

**United States Department of the Interior
Bureau of Land Management**

**Environmental Assessment
for the Renewal of BLM Grazing Permit # 0501822
Robert Swift**

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

DOI-BLM-LLCON02000-2013-015-EA



IDENTIFYING INFORMATION

This Environmental Assessment (EA) has been prepared by the Bureau of Land Management (BLM) in response to Robert Swift's specific application to renew the Grazing Permit #0501822 on the 07186 (10 81 3), 07148 (North Lake John), 07187 (South Alkali Lake), 07188 (9 80 1) allotments.

PROJECT NAME: Grazing Permit Renewal for Robert Swift #0501822

PLANNING UNIT: Kremmling Field Office

APPLICANT: Robert Swift

BACKGROUND:

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. The management category and current schedule for the allotments are shown on the chart below.

Allotment	Category	Livestock #/Kind	Grazing Period	%PL	AUMs*
07186	C	105 Cattle	05/15 – 10/31	12	70
07148	I	55 Cattle	05/16 – 06/30	100	83
07187	I	50 Cattle	05/16 – 06/30	100	76
07188	C	150 Cattle	12/31-03/31	4	24

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

In 2001, a Dixie harrow was used to scarify the soil and reduce the brush composition on approximately 285 acres in Allotments 7186 and 7148. The treatments were seeded with grasses and forbs, and almost 20 acres also received a soil amendment to help promote long term soil fertility. Treatments were protected from grazing for two grazing seasons.

CURRENT CONDITIONS:

Allotment 07186 is currently not grazed due to an unfenced private hay meadow within allotment boundaries.

Allotment 07148 (North Lake John), Allotment 07186 (10 81 3) and Allotment 07187 (South Alkali Lake) were reassessed for compliance with the Standards on November 3, 2010 by an ID team from the Kremmling Field Office. All of the allotments were determined to be in compliance with all of the Standards.

07188 (9 80 1) is an allotment that contains small amounts of BLM administered land with no known issues or concerns. This allotment has not been assessed for compliance with the Standards for Public Land Health in Colorado but no land health concerns were noted during a site inspection. The objective of (C) allotments is to maintain the current existing allotment

situation and provide for management opportunities as needs arise with operators/other land use agencies.

Rangesites in all of the allotments include:

07148- Valley Bench (270), Dry Mountain Loam (231), Claypan (296), Dry Exposure (235), and Salt Flats (261).

07186- Salt Flats (261), and Claypan (231).

07187- Valley Bench (270), Dry Mountain Loam (231)

07188- Mountain Meadow (241), and Alkaline Slopes (295)

See Range site Maps below:

Upland vegetation on all four of the allotments is comprised almost entirely of a sagebrush steppe community. Rangesite descriptions for each allotment are as follows:

Valley Bench (270) - This treeless grassland-sagebrush plant community contains several bunchgrasses mixed with turf-forming wheatgrasses. Pine needlegrass (*Achnatherum hymenoides*), needle-and thread grass (*Hesperostipa comate*), junegrass (*Koeleria* Pers.), and bluebunch wheatgrass (*Pseudoroegneria spicata*) are the most frequently occurring bunchgrasses. Big sagebrush (*Artemisia tridentate*) and rabbitbrush (*Chrysothamnus sp.*) are the principal shrubs. Forbs including pussytoes (*Antennaria* Gaertn.), phlox (*Phlox* L.), sandwort (*Arenaria* L.) and buckwheat (*Eriogonum* Michx.) make up a significant part of the community. Optimum ground cover is 30%.

Dry Mountain Loam (231) - Bluebunch wheatgrass (*Pseudoroegneria spicata*), sheep fescue (*Festuca ovina* L.), pine needlegrass (*Achnatherum pinetorum*), needle-and thread grass (*Hesperostipa comate*), junegrass (*Koeleria* Pers.), squirreltail (*Elymus elymoides*), and upland sedges (*Carex* L.) contribute toward a rather sparse grassland appearance. Big sagebrush (*Artemisia tridentate*) has a noticeable presence on this site, along with rabbitbrush (*Chrysothamnus sp.*), snowberry (*Symphoricarpos* Duham.), serviceberry (*Amelanchier* Medik.), and bitterbrush (*Purshia* DC. ex Poir.) in small amounts. Plox (*Phlox* L.), pussytoes (*Antennaria* Gaertn.), buckwheat (*Eriogonum* Michx.), stonecrop (*Sedum* L.) and fringed sage wort (*Artemisia frigida* Willd.) are common forbs on this site. Optimum ground cover is 35%.

