

**U.S. Department of the Interior  
Bureau of Land Management  
Kremmling Field Office  
P.O. Box 68  
Kremmling, CO 80459**

## **DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY**

NUMBER: CO-120-07-28-DNA

PROJECT NAME: Sulphur Gulch Crested Wheatgrass Treatment

LEGAL DESCRIPTION: T1N R79W, Sec. 6 and 7

APPLICANT: BLM

DESCRIPTION OF PROPOSED ACTION: As stated in EA CO-018-93-08, Noxious Weed Treatment within the Kremmling Field Office, treating noxious weeds is necessary to restore or protect native plant communities, maintain ecosystem functions, and maintain biological diversity. A dense stand of Crested Wheatgrass, a non-native grass species introduced by BLM in Sulphur Gulch, has suppressed the native grasses and jeopardized biological diversity in this area. In this regard, the crested wheatgrass is functioning like a well established stand of noxious weeds.

The purpose of this project is to treat 100 acres of Crested Wheatgrass with RoundUp Pro herbicide in the Sulphur Gulch area, 6 miles east of Kremmling, Colorado and north of US Highway 40. In 2004, approximately 50 acres of the project area (southeast of the 2-track road—see map in Attachment #1) was treated, but was not successful. This is believed to be attributed to the low rate of application of one pint per acre (as per recent conversation with the applicator who recommended increasing the rate 2-3 times).

The project would be implemented in the spring/summer of 2007 or when the Crested Wheatgrass has started to green up. The method of application would be ground broadcast using a truck or ATV. The herbicide would be applied in accordance with the attached Pesticide Use Proposal (PUP) CO-120-2007-05-PUP (Attachment #2), chemical label, and Material Safety Data Sheets (MSDS). The proposed project is not specifically listed on the PUP. However, it falls within its scope and the rate used is in accordance with the chemical label. Roundup Pro (liquid form) would be applied at a rate of three pints (1.5 quarts) per acre. Maximum rate on the label for Western Wheatgrass, which is a cool season grass similar to Crested Wheatgrass, is 3 quarts/acre. In the fall, the project area would be drill seeded with native grasses and forbs.

If successful, the application of herbicide followed by seeding would continue in the future, depending on available funds, until the Crested Wheatgrass is reduced to 20% and native vegetation is dominant.

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

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

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):

Decision Language:

The following major resource decisions are incorporated as part of the plan (page V)  
 6. ...the Upper Colorado River Wildlife Habitat Area will be managed to enhance big game critical winter range for deer and elk.

REVIEW OF EXISTING NEPA DOCUMENTS:

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

Name of Document: EIS/ROD for vegetation treatment on BLM Lands in Thirteen Western States, Pages 1 through 17.

Date Approved: July 1991

Name of Document: CO-018-93-08 Noxious Weed Treatment within the Kremmling Resource Area

Date Approved: 3/4/93

<b>NEPA Adequacy Criteria</b>	<b>Yes</b>	<b>No</b>
1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document?  Explanation: Yes. The current Proposed Action is similar to the proposed action analyzed in EA CO-018-93-08. The site is located within Grand County which is a portion of the area included in EA CO-018-93-08.	X	
2. Was a reasonable range of alternatives to the Proposed Action	X	

<p>analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values?</p> <p>Explanation: EA CO-018-93-08 tiered to the July 1991 ROD for Vegetation Treatment on BLM Lands in Thirteen Western States. This ROD included a wide range of various treatment alternatives.</p> <p>The 1993 EA included a thorough analysis of resource concerns. Migratory birds are a new critical element and they are found in the area of this project. This chemical is non toxic to many bird and fish species.</p>		
<p>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?</p> <p>Explanation: Yes. There is no new information that would invalidate the 1993 assessment. The attachments and stipulations are still appropriate and are included in this DNA</p>	X	
<p>4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?</p> <p>Explanation: Yes. The 1993 EA implemented a program for noxious weed control that was weighted towards chemical spraying. This is the appropriate method for treating crested wheatgrass.</p>	X	
<p>5. Are the direct and indirect impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document?</p> <p>Explanation: Yes. The 1993 EA referenced the effects analysis presented in the 1991 Vegetation Treatment EIS as applicable for the Kremmling Field Office. The analysis remains valid and impacts are substantially unchanged.</p>	X	
<p>6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?</p> <p>Explanation: Yes. The impacts from the current treatment will have the same impacts as in the 1993 EA. The treatment would be expected to reduce a mono-typical stand of crested wheatgrass so native grasses</p>	X	

and forbs could re-establish. There would also be a slight overall improvement to the area's biological diversity and health.		
7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?  Explanation: Yes. There have been no additional issues concerns or controversies regarding this type of treatment since the 93 EA.	X	

