

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

ENVIRONMENTAL ASSESSMENT

NUMBER: CO-120-2007-11-EA

PROJECT NAME: BLM Grazing Permit renewal (#0501774) for The Van Valkenburg Family LLC

LEGAL DESCRIPTION: T7N, R81W, sec 9, 10
T6N, R81W, sec 22, 26, 27

APPLICANT: The Van Valkenburg Family LLC.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES:

Background/Introduction/Issues and Concerns: The lands within the Van Valkenburg Family LLC are a mixture of BLM and private lands which are grazed in common. Both allotments are Custodial allotments. Allotment # 07005 is comprised of 151 acres of public land and 523 acres of private. Allotment # 07006 is comprised of 66 acres of public land and 114 acres of private land. The grazing period and AUMs on these lands were determined through negotiations with the past permittee and BLM staff. This information is reviewed periodically to determine if public land health needs are met as well as the needs of the private land owner.

Grazing allotments in the Kremmling Field Office (KFO) are prioritized for management according to one of three levels: Maintain, Improve, or Custodial. For Custodial allotments, the BLM must maintain the existing allotment situation and provide for management opportunities as needs arise for operators or other land use agencies.

Proposed Action: The Proposed Action would renew livestock grazing permit # 0501774 (see Attachment #1) that authorizes livestock grazing on allotments # 07005 (Murphy East) and # 07006 (Barnes) for a period of ten years beginning March 1, 2007 and expiring February 28, 2017, and with the Standard Terms and Conditions (see Attachment #2). A map of the proposed project area is included in Attachment #3. Grazing would continue to the following extent:

Allotment Number	Allotment Name	Livestock		Grazing Period		Type of Use	% Public Land*	AUMs**
		Number	Cattle	Begin	End			
07005	Murphy East	82	Cattle	07/01	08/30	Active	22	36

07006	Barnes	450	Cattle	10/01	11/17	Active	1	7
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*% Public Land is the percentage of forage within the public land (BLM) portion of the allotment.

**AUM = animal unit month = amount of forage required to support 1 cow and calf for 1 month.

A total of 43 AUMs would be permitted under the Proposed Action.

\Alternatives Considered But Eliminated From Further Analysis:

No Grazing Alternative: No Livestock Grazing was considered, but eliminated from further analysis for the following reasons

- Livestock grazing within the Resource Area was fully analyzed and authorized in the RMP/EIS as recorded in the 1984 Approved Plan and Record of Decision. A “No Grazing Alternative” was considered at that time, and was not selected.
- This alternative is not consistent with the Federal Land Policy and Management Act of 1976 (FLPMA) policy that “the public lands be managed in a manner which recognizes the Nation’s need for domestic sources of minerals, food, timber, and fiber from public lands.....”
- During the public scoping and staff review there were no issues or concerns identified that would support a “No Grazing Alternative”.
- It has been determined that significant progress toward achieving the Standards for Public Land Health in Colorado would occur with appropriate grazing guidelines set forth in the Proposed Action.

No Action Alternative: Continuation of Current Management: Grazing use authorized under the No Action Alternative would be the same as that authorized on the expiring grazing permit for The Van Valkenburg Family LLC ranch, because the applications for a permit are the same as the expiring permits (no changes in terms and conditions). Thus, the Proposed Action and the No Action alternative are the same, and impacts will be analyzed in the Proposed Action.

PURPOSE AND NEED FOR THE ACTION: The BLM is acting on a permit renewal request from The Van Valkenburg Family LLC for BLM permit # 0501774, which authorizes livestock grazing on allotments # 07005 and # 07006. The permit is subject to renewal at the discretion of the Secretary of the Interior for a period of up to ten years. If approved, the permit would be renewed for a period of ten years.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

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

Date Approved: December 19, 1984

Decision Number/Page: Livestock Grazing pages 6 through 8 as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level of livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or compatible with the land use priority. Allotments #07006 has land-use priority of coal. Allotment # 07005 has a land-use priority of coal and oil and gas. Grazing is compatible with each of these land-use priorities.

