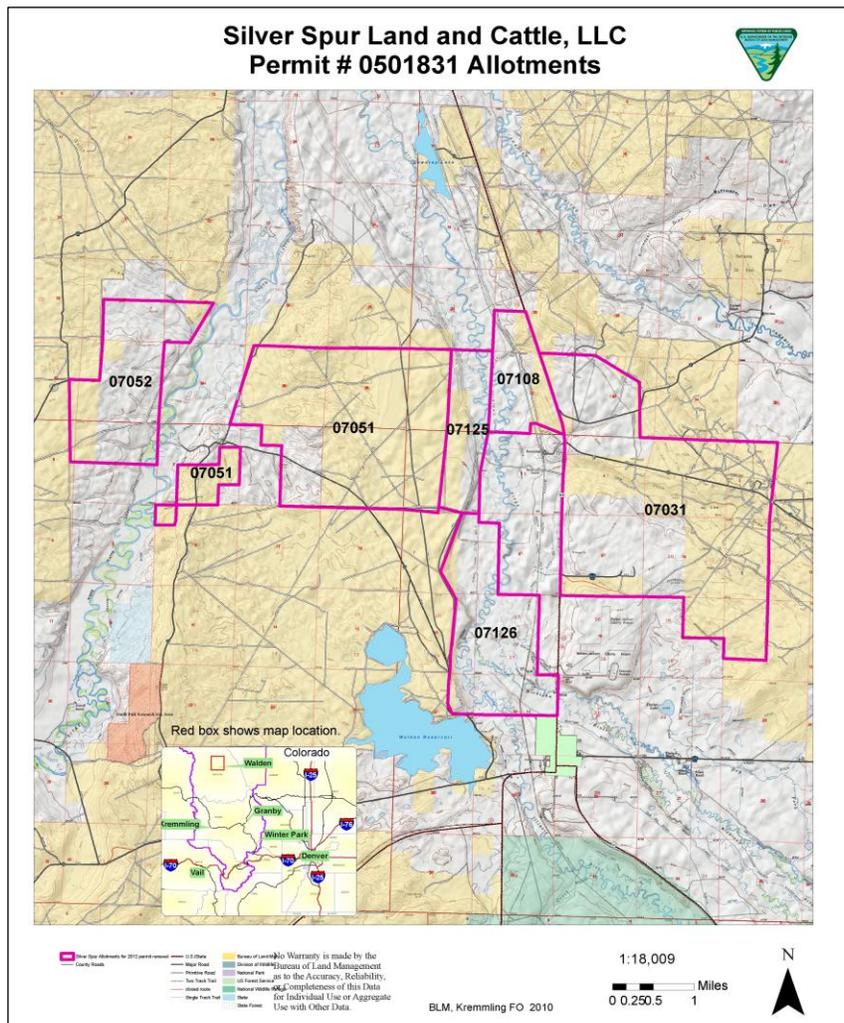


United States Department of the Interior Bureau of Land Management

Environmental Assessment for the Renewal of BLM Grazing Permit # 0501831 Silver Spur Land & Cattle, LLC

Kremmling Field Office
2103 Park Ave, PO Box 68
Kremmling, Colorado 80459

DOI-BLM-LLCON02000-2012-023-EA



IDENTIFYING INFORMATION

This Environmental Assessment (EA) has been prepared by the Bureau of Land Management (BLM) in response to Silver Spur Land and Cattle, LLC specific application to renew Grazing Permit on the 07126 (Davis Meadow), 07125 (Davis Pasture), 07052 (Johnson), 07108 (Mattocks), 07051 (Vic Riley), and 07031 (Brownlee) allotments.

Silver Spur Land and Cattle, LLC have Grazing Permit #0501831 containing the above mentioned allotments.

PROJECT NAME: Grazing Permit Renewal for Silver Spur Land and Cattle, LLC

PLANNING UNIT: Kremmling Field Office

APPLICANT: Silver Spur Land and Cattle, LLC
P.O. Box 246
Encampment, WY 82325

BACKGROUND:

Silver Spur Land and Cattle, LLC has been grazing the allotments in permit #0501831 since 2000. The allotments within the grazing permit encompass 6,196 acres of public (BLM) land and 4,358 acres of private land for a total of 10,554 acres. This permit has 426 animal unit months (AUM) of grazing that occurs from May to early October.

Grazing allotments within the Kremmling Field Office (KFO) have been placed in one of three management categories that define the intensity of management: (1) Improve, (2) Maintain, and (3) Custodial. These categories broadly define rangeland management objectives in response to an analysis of an allotment's resource characteristics, potential, opportunities, and needs. 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. The management category and current schedule for the allotments are shown on the chart below.

Allotment	Category	Livestock #/Kind	Grazing Period	%PL	AUMs*
07126 Davis Meadow	C	150 cattle	6/1 – 7/31	3	9
07125 Davis Pasture	C	60 cattle	9/1-10/20	52	51
07052 Johnson	C	130 cattle	7/5-8/4	12	16
07108 Mattocks	C	50 cattle	5/15-7/14	38	38
07051 Vic Riley	M	21 cattle	5/19-7/31	100	51
07031 Brownlee	I	200 cattle	5/16-9/30	65	261

* AUM = animal unit month = the amount of forage needed to sustain one cow and calf for one month.

PROJECT LOCATION AND LEGAL DESCRIPTION

LEGAL DESCRIPTION: BLM administered land in North Park located in Jackson County.

Allotment Number	Legal Description
07031	6 th PM, T.10 N., R.79 W., sec. 32, 33 6 th PM, T.9 N., R.79 W., sec: 2, 3, 4, 9, 10, 11,14,15
07051	6 th PM, T.10 N., R.79 W., sec. 31 6 th PM, T.10 N., R.80 W., sec. 35, 36 6 th PM, T.9 N., R.79 W., sec. 6 6 th PM, T.9 N., R.80 W., sec. 1, 2, 3, 10
07052	6 th PM, T.10 N., R.80 W., sec. 27, 28, 32, 33, 34 6 th PM, T.9 N., R.80 W., sec. 4, 5
07108	6 th PM, T.10 N., R.79 W., sec. 29, 32
07125	6 th PM, T.10 N., R.80 W., sec. 31 6 th PM, T.9 N., R.80 W., sec. 6
07126	6 th PM, T.9 N., R.80 W., sec. 7

Project Location Maps: Attached

PURPOSE AND NEED

The purpose of this action is to continue to allow grazing on public lands in a responsible manner that is compatible with Standards for Public Land Health, other resource uses and objectives, and in compliance with grazing regulations under 43 CFR 4110.1(a)(1).

In order to graze livestock on public land, the livestock permittee must hold a valid grazing permit. The need for this action is to ensure that grazing is authorized by a valid grazing permit and ensure the permittee manages grazing in accordance with current resource trends and uses.

PLAN CONFORMANCE REVIEW

The BLM has the authority to renew the livestock grazing permit/lease consistent with the provision of the Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act, and the Kremmling Area Resource Management Plan (KRMP). This plan has been amended by the Standards for Public Land Health in Colorado.

Taylor Grazing Act (43 U.S.C. §§ 315-316o, June 28 1934, as amended 1936, 1938, 1939, 1942, 1947, 1948, 1954 and 1976) was the first Federal effort to regulate grazing on Federal public lands. It establishes grazing districts and uses a permitting system to manage livestock grazing in the districts.

315b. Grazing Permits. The Secretary is authorized to issue permits to graze livestock in grazing districts to settlers, residents and other stock owners upon the annual payment of reasonable fees. Permits must be for a period of not more than ten years, with renewal subject to the discretion of the Secretary, who shall specify numbers of stock and seasons of use. During periods of range depletion due to severe drought or other natural causes, or during epidemics, the Secretary may remit, reduce, refund in whole or part, or postpone payment of grazing fees for the time the emergency exists. Grazing privileges must be safeguarded adequately but must not create any right, title, interest, or estate in or to the lands.

Federal Land Policy and Management Act (43 U.S.C. 1701) states that public lands will be managed on the basis of multiple use and sustained yield.

§ 402. **Grazing leases and permits.** Permits and leases for domestic livestock grazing on public lands issued by the Secretary...shall be for a term of ten years subject to such term and conditions the Secretary concerned deems appropriate.

The Proposed Action is in conformance with the Record of Decision for the Kremmling Resource Management Plan (KRMP) updated in 1999, and with the land use plan as required by 43 CFR 1610.5-3(a). The BLM Kremmling RMP analyzed the impacts of grazing.

In January 1997, the Colorado State Office of the BLM approved the Standards for Public Land Health and amended all RMPs in the State. Standards describe the conditions needed to sustain public land health and apply to all uses of public lands.

Standard 1: Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes.

Standard 2: Riparian systems associated with both running and standing water function properly and have the ability to recover from major disturbance such as fire, severe grazing, or 100-year floods.

Standard 3: 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.

Standard 4: 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.

Standard 5: 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.

PUBLIC PARTICIPATION

Scoping: National Environmental Policy Act (NEPA) regulations (40 CFR §1500-1508) require that the BLM use a scoping process to identify potential significant issues in preparation for impact analysis. The principal goals of scoping are to allow public participation to identify issues, concerns, and potential impacts that require detailed analysis.

Persons/Public/Agencies Consulted:

Scoping was the primary mechanism used by the BLM to initially identify issues. Internal scoping was initiated when the project was presented to the BLM KFO interdisciplinary team on 02/06/2012. External scoping was conducted by posting this project on the KFO's on-line NEPA register on 12/15/2011.

A scoping process was initiated in December 2011, to request information concerning the renewal of the grazing permit and to prioritize areas of allotments with issues and concerns. The BLM KFO sent scoping letters, along with land status maps showing the affected allotments to the following groups and agencies:

- Colorado Parks and Wildlife (CPAW) (Steamboat Springs, Walden, Hot Sulphur Springs, Fort Collins);
- District Board of Grazing Advisors;
- County Commissioners of Grand and Jackson counties;
- Stock Growers Association (Middle Park, North Park, Upper Big Laramie River Ranch Association);
- Northwest Resource Advisory Council;
- United States Forest Service (Silverthorne, Granby, Walden);
- U. S. Fish and Wildlife Service (Arapaho National Wildlife Refuge);
- Tribal Councils (Arapaho, Shoshone, Southern Ute);
- Colorado Commission of Indian Affairs;
- Ute Indian Tribe Uintah and Ouray Agency Business Committee;
- Colorado Environmental Coalition; and
- Colorado State Land Board (Lane Osborn).

