



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
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DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NEPA NUMBER: DOI-BLM-CO-N040-2013-0031-DNA

CASEFILE/PROJECT NUMBER: 0507717

PROJECT NAME: Reissue Grazing Permit for the Pole Creek and Cottonwood Allotment

PLANNING AREA: Garfield County, South of Silt, CO

LEGAL DESCRIPTION: Township 8 South, Range 91 West, sections 8, 17, 20 (see attached map)

APPLICANT: Grazing Permittee

NEED FOR THE PROPOSED 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 livestock grazing permits/leases 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 action is needed for the following reasons: (1) to meet the livestock grazing management objective of the Resource Management Plan of providing 56,885 animal unit months of livestock forage commensurate with meeting public land health standards, (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.

DESCRIPTION OF PROPOSED ACTION:

Transfer Grazing Preference: The applicant purchased base property with grazing preference attached to it and has applied for the grazing permit. The preference 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 on the Pole Creek and Cottonwood Allotment (#08126) would be re-issued for the remaining term of the existing permit (expiring Feb 28, 2018). The application results in slight modifications to the existing grazing schedule as outlined in the tables below. The proposed changes are the result of new ownership of the “fenced out” portion of the allotment. The proposed action is in accordance with 43 CFR 4130.2. The tables below summarize the current and proposed grazing schedules.

Table 1 Current Mandatory Terms and Conditions Scheduled Grazing Use:

Allotment Name & No.	Pasture	Livestock Kind & No.	Period of use	%PL	AUMs
Pole Creek and Cottonwood #08126	Home	202 Cattle	05/01 – 05/29	5	10
	Pole Creek and Cottonwood	202 Cattle	5/29 – 6/15	75	90
	Pole Creek and Cottonwood	202 Cattle	10/15 – 10/16	75	10
	Home	202 Cattle	10/17 – 10/30	5	5

Table 2 Proposed Mandatory Terms and Conditions Scheduled Grazing Use:

Allotment Name & No.	Pasture	Livestock Kind & No.	Period of use	%PL	AUMs
Pole Creek and Cottonwood #08126	Pole Creek and Cottonwood	202 Cattle	5/29 – 6/15	75	90
	*Pole Creek and Cottonwood	202 Cattle	10/16 – 10/20	75	25

*The new permit holder will be negotiating new leases with owners of unfenced private property within the grazing allotment. Currently a small portion of the allotment is fenced into adjacent property with new owners. The entire grazing schedule may be restored if a lease is obtained for the “fenced out” portion of the allotment (AKA “Home Pasture”)

Grazing Preference (AUMs):

Allotment Name	Active AUMs	Suspended AUMs	Total AUMs
Pole Creek and Cottonwood #08126	115	7	122

The following terms and conditions will be included on the 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: CO-140-2008-022 EA, Grazing Permit Renewal for the Pole Creek and Cottonwood Allotment.

Date Approved: March 4, 2008

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: Land Health Assessment Divide Creek Watershed Evaluation and Determination.

Date Approved: June 1, 2010

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.

- 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	ACEC, Vegetation, T/E/S Plants, Land Health Stds
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
Sylvia Ringer	Wildlife Biologist	Migratory Birds, Terrestrial Wildlife, Aquatic Wildlife, T/E/S Terrestrial & Aquatic Wildlife
Everett Bartz	Rangeland Management Specialist	Riparian and Wetlands

REMARKS:

Cultural Resources and Native American Religious Concerns

The Pole Creek and Cottonwood allotment is comprised of 1,642 acres of which cultural resource inventory has been conducted covering 589 acres at a Class III level. The allotment was previously analyzed in 2008 (CRVFO# 1008-1) and an additional 471 acres have been inventoried since that analysis. The previous analysis indicated no new need for inventory and all current livestock improvements within the allotment have been inventoried for cultural resources. In addition, two new segments of an eligible road (5ME.16385.1) have been documented within the allotment but occur on the private land portion and therefore no sites need to be monitored or revisited. No changes have been made to the permit for this transfer that would indicate a need for new cultural resource analysis.

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, 2007, requested the tribes to

identify issues and areas of concern within the allotment. No comments were received at that time.