Standards for Public Land Health: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands. The following are the approved standards:

Standard	Definition/Statement
#1 Upland Soils	Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.
#2 Riparian Systems	Riparian systems associated with both running and standing water, function properly and have the ability to recover from major surface disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment, and provides forage, habitat and bio-diversity. Water quality is improved or maintained. Stable soils store and release water slowly.
#3 Plant and Animal Communities	Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat's potential. Plants and animals at both the community and population level are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations, and ecological processes.
#4 Threatened and Endangered Species	Special status, threatened and endangered species (federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.
#5 Water Quality	The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirements set forth under State law as found in (5 CCR 1002-8), as required by Section 303(c) of the Clean Water Act.

Because a standard exists for these five categories, a finding must be made for each of them in the environmental analysis. These findings are located in specific elements below or in the Interdisciplinary Team Analysis Review Record and Checklist (IDT-RRC) (Appendix 1).

Allotments # 07005 and # 07006 were not assessed for standards because of their small acreages of BLM lands within the allotment boundaries.

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

CRITICAL ELEMENTS: The following critical elements: Air Quality, Areas of Critical Environmental Concern, Environmental Justice, Farmlands- Prime and Unique, Floodplains, Wastes- Hazardous or Solid, Native American Religious Concerns, Wild and Scenic Rivers, and Wilderness were evaluated and determined that they were not present or that there would be no impact to them from the Proposed Action or No Action Alternative. See IDT-RRC in Appendix 1 for further information.

The following critical elements were determined to be potentially impacted and were carried forward for analysis from the IDT-RRC in Appendix 1.

CULTURAL RESOURCES

Affected Environment: Range permit renewals are undertakings under Section 106 of the National Historic Preservation Act. Range improvements associated with the allotment (e.g., fences, spring improvements) are subject to compliance requirements under Section 106 and will undergo standard cultural resources inventory and evaluation procedures. During Section 106 review, a cultural resource assessment was completed for each allotment in December, 2006, and February, 2007, following the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-00-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the Kremmling Field Office archaeology files.

Allotment Number	Acres Inventoried at a Class III level	Acres NOT Inventoried at a Class III Level*	Percent -%- of Allotment Inventoried at a Class III level	Number of Cultural Resources known in allotment	High Potential of Historic Properties (yes/no)	Management Recommendations (Additional inventory required and historic properties to be visited)
07005	NONE	Approx. 151 ac.	0%	0	Y = Moderate	Conduct a Class III inventory on approx. 36 ac.; Conduct a Class II inventory on approx. 33 ac.
07006	NONE	Approx. 180 ac.	0%	0	Y = High	Conduct a Class III on approx. 55 ac.

Class III field inventory is to be completed within the ten year expiration period of the grazing permit. If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities has or will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO. The livestock impacts will be assessed within the ten-year period of the permit.

Environmental Consequences: In general, direct impacts occur where livestock concentrate include trampling, chiseling and churning of site soils, cultural features and cultural artifacts, artifact breakage and impacts from standing, leaning and rubbing against historic structures, above ground cultural features and rock art. Indirect impacts include soil erosion,

gullyng and increased potential for unlawful collection and vandalism. Continued grazing may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties.

The Class I revealed that there were no known significant sites within the parcel. Thus, there would be no impacts to cultural resources.

In order to assess impacts to cultural resources from livestock grazing, the BLM will undertake a program to inventory public lands associated with this permit/lease and to document impacts by monitoring NRHP eligible or need data sites that are known or discovered as a result of cultural inventory. Cultural resources concerns identified as a result of the EA will be addressed through a Programmatic Agreement (PA) with the SHPO and the Advisory Council on Historic Places. The PA will outline steps to prioritize and schedule affirmative actions to remedy these concerns.

Mitigation Measures: The BLM standard “discovery” stipulations are made part of this environmental assessment.