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

In addition, BLM mailed individual letters to the affected permittee informing them that their permit was up for renewal and requested any information they wanted the agency to include or take into consideration during the permit renewal process.

The BLM also posted a Notice of Public Scoping on the BLM Colorado external website the and the BLM KFO Internet NEPA register website, as well as placing notices in the Grand and Jackson county newspapers asking for public input on permit renewals and the assessment for compliance with the Standards within the KFO. The notice was followed up with a website posting of the KFO prioritization of the allotments and a determination as to which allotments would be assessed according to the Standards.

No comments were received during public scoping.

No issues were identified during public scoping.

DECISION TO BE MADE

The BLM will decide whether to implement the proposed action which is to renew the BLM Grazing Permit #0501831 for Silver Spur Land & Cattle, LLC based on the analysis contained in this Environmental Assessment (EA). The BLM may choose to; implement the proposed action, implement the proposed action with modifications/mitigation, or implement an alternative to the proposed action.

The BLM will determine if the applicant has a satisfactory record of performance in accordance with 43 CFR 4110.1-1(a)(1).

ALTERNATIVES ANALYZED IN DETAIL

In this document, the BLM has analyzed the No Grazing and Proposed Action Alternatives in detail. The Proposed Action is to authorize grazing at the Current level which was established to address public land health issues.

Under the No Grazing Alternative, grazing would not be authorized on this allotment and a Term Grazing Permit would not be renewed.

Proposed Action

Under the Proposed Action, the BLM would renew the applicant's 10-year term livestock grazing permit #0501831. The proposed action is in accordance with 43 CFR 4130.2. The tables below summarize the scheduled grazing use and grazing preference for the permit.

The renewed permit would authorize livestock grazing to the following extent:

Permit	Allotment	Livestock: Number and Kind	Season of Use	% Public Land	Permitted AUMs*
0501831	07126 Davis Meadow	150 cattle	6/1 – 7/31	3	9
“	07125 Davis Pasture	60 cattle	9/1- 10/20	52	51
“	07052 Johnson	130 cattle	7/5-8/4	12	16
“	07108 Mattocks	50 cattle	5/15- 7/14	38	38
“	07051 Vic Riley	21 cattle	5/19- 7/31	100	51
“	07031 Brownlee	200 cattle	5/16- 9/30	65	261

* AUM = animal unit month = the amount of forage needed to sustain one cow and calf for one month.

Terms and Conditions of the Proposed Action are:

1. Grazing use in the Allotments would be in compliance with the decision date.
2. The permittee is responsible for notifying the BLM of all county listed noxious weed populations which result from their livestock grazing operation.
3. Feeding of supplements such as salt, minerals, vitamins, or protein block is permitted on BLM administered lands. Supplements shall be placed at least one-quarter (1/4) of a mile from sources of water. Feeding of dry matter (hay) is not permitted on BLM administered lands.
4. This permit: 1. Conveys no right, title or interest held by the United States in any lands or resources and 2. is subject to (A) modification, suspension, or cancellation as required by land use plans and applicable law; (B) annual review and to modification of terms and conditions, as appropriate; and the Taylor Grazing Act, as amended, the Federal Land Policy Management Act, as amended, the Public Rangeland Improvement Act, and the rules and regulations now or hereafter promulgated there under by the Secretary of the Interior.
5. Routine maintenance of range improvement is the responsibility of the permittee. Any soil disturbing activity must be revegetated with certified seed.
6. The permittee is responsible for informing all persons who are associated with the allotment operations that they would be subject to prosecution for knowingly disturbing historic or archeological sites, or for collecting artifacts.
7. If historic or archeological materials are uncovered during any allotment activities and grazing activities, the permittee is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer. Within five working days, the authorized officer would inform the permittee whether the materials appear eligible for the National Register of Historic Places and the mitigation measures the operator would likely have to undertake before the identified area can be used for grazing activities again.
8. Pursuant to 43 CFR 10.4(g) the holder of this authorization must immediately notify the authorized officer, by telephone, with written communication, upon discovery of human remains, funerary items, or sacred objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d) the permittees must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
9. If paleontological materials (fossils) are discovered during allotment activities, the permittee is to immediately stop activities that might further disturb such materials and contact the authorized officer. The permittee and the authorized officer would consult and determine the best option for avoiding or mitigating the paleontological site.
10. It is the responsibility of the livestock grazing permittee to control their livestock and keep them from trespassing on non-permitted public lands, even if the permitted BLM administered land is not fenced.
11. The permittee shall provide the BLM with reasonable administrative access across private and leased lands for the orderly management and protection of the public lands.

Flexibility in Operations (Adaptive Management):

The BLM may modify pasture use dates and allowable forage removal specified by the grazing schedule to adapt to variability in resource conditions. Conditions that may require adaptive management and changes to the grazing schedule in any one year, may include but are not limited to: variations in seasonal weather patterns, drought, fire, and weed infestations. If modifications are agreed to by the BLM and the permittee, deviations from the grazing schedule would be documented on the grazing application and approved by the BLM. Any approved deviations from the grazing schedule would be within the permit terms and conditions as per 43 CFR 4130.4(b).

Under the proposed action, the goals and objectives for these renewals are:

- Manage livestock grazing to meet the requirements of the desirable perennial vegetation; and
- Manage livestock grazing on public lands to promote healthy sustainable rangeland ecosystems and to provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy rangelands (43 CFR 4100.0-2).

Compliance for the grazing permit and its associated terms and conditions would be accomplished through the BLM KFO Range Management Program. The KFO staff would use a Range Monitoring Plan to schedule periodic utilization checks, collect trend data, and evaluate the allotment. Evaluation of monitoring data would be used to make appropriate changes to the grazing permit to protect land health.

No Grazing Alternative

Under the No Grazing Alternative, grazing would be discontinued on all allotments within permit #0501831 held by Silver Spur Land and Cattle, LLC.

The KRMP has identified the land within the allotments as available for livestock grazing; a decision to implement a No Grazing Alternative would not be consistent with the KRMP. Under 43 CFR 1610.5-3, all actions approved or authorized by the BLM must conform to the existing land use plan. Actions out of conformance with the KRMP would require a land use plan amendment which is outside the scope of this EA.

ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL**No Action Alternative:**

The Council on Environmental Quality (CEQ) has indicated that the “No Action” alternative for permit renewals is the continuation of the current “terms and conditions.” Their rationale is that this is the best alternative for analysis of current resource conditions, since in most cases, the land at issue has been grazed for many years, permittees already have a preference and, in the majority of the cases are applying to continue such use.

For the purpose of this EA, the No Action and the Proposed Action are the same and therefore, this EA will analyze the Proposed Action and a No Grazing Alternative.

AFFECTED RESOURCES

This section provides a description of the human and natural environmental resources that could be affected by the Proposed Action and presents comparative analyses of the direct, indirect and cumulative effects on the affected environment stemming from the implementation of the actions under the Proposed Action and other alternatives analyzed.

The CEQ Regulations state that NEPA documents “must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail” (40 CFR 1500.1(b)). While many issues may arise during scoping, not all of the issues raised warrant analysis in an environmental assessment (EA). Issues will be analyzed if: 1) an analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significant direct, indirect, or cumulative impact, or where analysis is necessary to determine the significance of the impacts. Table 2 lists the resources considered and the determination as to whether they require additional analysis.

Table 2. Resources and Determination of Need for Further Analysis

(NP) = Not Present

(NI) = Resource/Use Present but Not Impacted

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

Determination¹	Resource	Rationale for Determination
Physical Resources		
NI	Air Quality	Grazing or not grazing these public lands would have no measurable effect on air quality, which is considered to be meeting the national ambient air quality standards.
NI	Geology and Minerals	Implementation of the Proposed Action, or the No Grazing Alternative would have no impacts on geologic or mineral resources.
NI	Soil Resources*	The permit’s allotments all include large areas of private irrigated hay meadows, except for allotments 7031 and 7051. Livestock grazing occurs almost entirely on the private lands, so removing livestock or permitting the livestock would have no measurable effect on the public land soils. The private land owners manage the meadows for hay production, so livestock utilization is at levels that maintain soil health. Allotments 7031 and 7051 have been reviewed for Land Health Standard 1 and overall the allotments are meeting the standard. Renewing the permit would have no effect on the soils’ ability to continue to meet the standard. If the No Action Alternative was selected, there may be some increase in vegetative litter, but overall soil health would not be expected to be measurably different due to the permittee’s ability to move between several allotments and private lands.
NI	Surface and Ground Water Quality*	The allotments are within the North Platte or the Michigan River drainage areas, which do not have identified water quality concerns. Livestock use on all but two of the allotments is limited and located away from surface waters. Renewing the permit or removing livestock from the public lands would not be expected to affect the surface or ground water quality.

Determination ¹	Resource	Rationale for Determination
		Allotment 7051 relies on ground water, and the well is developed to protect ground water quality, which is at depth and not affected by general surface uses. Watershed conditions- vegetative cover, slope, and soils, are not causing accelerated erosion or increased runoff from the allotment. Removing livestock or renewing the permit would not impact ground or surface water quality. Allotment 7031 primarily uses groundwater, which is at depth, and is protected by the well's development. Lee Draw appears to be associated with the surface water table, and flows do not leave the allotment. The draw is impounded at the allotment boundary by Highway 125. By managing for wetland values, the water quality is also addressed. See Wetland discussion.
Biological Resources		
PI	Wetlands and Riparian Zones*	Only allotment 7031 has public wetland areas that could potentially benefit from removing livestock from the allotment. The other allotments have no wetlands on public lands, with a few small ephemeral areas that do not provide wetland habitat or values.
PI	Vegetation*	See discussion in vegetation section of this document
NP	Invasive, Non-native Species	Currently there are no inventoried invasive, non-native species in the proposed permitted grazing allotments.
PI	Special Status Plant and Animal Species*	See discussion
PI	Migratory Birds	See discussion
NP	Aquatic Wildlife*	There is no aquatic wildlife present in the proposed permitted grazing allotments.
PI	Terrestrial Wildlife*	See discussion
NP	Wild Horses	There are no Wild Horse herds on the lands administered by the KFO.
Heritage Resources and the Human Environment		
PI	Cultural Resources	A Class III cultural inventory would be conducted for all future undertakings that would affect historic properties on BLM-administered lands to locate and evaluate known and unknown historic properties to determine their significance and appropriate mitigation measures .
NI	Paleontological Resources	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.
PI	Native American Religious Concerns	A Class III inventory would be conducted on all BLM-administered land to identify unknown historic properties prior to consultation with affiliated tribes is conducted to determine if those resources are of traditional cultural and spiritual value to American Indians.
NI	Visual Resources	Visual resources would not be impacted by the proposed action, no grazing action, or the no action alternative.
NI	Hazardous or Solid Wastes	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 Grazing alternative.