Claypan (296) - Alkali sagebrush (*Artemisia sp.*) is the dominate shrub species, with rabbitbrush (*Chrysothamnus sp.*) present. Mat saltbush (*Atriplex corrugate*) is present on drier areas of this site. Junegrass (*Koeleria* Pers.), bluebunch wheatgrass (*Pseudoroegneria spicata*), squirreltail (*Elymus elymoides*), and western wheatgrass (*Pascopyrum smithii*) are the principal grass species. Important forbs species include phlox (*Phlox* L.), western yarrow (*Achillea millefolium*), buckwheat (*Eriogonum* Michx.), pussytoes (*Antennaria* Gaertn), fringed sagewort (*Artemisia frigida* Willd.), and onions (*Allium* L.). Optimum ground cover is 35%.

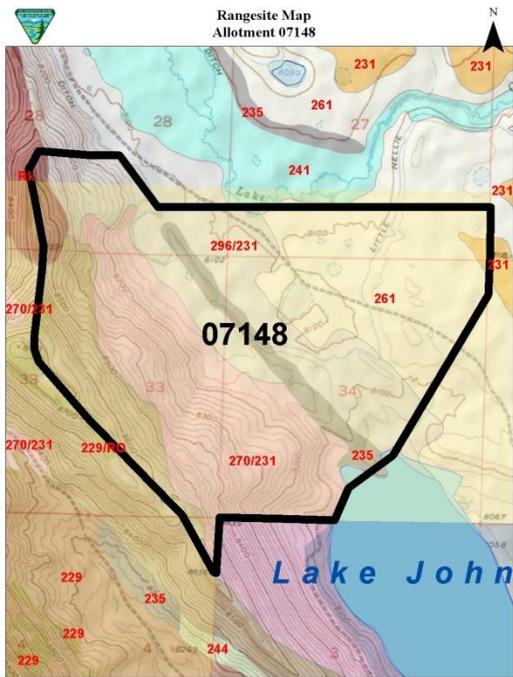
Salt Flats (261) - Western wheatgrass (*Pascopyrum smithii*) and saltgrass (*Distichlis* Raf.) are the dominant salt tolerant plants on this site making up nearly $\frac{3}{4}$ of the vegetation. Other grasses and grasslikes include indian ricegrass (*Achnatherum hymenoides*), alkali bluegrass (*Poa* L.) rushes (*Juncus* L.), sedges (*Carex* L.), and squirreltail (*Elymus elymoides*). Forbs include owl clover (*Orthocarpus* Nutt.) and asters. Winterfat (*Krascheninnikovia sp.*), rabbit brush (*Chrysothamnus sp.*) and greasewood (*Sarcobatus vermiculatus*) are the native shrubs of the site. Optimum ground cover is 25%.

Alkaline Slope (295) - This site is a shrub community dominated by big sagebrush (*Artemisia sp.*) and greasewood (*Sarcobatus vermiculatus*). Lesser shrubs and sub shrubs include winterfat (*Krascheninnikovia sp.*), low rabbitbrush (*Chrysothamnus sp.*), and saltbush (*Atriplex L.*). Shrubs make up about 40% of the total annual production. Grasses provide most of the ground cover and include western wheatgrass (*Pascopyrum smithii*), squirreltail (*Elymus elymoides*), indian ricegrass (*Achnatherum hymenoides*), and pine needlegrass (*Achnatherum hymenoides*). Forbs include onion (*Allium L.*), phlox (*Phlox L.*), buckwheat (*Eriogonum Michx.*), and bluebells (*Mertensia Roth*). Optimum ground cover is 20%.

Dry Exposure (235)- The bald appearance of this range site is due to the lack of large shrubs. Important grasses on this site are bluebunch wheatgrass (*Pseudoroegneria spicata*), needle-and-thread grass (*Hesperostipa comata*), junegrass (*Koeleria Pers.*), indian ricegrass (*Achnatherum hymenoides*), and blue grama (*Bouteloua gracilis*). Forbs include phlox (*Phlox L.*), buckwheat (*Eriogonum Michx.*), globemallow (*Sphaeralcea A. St.-Hil.*), pussytoes (*Antennaria Gaertn.*), and loco weed (*Oxytropis DC.*). Shrubs include fringed sagewort (*Artemisia frigida Willd.*), and rabbitbrush (*Chrysothamnus sp.*). Optimum ground cover is 25%.

Mountain Meadow (241) - Nebraska sedge (*Carex nebrascensis*) and other large sedges are dominant on the lowest, usually permanently wet areas. Tufted hairgrass (*Deschampsia cespitosa*) dominates slightly higher ground, which may be dry on the surface at times. Other common grass or grass-like plants are slender wheatgrass (*Elymus trachycaulus*), Baltic rush (*Juncus L.*), Canada bluegrass (*Poa compressa*), and bluejoint reedgrass (*Calamagrostis Canadensis*). Some of the prominent forbs are rocky mountain iris (*Iris missouriensis*), arnicas (*Arnica L.*), groundsels (*Packera Á. Löve & D. Löve*), herbaceous cinquefoils (*Potentilla L.*), mints (*Mentha L.*), western yarrow (*Achillea millefolium*), and water hemlock (*Cicuta L.*). Willow (*Salix sp.*) usually makes up a minor part of the plant community. Optimum ground cover is 70%.