INVASIVE, NON-NATIVE SPECIES

Affected Environment: Currently, allotments # 07005 and # 07006 have no known weed infestations. The Jackson County Weed department, in partnership with the BLM, is currently treating known weed occurrences in the North Park area using herbicides.

Environmental Consequences: Livestock operations can contribute to the introduction and spread of noxious weeds on public land because livestock are a vector which noxious weed seeds can be transported. Thus, a noxious weed stipulation is included in the Standard Terms and Conditions of livestock grazing permits/leases (see Attachment #2). The stipulation informs the permittee/lessee of their responsibility to notify the BLM of any weeds in the allotment that may be caused by their livestock operation. If the BLM is notified of any weeds in the allotment, control measures would be implemented by the BLM, in partnership with the Jackson County.

MIGRATORY BIRDS

Affected Environment: A variety of migratory bird species, primarily birds of prey and songbirds, use allotments # 07005, # 07006. Surveys conducted in 1994 by the Colorado Breeding Bird Atlas Partnership recorded many species in the area including Swainson’s hawks, Red-tailed hawks, Golden Eagles, Green-tailed Towhee, Mountain and Western Bluebirds, Sage Thrasher, Horned Lark, Western Kingbirds, American Kestrels, and Common Nighthawks in the sagebrush habitat common to allotment # 07005. Species common in and adjacent to allotment # 07006 include Black-capped Chickadee, Clark’s Nutcracker, N. Flicker, Gray Jay, and Northern Goshawk.

Environmental Consequences/Mitigation: Under the Proposed Action, the permit would be renewed without any changes. Since there would be no changes to the permit, the Proposed Action would be expected to maintain current conditions for migratory birds. Thus, there would be minimal impacts.

THREATENED, ENDANGERED, AND SENSITIVE SPECIES (includes a finding on Standard 4)

Affected Environment: A list of threatened, endangered, and candidate species which could inhabit the proposed project area was received from the U.S. Fish and Wildlife Service on February 27, 2007. Analysis of this list indicated that no threatened, endangered, or candidate species reside in the proposed allotments.

Greater sage-grouse, a BLM designated Sensitive Species, are residents in allotment # 07006. The allotment provides important nesting and brood rearing habitat for sage-grouse as two active strutting grounds are located within 2.5 miles of allotment # 07006.

Environmental Consequences/Mitigation: Under the Proposed Action, the permit would be renewed without any changes. No change in sage-grouse habitat is expected to occur under the Proposed Action. Thus, there would be no impacts.

Finding on the Public Land Health Standard for Threatened & Endangered species: Allotments # 07005 and # 07006 were not assessed for standards because these allotments contained small acres of public lands. However, the Proposed Action would not affect the ability of the allotment to meet this standard.

WATER QUALITY, SURFACE AND GROUND (includes a finding on Standard 5)

Affected Environment: Allotment # 07005 is within the Grizzly Creek 5th Order Watershed, and Allotment # 07006 is within the Upper North Platte River 5th Order Watershed, both which are in the North Platte River Basin. Allotment # 07005 has a small public land parcel (~ 11 acres) in the southeast corner of the allotment which includes a segment of Grizzly Creek. Any runoff from the allotment would be tributary to the creek. The other two public parcels on the allotment's north boundary would be tributary to an unnamed drainage that goes to the Murphy Ranch and is then intercepted by the Carsen Ditch. Downstream of the public lands is the Murphy Spring No. 2 which is used for stock and wildlife water. The ranch does not use the spring for domestic purposes, but have wells at the ranch. The wells' depths have not been reported to the state. Allotment # 07006 is a small allotment with one parcel of public lands. The BLM land consists of the steep slopes overlooking Chedsey Creek and an ephemeral gully draining to the creek.