Determination¹	Resource	Rationale for Determination
NI	Fire Management	There would be no effect to Fire Management
PI	Social and Economic Conditions	There is an economic component to the permittee, county and state from grazing. See discussion.
NP	Environmental Justice	According to the most recent Economic Census Bureau statistics (2009), there are minority and low income communities within the Kremmling Planning Area. There would be no direct impacts to these populations.
Resource Uses		
NP	Forest Management	There are no forest or woodland resources within the immediate vicinity of the current or proposed spring development. Implementation of the Proposed Action or No Grazing Alternative would have no impact on Forest Management or forest or woodland vegetation.
PI	Rangeland Management	See discussion in Rangeland Management of this document
	Floodplains, Hydrology, and Water Rights	Floodplains are located entirely on private lands within the allotments. Under all alternatives, Silver Spur manages the floodplain portion. Foreseeable impacts would be to the vegetation and not the actual functionality of the floodplain, and are discussed in the wetland/riparian portion of the document.
NI	Realty Authorizations	Rights-of-Ways exist on portions of the grazing allotments. There would be no impacts from the proposed action or the no action alternative.
NI	Recreation	Existing recreational uses in the general area include hunting, hiking, horseback riding, wildlife viewing; snowmobiling and driving for pleasure. There are no recreation activity plans or other special recreation designations for this area. The proposed action, or No Grazing Alternative will have no impacts to the recreation resource.
NI	Access and Transportation	Conditions would likely remain the same. No impact to access/transportation is expected.
NP	Prime and Unique Farmlands	There are no farmlands, prime or unique, in the proximity of the proposed project area. Farmlands of local importance are on private lands within the allotment. Renewal of the permit does not affect the current on-going practices and the farmland values are not affected.
Special Designations		
NP	Areas of Critical Environmental Concern	There are no Areas of Critical Environmental Concern located within the project area.
NP	Wilderness	There are no Wilderness Areas present
NP	Wild and Scenic Rivers	There are no Wild and Scenic Rivers in the KFO.

¹ NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

* Public Land Health Standard

BIOLOGICAL RESOURCES

Threatened, Endangered and Sensitive Species (includes a finding on Standard 4)

Current conditions:

Several populations of North Park phacelia, *Phacelia formosula*, a federally listed endangered plant species, have been recorded in allotments 07051, 07052, and 7108. This species is found only in North Park and is associated with sandstone outcrops and ridges which are typically poor habitat for other vegetative species. Little competition for water and nutrients exists between *Phacelia formosula* and other plant species. The southwest 1/3 of Allotment 07051 lies in the North Park Natural Area; however, the acreage included is a small fraction of the total acres.

All allotments provide potential nesting and brood rearing habitat for Greater sage-grouse, a BLM sensitive species and Federal candidate. The northern parts of allotments 07052 and 07108 are also mapped as sage-grouse winter range. All allotments are within high priority greater sage-grouse habitat, designated by the Colorado Parks and Wildlife (CPW).

In addition, two large active white-tailed prairie dog towns are located in allotment #7051, sections 31, 35, and 36.

No Grazing

Direct and Indirect Effects:

Current conditions would most likely remain the same, however since there is a slight chance that livestock could trample a sage-grouse nest or a prairie dog burrow, then no grazing would result in no potential impacts to these species. In addition, slightly more forage and cover would be available for sage-grouse and prey species, including white-tailed prairie dogs, which could increase survivability. North Park phacelia are not expected to be impacted by the No Grazing Alternative.

Cumulative Effects:

Oil and gas operations and any other public use would continue to occur within the allotments. There should be a slight incremental improvement in vegetative cover than under the Proposed Action, and the allotments would continue to meet Standard 4.

Proposed Action

Direct and Indirect Effects:

The Proposed Action would not have any impact on threatened or endangered species or their habitats. The North Park phacelia populations are located in areas where cattle do not graze since these sites do not produce enough forage species to attract them. Past monitoring efforts on other populations have not identified any livestock grazing use or trampling of the phacelia plants. Since the Proposed Action would not change livestock use on the sites occupied by North Park phacelia, the proposed grazing permit renewal would have “no affect” on North Park phacelia.

Most sage-grouse complete breeding and nesting activities from March 1 to June 30. There is a possibility that nests would be active when livestock use the allotments and a slight chance that

livestock could trample a nest. The probability that this would occur is low as sage-grouse typically nest in and under shrubs and livestock prefers to go around these obstacles rather than through them. The proposed grazing system would not likely negatively impact the long-term health of nesting habitat.

White-tailed prairie dogs may sustain injury or damage to burrows by livestock. Since utilization levels under the current grazing system are light, similar utilization levels are expected under the Proposed Action. Therefore impacts to prairie dog burrows are expected to be minor and have little effect on their populations as a whole.

Cumulative Effects: Oil and gas operations and any other public use would continue to occur within the allotments. Vegetative cover would be expected to remain about the same under the Proposed Action and be slightly less dense than the No Action Alternative. The allotments would continue to meet Standard 4.

Vegetation (grasslands, forest management) (includes a finding on Standard 3)

Current conditions:

Dry Mountain Loam and Valley Bench are the primary range sites found within allotment 07031. Valley Bench is also the primary range site type found within allotment 07051.

Dry Mountain Loam range sites are characterized by gently sloping to hilly land with slopes of generally less than 25 percent. Soils are mostly gritty loams to sandy loams, dark colored, with a top soil depth averaging around seven inches. The subsoil has a tendency to become hard and slowly permeable when dry. A strong lime zone about 27 inches deep is generally present on gentle slopes with mature soils. Average annual precipitation is 12" to 14" with 50 percent or more of the moisture received as snow. Vegetation on the dry mountain loam range site is dominated by sagebrush ranging from 18" to 30" tall with a grass and forb understory and in the interspaces between the sagebrush plants. Other vegetation noted at this site includes bluebunch wheatgrass, pine needlegrass, needle and thread and other bluegrass species. Forbs include buchweat, little bluebells and phlox. Rabbitbrush along with sagebrush were the only shrubs present on this site. Optimum ground cover on this range site is 35 percent. Annual production ranges from 500 lbs/acre in poor years to 1000 lb/acre in favorable years.

Valley Bench range sites are found on nearly level to moderately rolling with slopes between zero and three percent. The soils are deep, well-drained loams with some gravel that have formed on alluvial outwash. Average precipitation for this site ranges from 10-12 inches with 55-60 percent falling between May and September. Vegetation on the valley bench site is dominated by sagebrush and with other shrubs comprising approximately 20 percent. The major grass species are Western wheatgrass, Blue grama and Needle and thread. Forbs make up 5- 10 percent of the total. Other vegetation noted at this site includes Bluebunch Wheatgrass and other bluegrass species . Forb numbers and plant species were varied. Rabbitbrush along with sagebrush were the only shrubs present on this site. Optimum ground cover on this site is 30 percent. Annual production ranges from 600 lbs/acre in poor years to 1200 lbs/acre in favorable years.

Allotment 07051 was assessed on 7/29/2010. It was determined that the allotment was meeting all Rangeland Health Standards. However historical livestock grazing had reduced the potential around stop #2. This was mostly due to lack of forbs and a noticeable amount of bird beak (increaser). Because current livestock use was not an issue, a change in AUMs or season of use was not recommended. Allotment 07031 was assessed on 7/29/2010. It was determined that the allotment was meeting Land Health Standards. Utilization was slight, and there was no recommendation to change AUMs or the grazing season.

Allotments 07126, 07125, 07108, and 07052 have a category “C” (Custodial) rating due to their small size, and small percentage of BLM-administered public land. Because of the category “C” rating they were not assessed for Land Health Standards. However, allotment field inspections found no issues or environmental concerns with these allotments.

No Grazing

Direct and Indirect Effects:

Absence of livestock grazing would favor plant growth and reproduction requirements in both, forbs and cool season grasses in the short term. Depending on annual precipitation, vegetation would be allowed to grow unrestricted to full potential, therefore aid in the development of above ground biomass to protect soils and provide desirable perennial cover for wildlife; to contribute to litter cover; and to continue to develop root masses which would lend itself to improved vigor and reproduction.

Without the stimulation of grazing, plant vigor and production would level off and stagnate on most soils in the long term.

Fences would need to be constructed to exclude livestock from public lands. Impacts common to construction and maintenance of fences include construction of roads and trails. Livestock trailing along the fences could impact private and state lands, assuming ranchers continue to graze livestock on their lands.

Proposed Action

Direct and Indirect Effects:

The prescribed grazing under this alternative would likely maintain or improve the upland rangeland health conditions in all allotments. Portions of the annual forage production would continue to be removed by grazing livestock and the decrease of herbaceous surface cover could negatively affect soil and water resources. However, rangeland vegetation inventory and monitoring data indicates an adequate amount of forage is available to continue to support or improve rangeland health.

Cumulative Effects (combined for both Alternatives):

The lands involved in the application have historically been used for livestock grazing, and wildlife habitat. The incremental impacts identified within both Alternatives, when added to other past, present, and reasonably foreseeable future actions would not significantly contribute to any Cumulative Impacts. Grazing under the proposed permit renewal would aid in either making progress toward achievement or maintaining achievement of the Rangeland Health Standards, with the understanding that adjustments to grazing management would occur when

any of the Standards are not being achieved. No cumulative impacts of concern are anticipated as a result of the proposed action in combination with any other existing or planned activity.