**INTERDISCIPLINARY REVIEW:**

<b>Name</b>	<b>Title</b>	<b>Area of Responsibility</b>	<b>Date Review Completed</b>
Frank Rupp	Archaeologist	Cultural, Native American Religious Concerns	5/22/07
Megan McGuire	Wildlife Biologist	Wildlife & T&E	3/15/07
Paula Belcher	Hydrologist	Soil, Air, Water	5/17/07
Richard Johnson	Rangeland Management Specialist	Range	5/18/07
Peter Torma	Rangeland Management Specialist	Range, Weeds	5/25/07
Karl Waller	Ecologist	Vegetation	5/29/07
Joe Stout	Planning & Environmental Coordinator	NEPA Compliance	5/29/07

**REMARKS:**

Cultural Resources: The 100 acre proposed treatment area was culturally inventoried in August 2002. Three cultural sites were recorded; 5GA2939, 5GA2940 and 5GA2941. Sites 5GA2940 and 5GA2941 are recorded as "Isolated Finds", which are by definition not eligible for nomination to the National Register of Historic Places (NRHP). Cultural site 5GA2939 is evaluated as not eligible to the NRHP. No additional consultation with the Colorado State Historic Preservation Office Standard is required pursuant to section 106 of the National Historic Preservation Act. Cultural "discovery" stipulations are made part of this NEPA document and the authorization to proceed.

Native American Religious Concerns: Native American consultation for this project was completed in 2003. No concerns were identified.

Soils: The information on glyphosate, the active ingredient in Roundup Pro, indicates that it does not accumulate in the soil, and has a fairly short half life of 40 days in soil. The

manufacture claims that there is no “credible evidence that the presence of glyphosate in soil at expected environmental concentrations causes extended adverse effects to microbial processes in soil”.

No information was found, however, regarding possible impacts to soil micro-organisms from repeated applications. The BLM funded soil studies using Spike (a herbicide with a longer half life) and found that mycorrhizae populations took 2-3 years to recover to pre-treatment levels from a single application. If the BLM treats the area multiple times to achieve the desired 20% crested wheatgrass composition, the soil micro-organism populations could be depressed to levels that affect long-term soil health.

Threatened and Endangered Species: The proposed project would not impact Threatened or Endangered Species.

#### MITIGATION:

##### Soils:

-If repeated applications occur within a 5 year period, then soil mycorrhizae populations of treated and untreated sites must be sampled prior to treatment to insure that recovery has occurred before proceeding.

##### Cultural:

-The holder (BLM) is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for disturbing historic or archaeological sites, or for collecting artifacts.

-The holder (BLM) shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The holder (BLM) shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the holder (BLM) shall bear the cost of the services of a non-Federal professional.

Within five working days the Authorized Officer will inform the holder as to:

-Whether the materials appear eligible for the National Register of Historic Places;

-The mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,

-A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.

-If the holder (BLM) wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the holder (BLM) will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the holder (BLM) will then be allowed to resume construction.

-Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation. Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the holder's (BLM) cost.

-Pursuant to 43 CFR 10.4(g), the holder (BLM) of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

COMPLIANCE PLAN: The pesticide coordinator will ensure that the herbicide applicator is licensed with the State of Colorado before application starts. During application, the pesticide coordinator or wildlife biologist will monitor the progress and effectiveness of the treatment.

NAME OF PREPARER: Megan McGuire

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 5/29/07

ATTACHMENTS:

- 1). Project map
- 2). Pesticide Use Proposal (PUP) CO-120-2007-05-PUP
- 3). EA CO-018-93-08 Stipulations

## CONCLUSION

CO-120-2007-28-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: /s/ Peter McFadden

DATE SIGNED: 5/29/07

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.