Environmental Consequences/Mitigation: Allotment # 7005 has not been inventoried or monitored by the BLM. It is unknown how livestock graze the allotment, and if the BLM lands are used heavily. It is estimated that only 22% of the forage is on the BLM lands, and that the majority of livestock use occurs on the private lands. The state's Monitoring and Evaluation List includes Grizzly Creek as having possible water quality impairments for Aquatic Uses. Additional data is necessary to determine if impairments exists, for which stream segments, and to what degree. The BLM owns less than 36% of the lands within the Grizzly Creek watershed, and a very small portion of the stream. If additional data indicates concerns for this portion of the stream, then the BLM will review their lands and if necessary, implement additional best management practices as needed.

Allotment # 07006 is heavily grazed in October, but the grazing would be expected to occur almost entirely on private lands along Chedsey Creek. There are no water quality concerns

within the watershed, and it is unlikely that the small percentage of BLM contributes any measurable amount of sediment.

Finding on the Public Land Health Standard for water quality: The allotments have not been assessed for the Standard at this time. It is unlikely that these small parcels of BLM contribute a measurable amount of sediments in Grizzly and Chedsey Creeks.

WETLANDS & RIPARIAN ZONES (includes a finding on Standard 2)

Affected Environment: Allotment # 07005 contains a 600 foot segment of Grizzly Creek on public lands. From aerial photographs and the soil survey, it appears that approximately 4 acres of riparian area occur on the parcel, but it has not been inventoried. Just upstream of this segment is the BLM's longest Grizzly Creek segment, where monitoring occurs. Allotment # 07005's segment appears to be similar and would likely support a willow/sedge community and have beaver dams affecting the segment. Within the timbered parcels of BLM could be some small seeps that support wetlands. From the available information, it is unlikely that any wetlands occur on public lands in allotment # 07006.

Environmental Consequences/Mitigation: The small segment of Grizzly Creek has not been inventoried. Actual riparian conditions would be dependant on how livestock distribute themselves through the allotment and available water locations. Based upon this information, there would be minimal impacts from the Proposed Action.

Finding on the Public Land Health Standard for riparian systems: Due to its small size, the stream segment has not been assessed for land health standards. Upstream and downstream public segments are considered to be meeting the standard.

NON-CRITICAL ELEMENTS: The following non-critical elements were determined to be potentially impacted and were carried forward for analysis from the IDT-RRC in Appendix 1.

SOILS (includes a finding on Standard 1)

Affected Environment: Soil information is from the Jackson County Soil Survey (SCS, 1981) as no field assessment has occurred.

Allotment # 07005 has three public land parcels, each with different landscape positions and soils. The southeast corner parcel has 4 acres of Cryaquents, which are wetland soils that occur along floodplains. The water table is at or near the surface throughout the year and flooding is common. The old river terrace is mapped as Blevinton sandy loams that formed in alluvium. The Mountain Loam range site has moderately rapid permeability and moderate plant available moisture. The trees along the southern boundary are mapped as Peeler sandy loams, and also have moderate rates and available moisture. The northern larger parcel is mapped entirely as Peeler sandy loams and supports primarily aspen and conifers. The smaller northern parcel is mapped as primarily Crespin-Carlstrom clays. These soils are Mountain Shale range sites with slow permeabilities and rapid runoff. The soils are considered highly erodible by wind, although they do have high amounts of plant available moisture. Also mapped on the parcel are bands of Peeler and Blevinton sandy loams in the south and badlands in the north portion of the parcel.

Allotment # 07006's public lands are primarily mapped as Cryorthents, steep. Cryorthents generally occur in fairly harsh sites and have little to no soil horizon development. The parcel includes the steep slopes overlooking the active floodplain, and is a Dry Exposure range site. There is a small area mapped as Aaberg-Barishman association on the north side of the parcel. The association is 70% clay and about 30% loam soils. Runoff is generally rapid and the soil is considered highly wind erodible. The soil is in the Claypan and Dry Mountain Loam range site.

Environmental Consequences/Mitigation: By renewing the permit, the existing conditions would continue. There are no known soil concerns at this time, and the majority of the livestock use likely occurs on private lands. Thus, there would be minimal impacts to soils.