Wetlands & Riparian Zones (includes a finding on Standard 2)

Current conditions:

Most of the allotments' private lands include irrigated meadows located in the floodplains along the Michigan, Illinois, and North Platte Rivers. Allotments 07108, 07125, and 07126 do not have any mapped riparian or wetland areas on the public lands. Allotment 7052 has a small (less than half an acre) portion of California Gulch that is located on BLM land. This portion of the draw is ephemeral. The largest parcel of allotment 07051 has a few small naturally occurring depressions that support small mapped wetland areas that are temporarily flooded through the year. The wetlands are runoff fed sinks with no outlets, and tend to be fairly salty. For many years, there is little to no visible water. Allotment 07031 includes Lee Draw, an intermittent draw that originates in pasture two, and continues through pastures one and four, with very small associated wetlands in pasture three. The National Wetland Inventory maps show most of the wetlands as seasonally flooded, with the larger pond in pasture four being more permanently flooded. Many of the areas are enhanced or actually created by berms and excavations, with about 20 acres on public lands. The areas appear to be created by the water table, and not a groundwater source. Lee Draw supports a grass community that generally reflects the surrounding uplands, except for the better vegetative production and percent ground cover due to the higher soil moisture. Along the largest impoundment's upstream face are some willows.

In Pastures 2 and 4, Lee Draw provides livestock drinking water and the draw tends to have the higher utilization levels in the pastures. Pasture 3 has the upland wells, which help draw the livestock away from the draw. Lee Draw is considered to be in properly functioning condition.

No Grazing

Direct and Indirect Effects:

Under the no grazing alternative, only antelope and other wildlife would graze the Lee Draw drainage. Much of the yearly growth would be expected to remain each year, creating in places a vegetative mat of dead grasses. There would be some increase in plant vigor and production in the draw.

Cumulative Effects:

Oil and gas operations and any other public use would continue to occur within the allotment. Except for access across the draw, most other actions would be one time disturbances such as pipeline or road construction, or repair work. Overall vegetative cover could be denser than under the Proposed Action, and the draw would continue to meet Standard 2. **Proposed Action:**

Direct and Indirect Effects:

Renewing the livestock permit would continue the existing conditions. The current permittee is able to move livestock to various pastures and allotments, reducing livestock utilization in any one area.

Cumulative Effects:

Allotment 07031 includes the McCallum oil field, which has been in operation since the late 1920s. There are abandoned and active wells, pipelines and roads that crisscross the allotment, especially pasture 2. Due to the age of some of the disturbances, reclamation success varies from action to action. The operations have resulted in a pipeline break in Lee Draw, the cleanup which involved some soil disturbance in the draw to remove petroleum contaminated soils, and vehicles driving along the draw bottom. Some development may reduce runoff reaching the draw, detaining it in the uplands. Except for two road crossings, most of the oil and gas disturbances remain in the uplands. In the future, there could be a pipeline or road repair that could again disturb Lee Draw. The permittee's use of the allotment and the current energy activity has not prevented the draw from meeting the Standard. Renewing the permit would not affect this.

Wildlife (includes fish, aquatic and terrestrial) (includes a finding on Standard 3)

Current conditions:

Migratory Birds— All of the allotments are dominated by sagebrush steppe vegetation with minor amounts of aspen, riparian, and open water habitat. A variety of migratory bird species, primarily birds of prey and songbirds, have been observed in the proposed allotments. Surveys conducted in 1994 by the Colorado Breeding Bird Atlas Partnership recorded many species including kestrels, northern harriers, prairie falcons, golden eagles, mountain bluebirds, common nighthawks, sage thrashers, green-tailed towhee, and horned lark (see also the Sensitive Species and Aquatic Wildlife sections).

Two species have been identified by the U.S. Fish and Wildlife Service as Birds of Conservation Concern, including golden eagles and prairie falcons. Both species would likely nest in cliffs or in large trees in the area and forage in the open sage-brush habitat within and adjacent to the allotments.

The allotments included in the proposed grazing permit renewal provide habitat for a variety of upland wildlife species. Pronghorn, moose, elk, mule deer, coyotes, badgers, and a variety of small rodents inhabit the allotments at least part of the year. Moose concentrate along the riparian areas adjoining the North Platte, Michigan, and Illinois rivers.

No Grazing

Direct and Indirect Effects:

Current conditions would most likely remain the same, however since there is a slight chance that livestock could trample a rodent, nest, or reptile burrow, then no grazing would result in no potential impacts to migratory birds or other species. In addition, slightly more forage and cover would be available for both prey species and migratory birds which could increase the population and benefit predators like the golden eagle and prairie falcon.

Cumulative Effects:

Oil and gas operations and any other public use would continue to occur within the allotments. There should be a slight incremental improvement in vegetative cover under the Proposed Action, and the allotments would continue to meet Standard 3.

Proposed Action

Direct and Indirect Effects:

Most migratory birds complete nesting activities from May 15 to July 15. There is a possibility that nests would be active when livestock use the allotments and a slight chance that livestock could trample a nest. The probability that this would occur is very low to not at all, as the identified bird species within the allotments nest in trees, or in and under shrubs. Generally livestock prefer to go around these obstacles rather than over them. Therefore, the chance of wounding, killing, or disturbing a migratory bird species or their nests is very low to not at all. The probability that golden eagles, prairie falcons and other prey species are impacted is low to not at all, as sufficient forage and cover is expected to remain in the allotments after being grazed by livestock.

The Proposed Action would not likely affect big game animals or their habitats. Livestock grazing, as proposed, would ensure that sufficient forage would continue to be available for wildlife. Habitat conditions would remain in a condition capable of supporting healthy wildlife populations.

Burrowing rodents and snakes may sustain injury or damage to burrows by livestock. Since utilization levels under the current grazing system are light, similar utilization levels are expected under the Proposed Action. Therefore, impacts to rodent and reptile burrows are expected to be minor and have little effect to their populations as a whole.

Cumulative Effects: Oil and gas operations and any other public use would continue to occur within the allotments. Vegetative cover would be expected to remain about the same under the Proposed Action and be slightly less dense than the No Action Alternative. The allotments would continue to meet Standard 3.

HERITAGE RESOURCES AND HUMAN ENVIRONMENT

Cultural Resources

Current Conditions:

Past cultural resource inventories at the Class III level have been limited to specific undertaking. In Allotment #07031 only 28 percent or 1,192 acres have been inventoried with seven sites identified as needs data or eligible to the National Register of Historic Places (NRHP). In Allotment #07051 only 28 percent or 700 acres of BLM-administered land have been inventoried at the Class III level, with three sites recorded that are needs data or eligible to the NRHP. In Allotment # 07108 only 4.489 percent of the BLM-administered land has been inventoried at the Class III level with four sites that are needs data or eligible to the NRHP. In Allotments #07125 and #07126 less than 2 percent of their area has been inventoried at the Class III level, with no sites recorded.

No Grazing

Direct and Indirect Effects:

Even with a No Grazing Alternative there may be direct impacts from soil erosion from water inspired events and from wind erosion. Unknown sites may also be subject to vandalism from the collection of cultural artifacts off the ground surface or digging. In the no grazing

alternative, cultural resource inventories may be limited due to the type of undertakings that would take place within the grazing allotment.

Cumulative Effects:

The continued effects of water and wind erosion of the soil and site vandalism would result in the total or partial loss of the sites integrity resulting in the forfeiture of important scientific information about procurement, subsistence, trade, and site chronology.

Proposed Action

Direct and Indirect Effects:

Direct effects from cattle grazing to historic properties from cattle may result in the loss of protective vegetation, trampling of artifacts and features, toppling of standing walls, and collapsing cut banks along drainages at sites that are potentially significant. Indirect effects from no cultural resource inventory would result in wind and water erosion of the soil causing the displacement of artifacts and the destruction of features from the loss of vegetation cover resulting in the increased visibility of sites that makes them susceptible to artifact collection.

Cumulative Effects:

The cumulative effects from continued grazing and associated actions or unassociated future undertakings would be the loss of potentially important scientific information, i.e. radio carbon 14 dates and pollen. The cumulative loss of sites that are affected by grazing and that may be important to the prehistoric knowledge of the area and about those American Indian tribes that may have utilized the resources of the area would be lost. The loss of archaeological information over time would not be limited to cultural artifacts, but would include information on past climatic environments or events.

Protective/Mitigation Measures:

When future National Historic Preservation Act, Section 106 undertakings are identified, a Class III inventory would be conducted for the area of potential effect for each action to identify any unknown historic properties and evaluate them for significance, grazing impacts, and necessary mitigation measures. It would be necessary to conduct a Class III inventory of all BLM-administered lands, specifically areas of moderate to high site probability within the grazing allotments to identify unknown historic properties and evaluate them for significance and potential impacts from grazing and the proposed action. All appropriate mitigation measures would be identified and they may include avoidance by fence construction and moving of the water tank to site excavation to retrieve important information that would be lost from continued grazing on the site, or any other appropriate action to protect the integrity of that significant historic property.

Social and Economic Conditions

Current Conditions:

Agricultural practices, energy exploration and development, and hunting are the main economic activities of the areas listed under the Proposed Action. In these regions, livestock operations and public land management are strongly linked through grazing permits and leases.

No Grazing

Direct and Indirect Effects:

Indirect effects to the surrounding economy could occur due to loss of employment opportunities related to the ranching service support industry in the region as well as the economic effects to state and county governments related to taxes. Grazing operations would not continue to supply personal income to the operator and employees and would proportionally negatively influence the regional, state, and national economy.

Cumulative Effects: None

Proposed Action

Direct and Indirect Effects:

Indirect benefits to the surrounding economy would occur due to overall employment opportunities related to the ranching service support industry in the region as well as the economic benefits to state and county governments related to taxes. Grazing operations would continue to supply personal income to the operator and employees and would proportionally influence the regional, state, and national economy.

Cumulative Effects: None

LAND RESOURCES

Range Management

Current Conditions:

Allotment 07051 was assessed on 7/29/2010. It was determined that the allotment was meeting Standards. However historical livestock grazing had reduced the potential around stop #2. This was mostly due to lack of forbs and a noticeable amount of bird beak (increaser). Since current livestock use was not an issue, a change in AUMs or season of use was not recommended. Allotment 07031 was assessed on 7/29/2010. It was determined that the allotment was meeting Range Land Health Standards. Utilization was slight, and there was no recommendation to change AUMs or the grazing season.

Allotments 07126, 07125, 07108, and 07052 have a category "C" (Custodial) rating due to their small size, and small percentage of BLM-administered public land. Because of the category "C" rating, they were not assessed for Land Health Standards. However, allotment field inspections found no issues or environmental concerns with these allotments.

