



United States Department of the Interior
 BUREAU OF LAND MANAGEMENT
 Colorado River Valley Field Office
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DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N040-2013-0030-DNA

CASEFILE/PROJECT NUMBER (optional): 0507670

PROJECT NAME: Livestock Grazing Transfer of the East Divide Allotment #08105

PLANNING UNIT: Garfield County

LEGAL DESCRIPTION: East Divide Allotment #08105, T.7S. & T.8S., R.90W. & R.91W.
 (see attached map)

APPLICANT: Gary, Karen and Nathan Hill

ISSUES AND CONCERNS (optional):

DESCRIPTION OF PROPOSED ACTION:

Transfer Grazing Preference: The Proposed Action is to transfer grazing preference from base property owned by the existing permittee to base property owned by the new permittee. The transfer action is categorically excluded in the National Environmental Policy Act (NEPA) and no extraordinary circumstances apply and therefore no further analysis is required (516 DM 11.9 D1).

Reissue Grazing Permit: The grazing permit would be reissued on the East Divide Allotment (#08105). No changes are proposed on the new permit. The permit will be re-issued for the remaining term of the existing permit. The proposed action is in accordance with 43 CFR 4130.2. The tables below summarize the proposed grazing schedule.

Mandatory Terms and Conditions/Scheduled Grazing Use:

Allotment Name & No.	Livestock No. & Kind	Period of use	Percent Public Land	AUMs
East Divide 08105	369 Cattle	6/1 to 7/7 & 10/8 to 10/15	100	546

Grazing Preference AUMS:

Allotment Name & No.	Active	Suspended	Total
East Divide 08105	555	197	752

The following other terms and conditions will be included on the permit:

Grazing use shall be in accordance with the East Divide AMP revision approved 9/27/84 as amended. An Actual use report is due no later than October 30 annually.

Within the uplands, average livestock utilization levels will be limited to 50% by weight on key grass species. Livestock will be moved to the next scheduled pasture, or removed immediately from the allotment when the above utilization levels occur.

Adaptive management will be employed on these allotments. The BLM will allow up to 14 days of flexibility in the start and end dates on this permit depending on range readiness. The range will be considered ready when there is a minimum of 4 inches of new growth on grasses. AUMs may not exceed Active Preference. Use different than that shown above must be applied for in advance.

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.

- ✓ 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(s): DOI-BLM-CO-040-2012-0013 EA, Grazing Permit Renewal on the East Divide allotment, Case-file number: 0507670

Date Approved: February 3, 2012

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:

- Divide Creek Land Health Assessment Evaluation and Determination Document, dated June 1, 2010.

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. 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. In 2007, a formal land health assessment determined that the allotment was meeting all applicable land health standards. Utilization studies conducted in 2004, 2009 and 2010 show slight use on key grasses.

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. The current 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 assessment 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. No comments specific to the East Divide Allotment were received.

INTERDISCIPLINARY REVIEW:

<i>Name</i>	<i>Title</i>	<i>Responsibility</i>
Hjalmar Sandberg	Range Technician	NEPA Lead
Pauline Adams	Hydrologist	Air Quality, Water Quality, Soils
Everett Bartz	Rangeland Management Specialist	Riparian and Wetlands
Carla DeYoung	Ecologist	ACEC, Vegetation, T/E/S Plants, Land Heath Stds
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
Sylvia Ringer	Wildlife Biologist	Migratory Birds, Terrestrial Wildlife, Aquatic Wildlife, T/E/S Terrestrial & Aquatic Wildlife
Kristy Wallner	Rangeland Management Specialist	Invasive, Non-native Species

REMARKS:

Cultural Resources and Native American Religious Concerns

The East Divide Commons allotment is comprised of 13,803 acres of which cultural resource inventory has been conducted covering 2,714 acres at a Class III level. The allotment was previously analyzed in 2012 (CRVFO# 1012-10) and no new significant information has come to light which would change the analysis for this transfer. The previous analysis recommended additional inventory around existing water sources such as reservoirs, ponds, and springs where livestock concentrate. This additional inventory totals 73 acres. In addition, samples of nine cultural resources (5GF.3208, 5GF.3209, 5GF.3210, 5GF.441, 5GF.3233, 5GF.329, 5GF.1366, 5GF.473 and 5GF.843) are recommended to be revisited and monitored for impacts.

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 December 16, 2011, requested the tribes to identify issues and areas of concern within the allotment. No comments were received at that time.

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

NAME OF PREPARER: Hjalmar Sandberg

DATE: 3/11/2013

CONCLUSION

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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: Greg Wolfgram
Acting Supervisory Natural Resource Specialist

DATE SIGNED: 3/11/2013

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.

East Divide Common Allotment #08105