Finding on the Public Land Health Standard for upland soils: No assessment for land health standards was done. From the soil survey and topography, it is unlikely that much livestock use occurs on BLM lands in allotment # 07006. Thus, the Proposed Action would not be expected to affect the area's ability to meet this standard. Allotment # 07005 may receive some livestock use, but it is unlikely that it affects the area's ability to meet the standard, especially on a landscape scale.

VEGETATION (includes a finding on Standard 3)

Affected Environment: Allotment #07006 (Barnes) is comprised of a mixture of sagebrush with an understory of grasses. Big sagebrush (*Artemisia tridentata*) is the dominant shrub with minor amounts of antelope bitterbrush (*Purshia tridentata*), serviceberry (*Amelanchier alnifolia*), rabbitbrush (*Chrysothamnus* spp), and snowberry (*Symphoricarpos* spp). Grasses and forbs make up the majority of the forage available to livestock and wildlife. Prevalent grasses include bluebunch wheatgrass (*Pseudoroegneria spicata*), pine needlegrass (*Stipa pinetorum*), needle-and-thread (*Hesperostipa comata*), Indian ricegrass (*Achnatherum hymenoides*), western wheatgrass (*Pascopyrum smithii*), and bluegrasses (*Poa* spp). Forbs that are found include buckwheat (*Eriogonum* spp), rose pussytoes (*Antennaria rosea*), fringed sage

(*Artemisia frigida*), chiming bells (*Mertensia* spp), penstemon (*Penstemon* spp), lupine (*Lupinus* spp), and milkvetch (*Astragalus* spp), among others. The forb component can vary greatly in species composition and production from year to year depending on precipitation timing and amounts.

Allotment #07005 (Murphy East) is comprised mostly of lodgepole pine (*Pinus contorta*) and a few aspen trees (*Populus tremuloides*) with an understory of grasses. Because of its inaccessibility, no on site review has been conducted in this allotment. However, the grasses and forbs found in this allotment should be similar to what is found in the above allotments.

Environmental Consequences/Mitigation: Under the Proposed Action, the permit would be renewed without any changes. No change in use is expected to occur to vegetation under this alternative. Thus, there would be minimal impacts to vegetation.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Wildlife, Aquatic and Wildlife, Terrestrial): Allotments #07005 and #07006 were not assessed for standards because these allotments contained small acres of public lands. However, the Proposed Action would not affect the area's ability to meet this standard.

WILDLIFE, TERRESTRIAL (includes a finding on Standard 3)

Affected Environment: These allotments provide habitat for a variety of upland wildlife. Mule deer, pronghorn antelope, moose and Rocky Mountain elk occupy the area at different times of the year while badgers, coyotes, red foxes, white-tailed jackrabbits, and a variety of small rodents live in the allotments on a year-long basis. Pronghorn antelope use allotment # 07006 during the summer and mule deer and elk use allotment # 07005 yearlong. Moose concentrate along Chedsey (07006) and Grizzly (07005) creek throughout the year.

Environmental Consequences/Mitigation: Under the Proposed Action, the permit would be renewed without any changes. Since there are no changes to the permit, the Proposed Action is expected to maintain current conditions for terrestrial wildlife and minimal impacts would be expected.

Finding on the Public Land Health Standard for plant and animal communities (partial, see also Vegetation and Wildlife, Aquatic): The allotments were not assessed for standards due to the small acreage of public land. However, the Proposed Action would not affect the area's ability to meet this standard.

PALEONTOLOGY

Affected Environment: Allotment # 7005: The primary geologic rock unit is Troublesome formation (fm.). This classification indicates that, "Fossils of scientific significance are known to be abundant in the fm.", within the Kremmling Field Office.

Allotment # 7006: The primary geologic rock units of the allotment are Young Glacial Drift and a sliver of Coalmont formation (fm.) south of Chedsey Creek. Both the Young glacial drift (Bull lake and Younger) and the Coalmont fm. are classified as class II. This classification indicates

that, “Fossils of scientific significance are occasionally found in the fm.”, within the Kremmling Field office.