No Grazing

Direct and Indirect Effects:

Under Alternative 2, the expired livestock grazing permit would not be renewed and grazing on public lands would be unauthorized. Denying the renewal of this grazing permit would not be in conformance with the Kremmling Field Office (RMP) and would require an RMP revision to remove the grazing preference from the KFO RMP grazing base. There are no fences or natural barriers separating the BLM and non-BLM administered lands. It would not be practical or cost effective to fence out the public lands at this time. This alternative would affect how the adjacent private lands are grazed since the operator would have to keep livestock off of public lands either through herding or fencing, or be in violation of federal grazing regulations.

Herding would be unpractical and difficult, due to the mixed ownership pattern and still would not assure public lands would not be grazed.

Proposed Action

Direct and Indirect Effects:

The monitoring data and stocking rate stated previously indicates there is an adequate amount of forage available to support the permitted number of livestock. The new grazing lease would authorize the same numbers and kind of livestock, and season of use as the existing lease. No changes to grazing management are proposed with this lease renewal; therefore, it is not expected to have any new effects on range management. Impacts would not be significant.

Cumulative Effects (combined for both alternatives):

The lands involved in the application have historically been used for livestock grazing, and wildlife habitat. The incremental impacts identified within both Alternatives, when added to other past, present, and reasonably foreseeable future actions would not significantly contribute to any Cumulative Impacts. Grazing under the proposed permit renewal would aid in either making progress toward achievement or maintaining achievement of the Rangeland Health Standards, with the understanding that adjustments to grazing management would occur when any of the Standards are not being achieved.

CUMULATIVE EFFECTS SUMMARY

“Cumulative Effects” are those effects resulting from the incremental effect of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions. Cumulative Effects are tiered to those described and analyzed in the Kremmling Resource Management Plan (KRMP) updated in 1999, and with the land use plan as required by 43 CFR 1610.5-3(a). The KRMP analyzed the impacts of grazing.

Cumulative effects occur when additional management facilities are added to those already present. Grazing plans are intended to meet specific objectives to the plan area and involve rangeland improvements that are designed to maintain or improve wildlife habitat, watershed, and overall resource conditions, thus improving ecosystem health.

Livestock grazing in the region has evolved and changed considerably since it began in the 1860s, and is one factor that has created the current environment. At the turn of the century, large herds of livestock grazed on unreserved public domain in uncontrolled open range. Eventually, the range was stocked beyond its capacity, causing changes in plant, soil and water relationships. Some speculate that the changes were permanent and irreversible, turning plant communities from grass and herbaceous species to brush and trees. Protective vegetative cover was reduced, and more runoff brought erosion, rills and gullies.

In response to these problems, livestock grazing reform began in 1934 with the passage of the Taylor Grazing Act. Subsequent laws, regulations, and policy changes have resulted in adjustments in livestock numbers, season-of-use changes, and other management changes.

Given the past experiences with livestock impacts on public land resources, as well as the cumulative effects that could occur on the larger ecosystem from grazing on various public and private lands in

the area, management of livestock grazing is an important factor in ensuring the protection of public land resources. Past, present, and reasonably foreseeable actions within the analysis area would continue to influence range resources, watershed conditions and trends. The impact of vegetation treatments, voluntary livestock reductions during dry periods, and implementation of a grazing system have improved range conditions. The net result has been greater species diversity, improved plant vigor, and increased ground cover from grasses and forbs.

The effects of livestock grazing on resources in the allotments identified in this EA have been analyzed under the “Direct and Indirect Impacts” sections for each resource impacted.

LIST OF PREPARERS AND PARTICIPANTS

INTERDISCIPLINARY REVIEW

NAME	TITLE	AREA OF RESPONSIBILITY	DATE
Neilie Tibbs	Range Management Specialist, Project Lead	Vegetation, Range	03/04/2012
Zach Hughes	Natural Resource Specialist	Weed Coordinator, Invasive, Non-Native Species	04/02/12
Bill Wyatt	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontological Resources	04/03/2012
John Monkouski	Recreation	Transportation, Recreation, Access, Wilderness, Wilderness, Noise	02/24/2012
Hannah Schechter	Wild and Scenic River	Visual Resources; Recreation,	02/24/2012
Anne Sperandio	Realty Specialist	Land Tenure/Status, Realty Authorizations	03/06/2012
Megan Mcguire	Wildlife Biologist	Areas of Critical Environmental Concern; Special Status Plant and Animal Species Migratory Birds; Terrestrial and Aquatic Wildlife	03/30/2012
Paula Belcher	Hydrologist	Air Quality; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Soils, Farmlands, Prime and Unique	04/04/2012
Kevin Thompson	Fuels Specialist	Fire Ecology, Fuels Management	
Kelly Elliot	Natural Resources Specialist	Wastes, Hazardous and Solid, Geology and Minerals, Visual Resources	03/06/2012
Susan Cassel	Associate FO Manager	Environmental Justice, Social Economics, P&E Coordinator	03/30/2012
Ken Belcher	Forest Management	Forestry, Vegetation	04/02/2012

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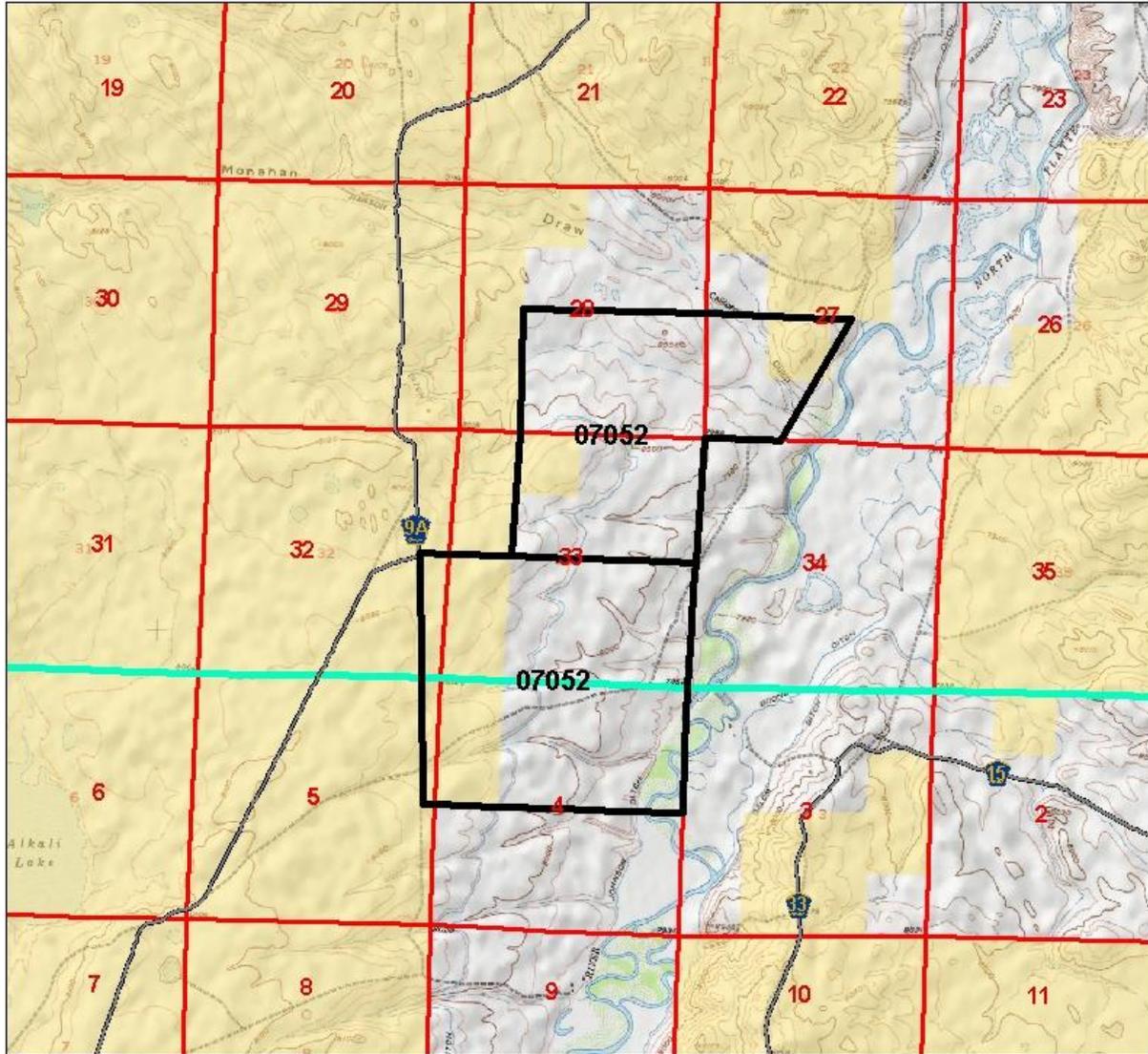
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Uintah & Ouray Tribal Business
Council
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Fort Duchesne, Utah 84026

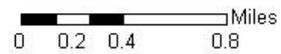
ALLOTMENT MAPS



**Allotment
07052**



- KFO_allotments selection
- County Roads
- U.S./State
- Bureau of Land Mgt
- Division of Wildlife
- National Park
- US Forest Service
- National Wildlife Refuge
- State
- State Forest



