Weeds)

REMARKS:

Cultural Resources and Native American Religious Concerns

The Beaver Creek allotment is comprised of 1,445.8 acres of which 466.8 acres are BLM lands. Cultural resource inventory has been conducted covering 919.9 acres at a Class III level within the allotment of which 270.5 acres inventoried on the BLM lands. The allotment was previously analyzed in 2011 (CRVFO# 1011-8) and recommended no additional inventory within the allotment. A total of 15 cultural resources have been documented within the allotment. There are five historic sites (5GF.2739.2-3, 5GF.4218, 5GF.4219.1-2) all of which are not eligible for the National Register of Historic Places (NRHP). Three prehistoric camp sites (5GF.4216, 5GF.4217, 5GF.2796) have been recorded with two not eligible and one potentially eligible determinations for the NRHP. Finally, there are seven isolated finds including one historic (5GF.4242) and six prehistoric (5GF.4172, 5GF.4238, 5GF.4239, 5GF.4240, 5GF.4241, 5GF.1240) all of which are not eligible for the NRHP. Looking at the General Land Office (GLO) Patents from 1913 and 1949 indicate there is potential for a historic ditch within the allotment. Continued use of the allotment in livestock kind, number, or season of use will not likely have impacts to cultural resources. This information does not bring to light any changes to the previous analysis. New range improvements, maintenance of existing range improvements, or additional feeding areas may require cultural resource inventories, monitoring, and/or data recovery.

The cultural resource evaluation of this allotment describing known cultural resources and their condition was sent to the Southern Ute Indian Tribe, Ute Mountain Ute Tribe, and the Uinta and Ouray Agency Ute Indian Tribe. The letter, sent on November 15, 2010, requested the tribes to identify issues and areas of concern within the allotment. No comments were received at that time.

MITIGATION: The “Other Terms and Conditions” identified in the proposed action are substantially the same mitigation measures that were approved in the existing NEPA document.

NAME OF PREPARER: Isaac Pittman

DATE: 2/3/2014

CONCLUSION

DOI-BLM-CO-N040-2013-0073-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:

Angie Wolfson
Acting Supervisory Natural Resource Specialist

DATE SIGNED:

2-4-2014

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.