Environmental Consequences/Mitigation: There would be no impacts to paleontological resources from renewing the grazing permit. Ground disturbing projects or undertakings will be reviewed to determine the need for paleontological inventory.

CUMULATIVE IMPACTS SUMMARY: Livestock grazing has been an important use of the public lands in the Kremmling Field Office since the introduction of domestic livestock in the 1870s. Presently, the Field Office supports a grazing program on approximately 378,000 acres of BLM-administered public lands. Currently, these public ranges are licensed at a level of approximately 39,726 Animal Unit Months (AUMs) for livestock.

For the purpose of this EA, the general geographic boundary for cumulative impact analysis is North Park. The Kremmling Field Office is divided east to west by the Continental Divide. The public lands to the north of the divide are generally referred to as North Park, and those to the south of the divide, Middle Park. In North Park, there are approximately 260,000 acres of BLM-administered public lands that are currently being grazed, and 26,656 AUMs that are licensed.

In looking at past actions within the geographic area over the past ten years, there have not been any major changes to the North Park allotments. A majority of the allotments have been assessed for standards and the permits modified where needed due to non-compliance with specific standards or new information that has arrived (i.e. new sage grouse lek). There are not any reasonably foreseeable actions outside of minor range improvement projects that are projected to occur in the North Park allotments.

The Proposed Action would not change the number of AUMs that have been authorized on the allotment for the past ten years. Thus, the Proposed Action would not have a cumulative impact to the over-all public land health.

In terms of cumulative impacts to cultural resources, grazing may cause substantial ground disturbance and cause cumulative, long term, irreversible adverse effects to historic properties throughout the Kremmling Field Office. However, as part of the BLM permit renewal process, allotments are being assessed and inventoried for cultural resources. If resources are found, and eligible for NRHP, mitigation is implemented. This process is attempting to mitigate any major cumulative impacts to cultural resources in the Kremmling Field Office.

PERSONS / AGENCIES CONSULTED: Starting in January 2006, a scoping process was begun to request information concerning the renewal of grazing permits/leases and to prioritize areas or allotments with issues and concerns. The Field Office sent scoping letters, along with land status maps showing the affected allotments, to the following groups and agencies: Colorado Division of Wildlife (Steamboat, Walden, Hot Sulphur Springs, Ft Collins); District Board of Grazing Advisors; County Commissioners (Grand, Jackson); Stock Growers (Middle Park, North Park, Upper Big Laramie River Ranch Assoc.); Northwest Resource Advisory Council; United States Forest Service (Silverthorne, Granby, Walden); US Fish and Wildlife Service (Arapaho Wildlife Refuge); Tribal Councils (Arapaho, Shoshone, Southern Ute); Colorado Commission of Indian Affairs; Ute Indian Tribe Uintah & Ouray Agency Business Committee; Colorado Environmental Coalition; Colorado State Land Board.

The BLM Colorado State Office also mailed outreach letters, concerning the renewal of grazing permits/leases, to all Congressional offices, State and Federal agencies, and major environmental, conservation, and user group organizations.

In addition, individual letters were sent to the affected permittees/lessees informing them that their permit/lease was up for renewal and requested any information they wanted included in, or taken into consideration, during the renewal process. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM home page, asking for public input on permit/lease renewals and the assessment of public land health standards within the Field Office. This notice was followed up in October with an Internet posting of the Field Office prioritization of allotments and a determination as to which allotments would be assessed according to the land health standards. The proposed project was also posted on the Kremmling Internet NEPA Register.

INTERDISCIPLINARY REVIEW: See IDT-RRC in Appendix 1.

FONSI

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Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

DECISION RECORD

DECISION: It is my decision to implement the Proposed Action and renew livestock Grazing Permits # 0501774 (Van Valkenburg Ranch) until February 28, 2017. The new permit will be subject to the mitigation measures included below.