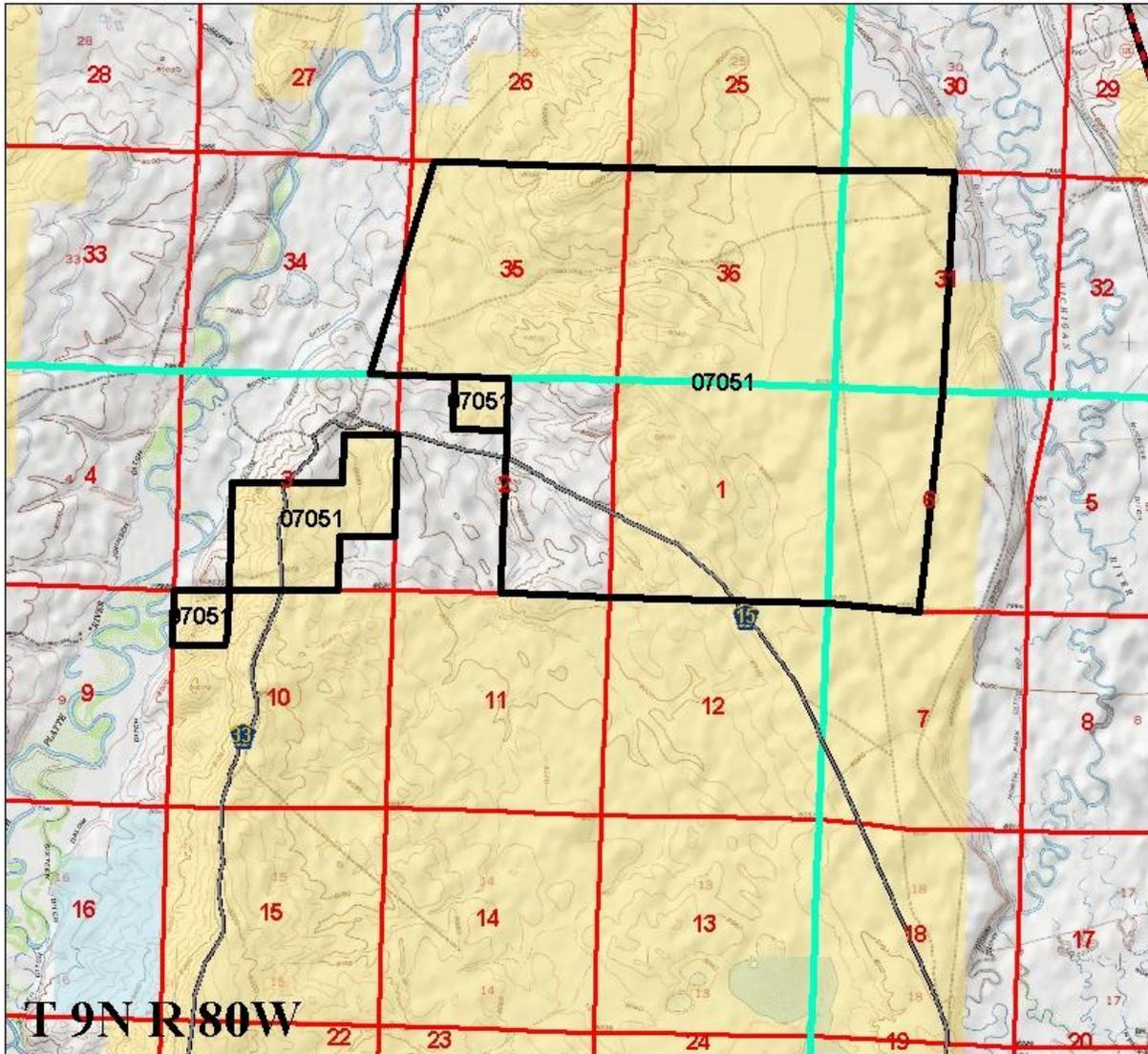
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BLM, Kremmling FO 2010



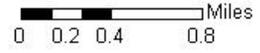
Allotment 07051



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- U.S./State
- Bureau of Land Mgt
- Division of Wildlife
- National Park
- US Forest Service
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- State
- State Forest

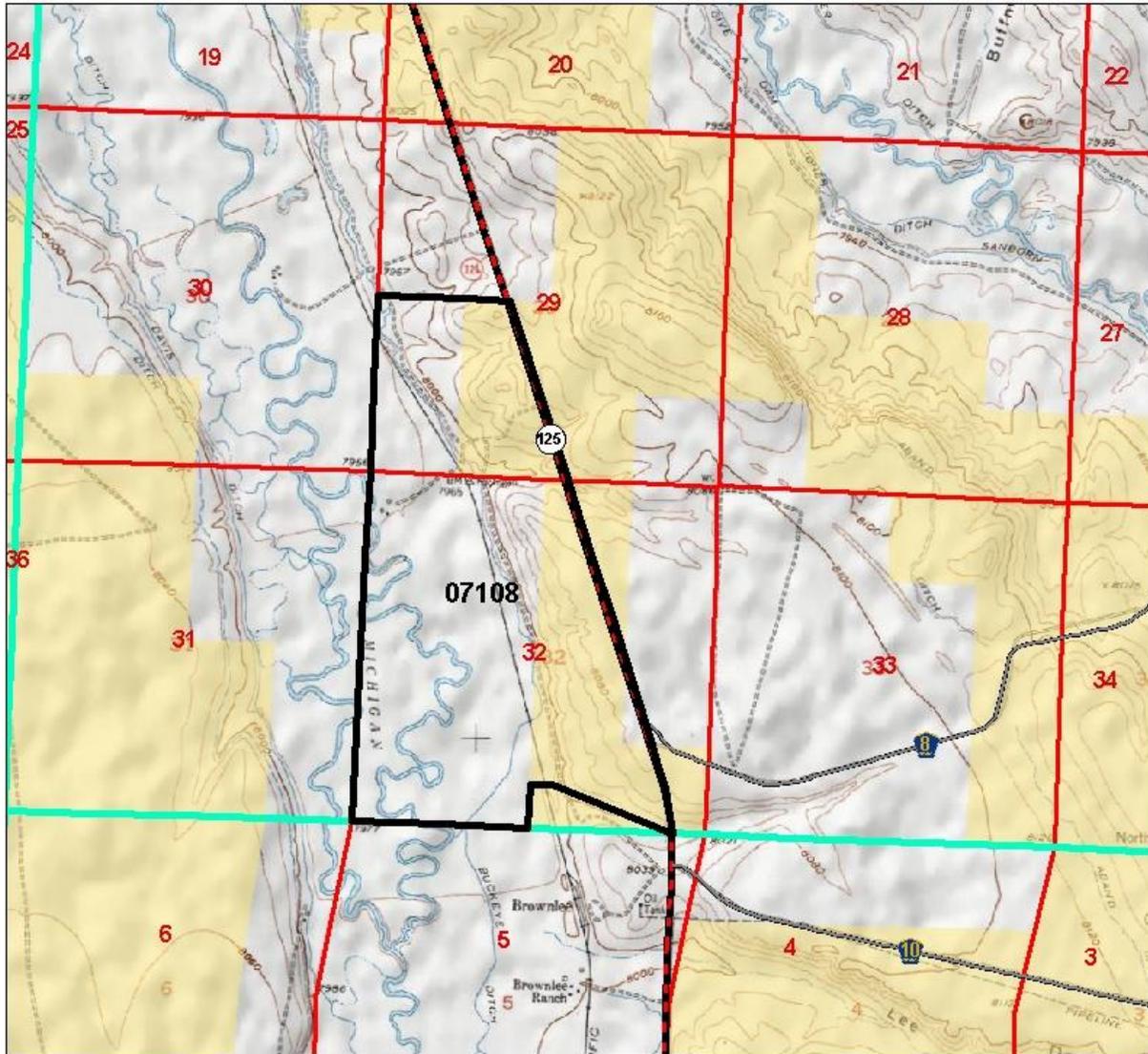


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Allotment 07108



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- County Roads
- U.S./State
- Bureau of Land Mgt
- Division of Wildlife
- National Park
- US Forest Service
- National Wildlife Refuge
- State
- State Forest

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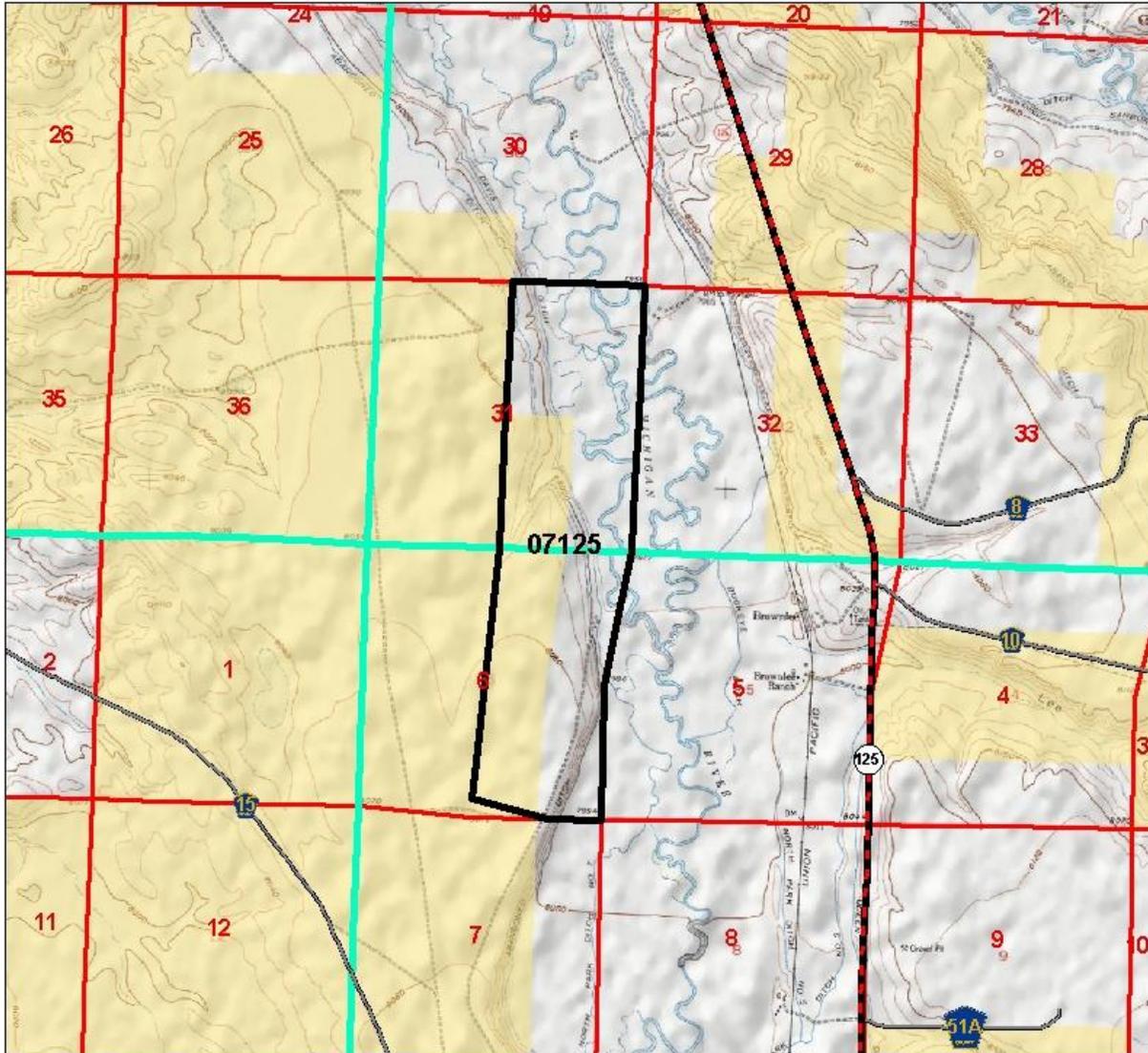
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BLM, Kremmling FO 2010