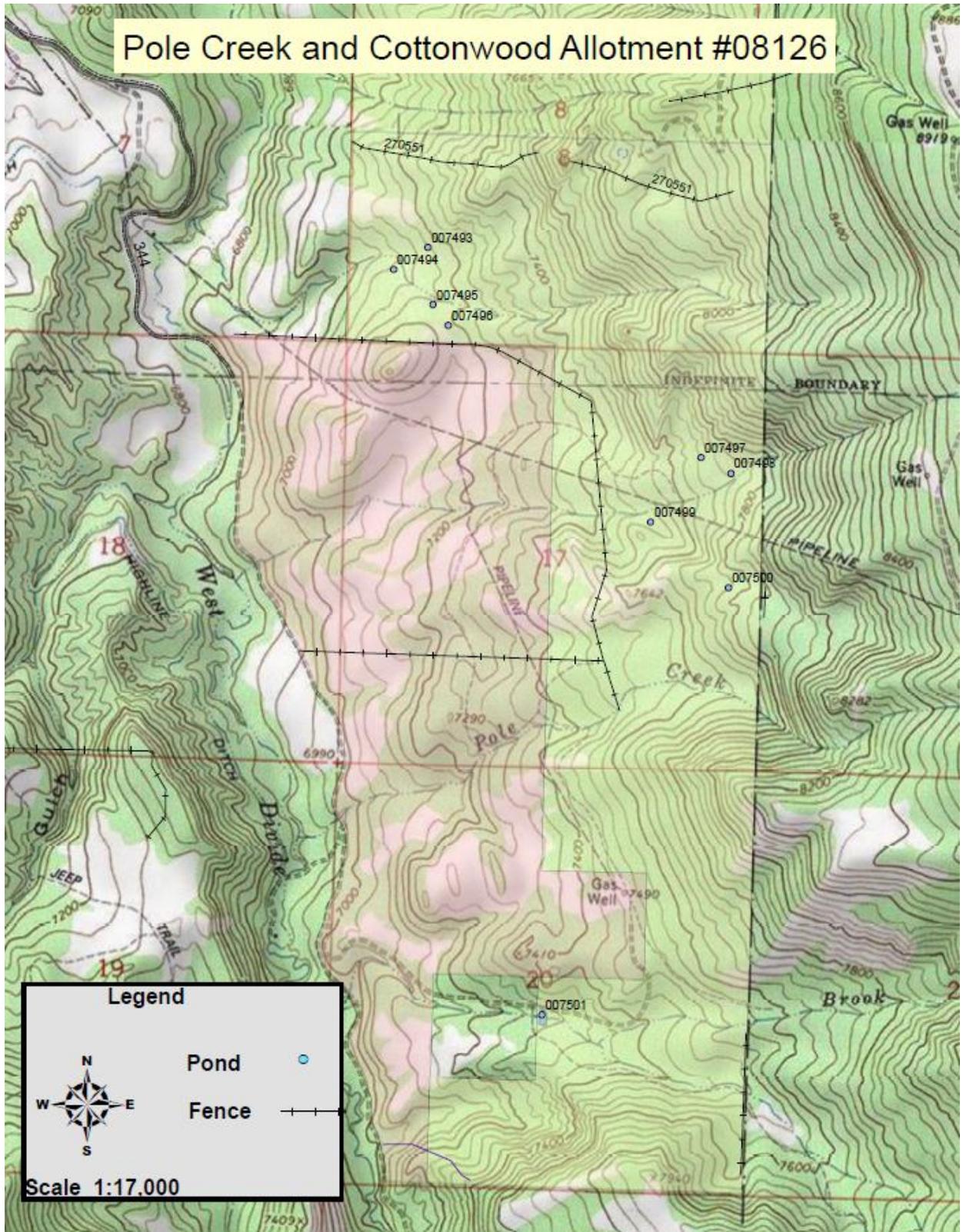
MITIGATION: The “Other Terms and Conditions” identified in the proposed action are substantially the same mitigation measures that were approved in the existing NEPA document.

COMPLIANCE PLAN (optional):

NAME OF PREPARER: Isaac Pittman

DATE: 3/5/2013

Appendix – Grazing Allotment Map



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: Areg Wolfson
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.