RATIONALE: When a livestock grazing permit/lease expires, it is subject to renewal at the discretion of the Secretary of the Interior for a period of up to ten years. Livestock grazing, when properly managed in accordance with good rangeland ecology practices, has been proven to result in improved land health. The public benefits from public lands which are maintained in a healthy condition and are able to produce sustainable resources for a variety of uses.

The livestock producer benefits from a renewed livestock grazing permit/lease to graze forage on BLM managed land. Livestock grazing on BLM managed land is an integral part of the livestock producer's operation, and an important part of local rural economies.

MITIGATION MEASURES: (see below and Attachment #2)

Cultural:

Class III field inventory is to be completed within the ten year expiration period of the grazing permit.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities has or will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO. The livestock impacts will be assessed within the ten-year period of the permit.

When known historic properties are field visited to assess the livestock grazing impacts, BLM will determine if grazing activities has or will adversely impacts the properties. Mitigation measures, identified in consultation with the Colorado SHPO, will be implemented within the ten year period of the permit.

If historic properties are located during the subsequent field inventory, BLM will determine if grazing activities has or will adversely impact the properties. Mitigation measures, identified in consultation with the Colorado SHPO, will be implemented with the ten year period of the

permit.

The holder 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 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 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 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 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 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 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 no associated with the resource within the authorization will also be protected. Impacts that occur to such resources that are related to the authorizations activities will be mitigated at the holder's cost.

Pursuant to 43 CFR 10.4(g), the holder 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/MONITORING: Compliance with the renewed livestock grazing permit and its associated terms and conditions will be accomplished through the Kremmling Field Office Range Management Program. Livestock grazing will be monitored by the range staff and other area personnel, as appropriate, to ensure compliance. The Kremmling Field Office Range Monitoring Plan will be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. When activity plans have been developed covering an allotment, monitoring methods and schedules included in them will be applied to the allotment. Changes will be made to the permit, based on monitoring, when changes are determined necessary to further protect land health.

NAME OF PREPARER: Pete Torma

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 4/3/07

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Charles Cesar (acting)

DATE SIGNED: 4/23/07

ATTACHMENTS:

- 1). Livestock grazing permit # 0501774
- 2). Standard Terms and Conditions
- 3). Project Map

APPENDICES:

Appendix 1 – Interdisciplinary Team Analysis Review Record and Checklist

Appendix 1

INTERDISCIPLINARY TEAM ANALYSIS REVIEW RECORD AND CHECKLIST:

Project Title: BLM Grazing Permit renewal (#0501774) for The Van Valkenburg Family LLC

Project Leader: Peter Torma

Date Submitted for Comment: 1/9/07

Due Date for Comments: 3/9/07

Need for a field Exam: No

Scoping Needs/Interested or Affected Publics: See Persons/Agencies Consulted section.

Consultation/Permit Requirements:

Consultation	Date Initiated	Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO	2-1-07	2/28/07	B.Wyatt	
Native American	1-11-2005	2/28/07	B.Wyatt	
T&E Species/FWS	N/A	3/5/07	M. McGuire	
Permits Needed (i.e. Air or Water)	N/A	3/14/07	P. Belcher	

(NP) = Not Present

(NI) = Resource/Use Present but Not Impacted

(PI) = Potentially Impacted and Brought Forward for Analysis.

(N/A) = Not applicable

NP NI PI	Discipline/Name		Date Review Comp.	Initials	Review Comments (required for Critical Element NIs, and for elements that require a finding but are not carried forward for analysis.)
CRITICAL ELEMENTS					
NI	Air Quality	Belcher	3/14/07	PB	Proposed Action does not impact air quality. Air Quality is considered good in Jackson County and in compliance with federal air quality standards.
NP	Areas of Critical Environmental Concern	Stout	4/3/07	JS	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
PI	Cultural Resources	Wyatt	2/28/07	BW	See analysis in EA.
NP	Environmental Justice	Stout	4/3/07	JS	According to the most recent Census Bureau statistics (2000), there are no minority or low income communities within the Kremmling Planning Area.
NP	Farmlands, Prime and Unique	Belcher	3/14/07	PB	There are no farmlands, prime or unique, in the proximity of the proposed project area. Farmlands of state or local importance are not impacted by the Proposed Action.
NI	Floodplains	Belcher	3/14/07	PB	The permit includes a small portion of the Grizzly Creek floodplain. Renewal of the permit would not affect the functionality of the floodplain or increase the flood hazard.