Allotment 07125



- allotment 07125
- County Roads
- U.S./State
- Bureau of Land Mgt
- Division of Wildlife
- National Park
- US Forest Service
- National Wildlife Refuge
- State
- State Forest

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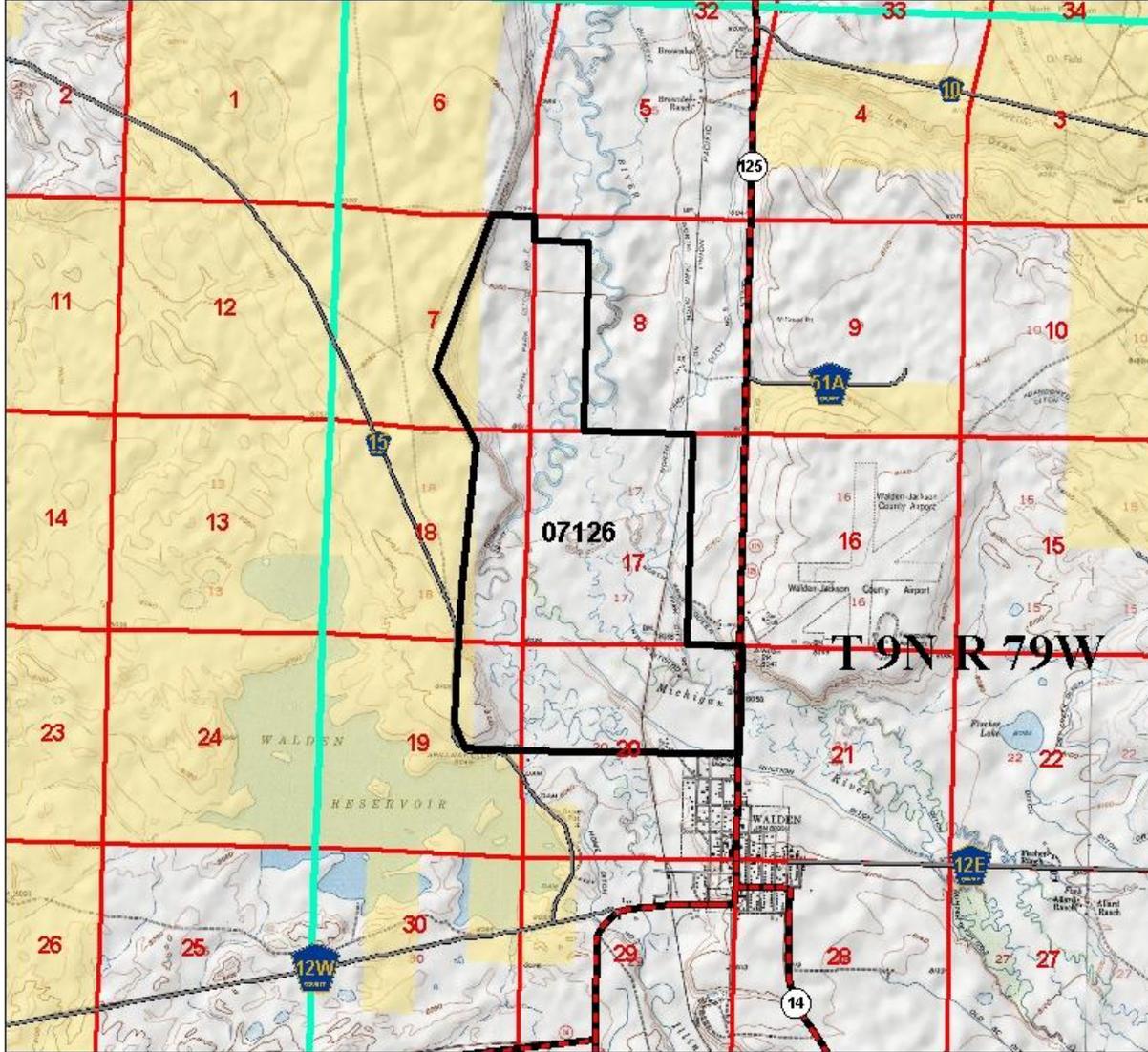
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BLM, Kremmling FO 2010



Allotment 07126



- allotment 7126
- County Roads
- U.S./State
- Bureau of Land Mgt
- Division of Wildlife
- National Park
- US Forest Service
- National Wildlife Refuge
- State
- State Forest

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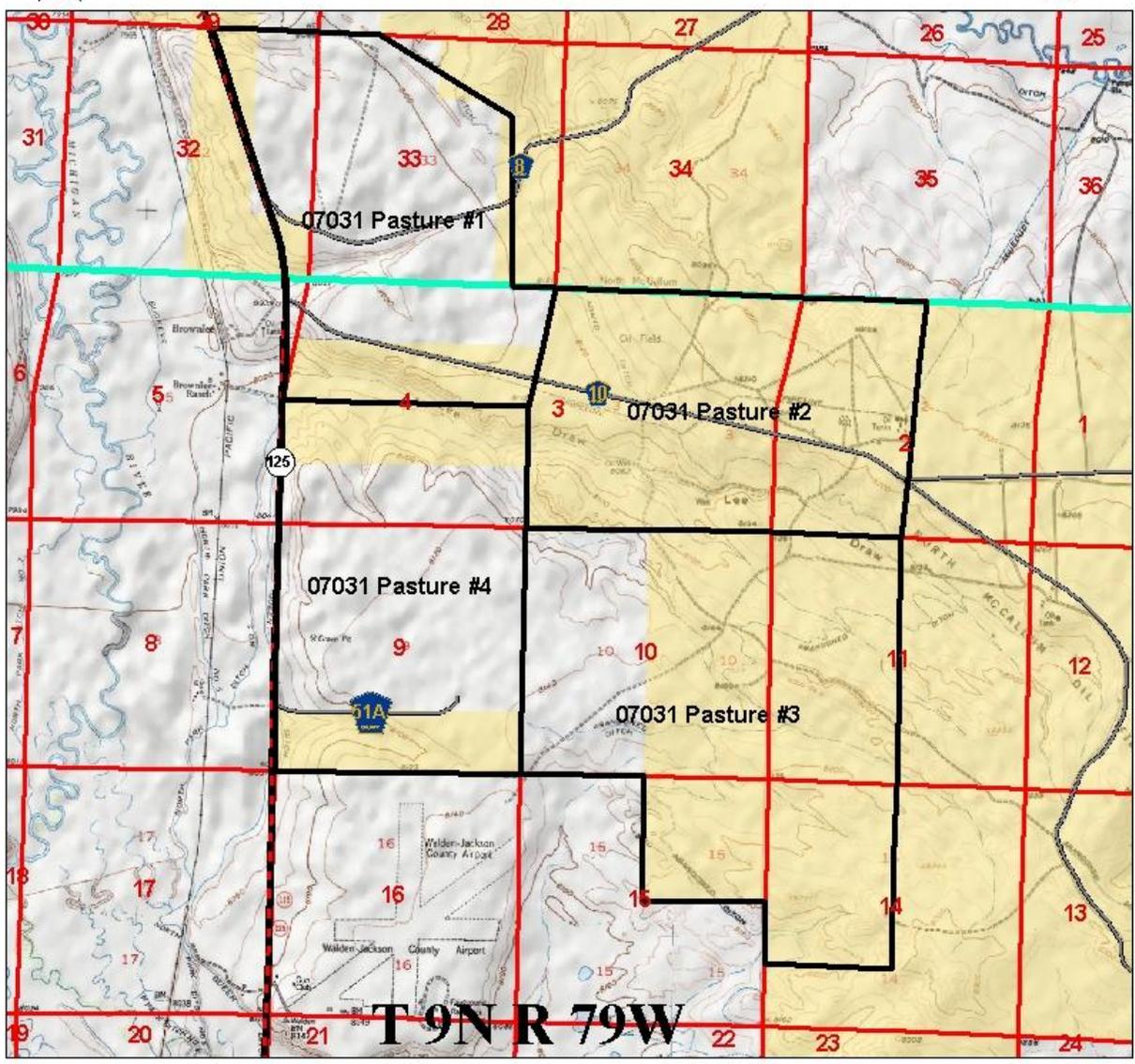
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BLM, Kremmling FO 2010



Allotment 07031



- KFO_allotments selection
- 07153_newboundary
- County Roads
- U.S./State
- Bureau of Land Mgt
- Division of Wildlife
- National Park
- US Forest Service
- National Wildlife Refuge
- State
- State Forest

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
KREMMLING FIELD OFFICE
FINDING OF NO SIGNIFICANT IMPACT

**Grazing Permit #0501831 Renewal for Silver Spur Land & Cattle, LLC
DOI-BLM-CO-LLCON02000-2012-023-EA**

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.

BACKGROUND

The Bureau of Land Management (BLM) Kremmling Field Office is proposing to issue a grazing permit renewal for the 07126 (Davis Meadow), 07125 (Davis Pasture), 07052 (Johnson), 07108 (Mattocks), 07051 (Vic Riley), and 07031 (Brownlee) allotments.

The Bureau of Land Management prepared an Environmental Assessment which analyzed the effects of the re-authorization of Grazing Permit #0501831 to determine impacts and mitigation required to continue to allow grazing on public lands in a responsible manner that is compatible with the Standards for Public Land Health, other resource uses and objectives, and in compliance with the grazing regulations under 43 CFR 4110.1(a)(1). In order to graze livestock on public land, the livestock permittee must hold a valid grazing permit.

Intensity

I have considered the potential intensity/severity of the impacts anticipated from the Grazing Permit #0501831 Renewal for Silver Spur Land & Cattle, LLC decision relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

1. Impacts that may be both beneficial and adverse.

This project may have minor short term impacts to soils, vegetation, and wildlife; however these impacts are not significant. No changes to the number or kind of livestock, season of use, or amount of authorized grazing preference as expressed in AUMs are disclosed in the EA.

2. The degree to which the proposed action affects public health and safety.

The proposed action is not expected to impact public health and safety.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no significant impacts to riparian vegetation, parklands, prime farmlands, wetlands, historic, cultural, or wild and scenic rivers within the project area. There are no municipal water supplies in the project area.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects of the proposed action on the quality of the human environment are not considered highly controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The effects on the human environment from the proposed action are not uncertain and do not involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action would not establish a precedent for the future nor does it represent a decision in principle about a future consideration.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The proposed action is not related to other past, present or reasonable foreseeable actions likely to result in any significant impacts. The cumulative impacts of other grazing permit renewal activities and any other reasonable foreseeable activities in the same area are not likely to result in cumulatively significant impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.

The ground-disturbing activities associated with the proposed action would not directly adversely affect any sites eligible for the National Register of Historic Places.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The project would not adversely affect any sensitive, threatened, endangered species or those proposed for listing.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed action does not violate Federal, State, and local laws or requirements for the protection of the environment.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the EA, and all other information available to me, it is my determination that: 1) the implementation of the Proposed Action or alternatives would not have significant environmental impacts beyond those already addressed in the "Record of Decision for the Kremmling Resource Management Plan," updated in 1999 (2) the Proposed Action is in conformance with the Resource Management Plan; and (3) the Proposed Action does not constitute a major Federal action having a significant effect on the human environment.

Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR '1508.27), both with regard to the context and to the intensity of the impacts described in the EA.

/s/ Dorothea Boothe

Dorothea Boothe
Acting Field Manager
Kremmling Field Office

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
KREMMLING FIELD OFFICE

DECISION RECORD

**Grazing Permit #0501831 Renewal for Silver Spur Land & Cattle, LLC
DOI-BLM-CO-LLCON02000-2012-023-EA**

DECISION:

It is my proposed decision to implement the Proposed Action of Environmental Assessment DOI-BLM-LLCON02000-2012-023-EA, which is to issue the grazing permit for #0501831 for Silver Spur Land & Cattle, LLC on allotments 07126 (Davis Meadow), 07125 (Davis Pasture), 07052 (Johnson), 07108 (Mattocks), 07051 (Vic Riley), and 07031 (Brownlee) for a period of 10 years. The permit will be issued for the same livestock numbers and season of use that are currently permitted. The permit will include the following terms and conditions, management guidelines, goals, objectives, and monitoring and evaluation requirements. The Proposed Action has been reviewed for consistency and conformance with the land use plan and compliance with the National Environmental Policy Act. A copy of the DOI-BLM-LLCON02000-2012-023-EA is attached.

The renewed permit would authorize livestock grazing to the following extent:

Permit	Allotment	Livestock: Number and Kind	Season of Use	% Public Land	Permitted AUMs*
0501831	07126 Davis Meadow	150 cattle	6/1 – 7/31	3	9
“	07125 Davis Pasture	60 cattle	9/1-10/20	52	51
“	07052 Johnson	130 cattle	7/5-8/4	12	16
“	07108 Mattocks	50 cattle	5/15-7/14	38	38
“	07051 Vic Riley	21 cattle	5/19-7/31	100	51
“	07031 Brownlee	200 cattle	5/16-9/30	65	261

* AUM = animal unit month = the amount of forage needed to sustain one cow and calf for one month.

Terms and Conditions of the Proposed Action are:

1. Grazing use in the Allotments will be in compliance with the decision date.
2. The permittee is responsible for notifying the BLM of all county listed noxious weed populations which result from their livestock grazing operation.
3. Feeding of supplements such as salt, minerals, vitamins, or protein block is permitted on BLM lands. Supplements shall be placed at least one-quarter (1/4) of a mile from sources of water. Feeding of dry matter (hay) is not permitted on BLM lands.
4. This permit: 1. Conveys no right, title or interest held by the United States in any lands or resources and 2. is subject to (A) modification, suspension, or cancellation as required by land use plans and applicable law; (B) annual review and to modification of terms and conditions, as appropriate; and the Taylor Grazing Act, as amended, the Federal Land Policy Management Act, as amended, the Public Rangeland Improvement Act, and the rules and regulations now or hereafter promulgated there under by the Secretary of the Interior.
5. Routine maintenance of range improvement is the responsibility of the permittee. Any soil disturbing activity must be revegetated with certified seed.
6. The permittee is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archeological sites, or for collecting artifacts.
7. If historic or archeological materials are uncovered during any allotment activities and grazing activities, the permittee is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer. Within five working days, the authorized officer will inform the permittee whether the materials appear eligible for the National Register of Historic Places and the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.
8. Pursuant to 43 CFR 10.4(g) the holder of this authorization must immediately notify the authorized officer, by telephone, with written communication, upon discovery of human remains, funerary items, or sacred objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d) the permittees must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
9. If paleontological materials (fossils) are discovered during allotment activities, the permittee is to immediately stop activities that might further disturb such materials and contact the authorized officer. The permittee and the authorized officer will consult and determine the best option for avoiding or mitigating the paleontological site.
10. It is the responsibility of the livestock grazing permittee to control their livestock and keep them from trespassing on non-permitted public lands, even if the permitted BLM land is not fenced.
11. The permittee shall provide the Bureau of Land Management with reasonable administrative access across private and leased lands for the orderly management and protection of the public lands.

Under the proposed action, the goals and objectives for these renewals are:

- Manage livestock grazing to meet the requirements of the desirable perennial vegetation.
- Manage livestock grazing on public lands to promote healthy sustainable rangeland ecosystems and to provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy rangelands (43 CFR 4100.0-2)

Compliance for the grazing permit and its associated terms and conditions will be accomplished through the Kremmling Field Office Range Management Program. The Kremmling Field Office Range Monitoring Plan will be used to schedule periodic utilization checks, collect trend data, and evaluate the allotment. Evaluation of monitoring data would be used to make appropriate changes to the grazing permit to protect land health.

RATIONALE:

Approving permit renewals has been delegated by the Secretary of the Interior to the local Authorized Officer. Renewal of this permit would allow the current permittee to continue to graze on their designated allotments for a period of 10 years beginning on March 1, 2012.

It was determined in the Kremmling Resource Management Plan (RMP) updated in 1999 that livestock grazing is integral part of the economic and social structure of the counties in the planning area. Not renewing this permit is not considered a viable alternative in the RMP.

MITIGATION MEASURES\MONITORING:

The monitoring program would include appropriate consultation, cooperation and coordination with the rangeland users, other agencies, and interested publics. Close coordination between the permittee or their representatives, the Colorado Parks and Wildlife, and the BLM of all livestock related field monitoring is essential to determine conformity with the terms and conditions of the permits.

Sufficient monitoring data would be collected to determine if management actions are, 1) contributing to the achievement of allotment objectives and 2) achieving or making significant progress toward achieving the Standards for Public Land Health in Colorado and Guidelines for Livestock Grazing Management.

The intensity and frequency of additional monitoring done on the allotment would be dependent on annual funding allocations and work priorities established for the Kremmling Field Office. Monitoring priorities for the allotment would be determined annually. Guidance provided in BLM Technical References and BLM Manuals would be the basis for monitoring or inventory conducted on the allotment.

Monitoring would include both short-term and long-term studies. Short-term monitoring would include compliance monitoring, actual use data, range readiness when necessary through a joint field inspection with the BLM and the permittee, utilization studies on riparian areas and uplands and collection of climate and soil moisture data. Long term monitoring would document and measure trends toward or achievement of objectives over a period of years.

Evaluations may be conducted anytime during the implementation of this permit if monitoring data or other data support changes to the allotment objectives, management actions or annual permitted use.

Authorization:

§ 4100.0-3 Authority.

- (a) The Taylor Grazing Act of June 28, 1934 as amended (43 U.S.C. 315, 315a through 315r);
- (b) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*) as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 *et seq.*);
- (c) The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 *et seq.*); and
- (d) Public land orders, Executive orders, and agreements that authorize the Secretary to administer livestock grazing on specified lands under the Taylor Grazing Act or other authority as specified.

PROTEST/APPEALS:

Any applicant, permittee, lessee or other affected interest may protest a Proposed Decision under Sec. 43 CFR 4160.1 and 4160.2, in person or in writing to Kremmling Resource Area Field Manager, Bureau of Land Management, 2103 Park Ave, PO Box 68 Kremmling, CO 80459 within 15 days of the Notice of Proposed Decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the Proposed Decision is in error.

In accordance with 43 CFR 4160.3 (a), *in the absence of a protest*, this Proposed Decision will become the final decision of the Authorized Officer without further notice. In accordance with 43 CFR 4160.3 (b) *upon a timely filing of a protest*, after a review of protests and statement of reasons received and other information pertinent to the case, the Authorized Officer shall issue a final decision.

Any applicant, permittee, lessee or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 4160.4. The appeal must be filed within 30 days following receipt of the final decision, or within 30 days after the date the Proposed Decision becomes final. The appeal may be accompanied by a petition for a stay of the decision in accordance with 43 CFR 4.471. The appeal and petition for a stay must be filed with the Kremmling Resource Area Field Manager, Bureau of Land Management, 2103 Park Ave, PO Box 68 Kremmling, CO 80459.

The person/party must also serve a copy of the appeal with Office of the Regional Solicitor, U.S. Department of the Interior, Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, Colorado 80215 and any person sent a copy of this decision (see cc list following the signature

line) [43 CFR 4.421(h)]. The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise complies with the provisions of 43 CFR 4.470.

Should you wish to file a petition for a stay, see 43 CFR 4.471 (a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer and serviced in accordance with 43 CFR 4.473. Any person named in the decision from which an appeal is taken (other than the appellant) who wishes to file a response to the petition for a stay may file with the Hearings Division, Office of Hearings and Appeals, Salt Lake City, Utah a motion to intervene in the appeal, together with the response, within 10 days after receiving the petition 43 CFR 4.472 (b). Within 15 days after filing the motion to intervene and response, the person must serve copies on the appellant, the Office of the Solicitor and any other person named in the decision [43 CFR 4.472(b)].

If you have no concerns with the grazing permit as offered, please sign, date, and return it at your earliest convenience. If you have any questions, please feel free to contact Neilie Tibbs at (970)724-3000 or stop by our office in Kremmling. Thank you for your continuing cooperation.

NAME OF PREPARER: Neilie Tibbs

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 03/28/2012

SIGNATURE OF AUTHORIZED OFFICIAL: /s/Dorothea Boothe
Acting Field Manager

DATE SIGNED: 5/24/12

ATTACHMENTS:
DOI-BLM-LLCON02000-2012-023-EA