PI	Invasive, Non-native Species	Torma	2/14/07	PT	See analysis in EA.
PI	Migratory Birds	McGuire	3/5/07	MM	See analysis in EA.
NI	Native American Religious Concerns	Torma	3/9/07	BW	In February 2007, the Kremmling Field Office sent scoping letters to the Native American tribes that are concerned parties in the livestock grazing permit renewal process within the Kremmling Field Office. No comments were received from any of the Native American tribes that were solicited for comments concerning the 2006 livestock grazing permit renewals. Thus, there would be no impacts.
PI	T/E, and Sensitive Species (Finding on Standard 4)	McGuire	3/5/07	MM	See analysis in EA.
NP	Wastes, Hazardous and Solid	Hodgson	2/14/07	KH	There are no quantities of wastes, hazardous or solid, located on BLM-administered lands in the proposed project area, and there would be no wastes generated as a result of the Proposed Action or No Action alternative.
PI	Water Quality, Surface and Ground (Finding on Standard 5)	Belcher	3/14/07	PB	See analysis in EA.
PI	Wetlands & Riparian Zones (Finding on Standard 2)	Belcher	3/14/07	PB	See analysis in EA
NP	Wild and Scenic Rivers	Sterin	2/22/07	BGS	Grizzly Creek was evaluated for eligibility during the 2006 W&SR Eligibility Study process. It was determined that this segment was not eligible. Thus, there would be no impacts from the Proposed Action.
NP	Wilderness	Monkouski	2/27/07	JM	There is no designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.
NON-CRITICAL ELEMENTS (A finding must be made for these elements)					
PI	Soils (Finding on Standard 1)	Belcher	3/14/07	PB	See analysis in EA.
PI	Vegetation (Finding on Standard 3)	Torma	2/14/07	PT	See analysis in EA.
NI	Wildlife, Aquatic (Finding on Standard 3)	McGuire	3/5/07	MM	No impacts to aquatic wildlife would be expected as a result of the Proposed Action
PI	Wildlife, Terrestrial (Finding on Standard 3)	McGuire	3/5/07	MM	See analysis in EA.
OTHER NON-CRITICAL ELEMENTS					
NI	Access/Transportation	Monkouski	2/27/07	JM	There would be no change is access, thus there would be no impacts.
NI	Forest Management	Rosene	3/16/07	RR	There would be no impact to forestry resources.
NI	Geology and Minerals	Hodgson	2/14/07	KH	There would be no impacts from the Proposed Action.
NI	Hydrology/Water Rights	Belcher	3/14/07	PB	The renewal of the permit would not affect any water rights.
NI	Paleontology	Rupp	4/18/07	FGR	There would be no impacts from livestock grazing. Ground disturbing projects or undertakings will be reviewed to determine the need for paleontological inventory.
NI	Noise	Monkouski	2/27/07	JM	There would be no noise impacts.
NI	Range Management	Torma	2/14/07	PT	There is no change to the permit under the Proposed Action which would have no impact on grazing management.

NP	Lands/ Realty Authorizations Cassel	1/12/07	SC	There are no leases, permits or ROWs in the location of the proposed project, thus there would be no impacts.
NI	Recreation Monkouski	2/27/07	JM	There would be no changes in use thus recreation would be unaffected.
NI	Socio-Economics Stout	4/3/07	JS	Since there would be no change in use, there would be no socio-economic impacts.
NI	Visual Resources Straub	2/15/07	RS	VRM Class II
NI	Cumulative Impact Summary Stout	4/3/07	JS	There would be no cumulative impacts.
FINAL REVIEW				
	P&E Coordinator Stout	4/20/07	JS	
	Field Manager McFadden			