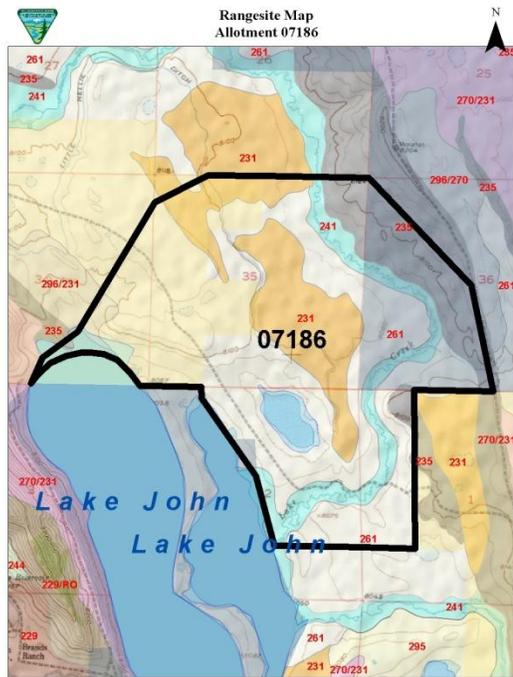
The plant community in this area is governed by an annual precipitation of less than 12 inches and a 50 to 90 day frost-free period. Optimum growing season for native plants is May 15th to July 1. Wind blows a high percentage of the time and is a factor in keeping the surface soils dry.



- Legend
- Water
- Land Status Sample
- Land Use
- Soil
- Vegetation
- Topography
- Other
- State Highways
- Other
- Other
- Other

Miles
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1:11,533

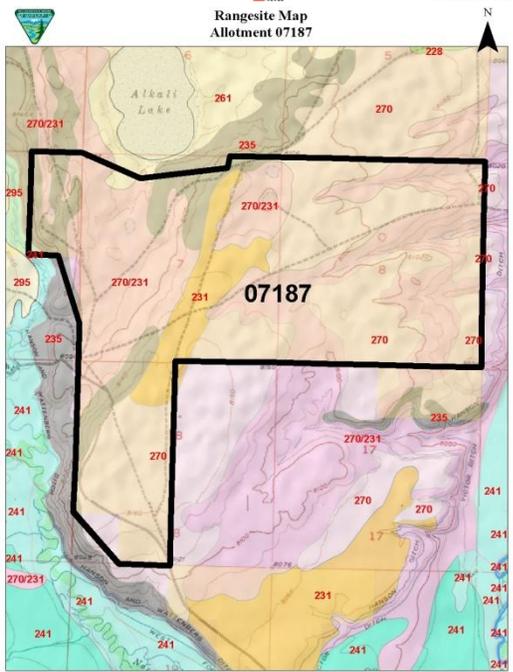
Red box shows map location.



- Legend
- Water
- Land Status Sample
- Land Use
- Soil
- Vegetation
- Topography
- Other
- State Highways
- Other
- Other
- Other

Miles
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1:14,371

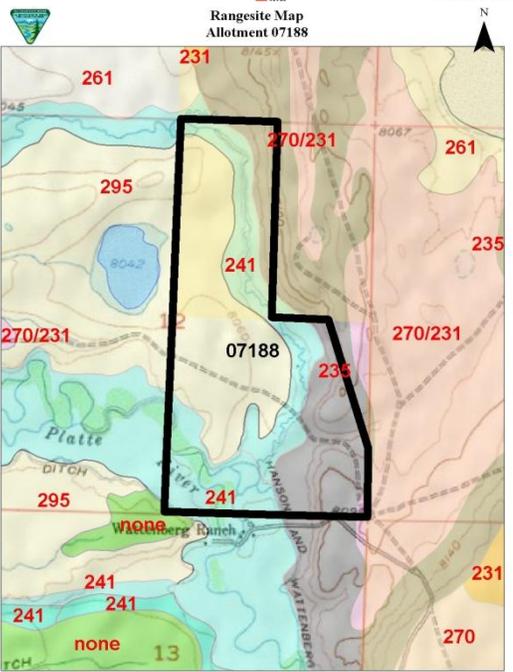
Red box shows map location.



- Legend
- Water
- Land Status Sample
- Land Use
- Soil
- Vegetation
- Topography
- Other
- State Highways
- Other
- Other
- Other

Miles
0.0510 2
1:14,621

Red box shows map location.



- Legend
- Water
- Land Status Sample
- Land Use
- Soil
- Vegetation
- Topography
- Other
- State Highways
- Other
- Other
- Other

Miles
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1:7,699

Red box shows map location.

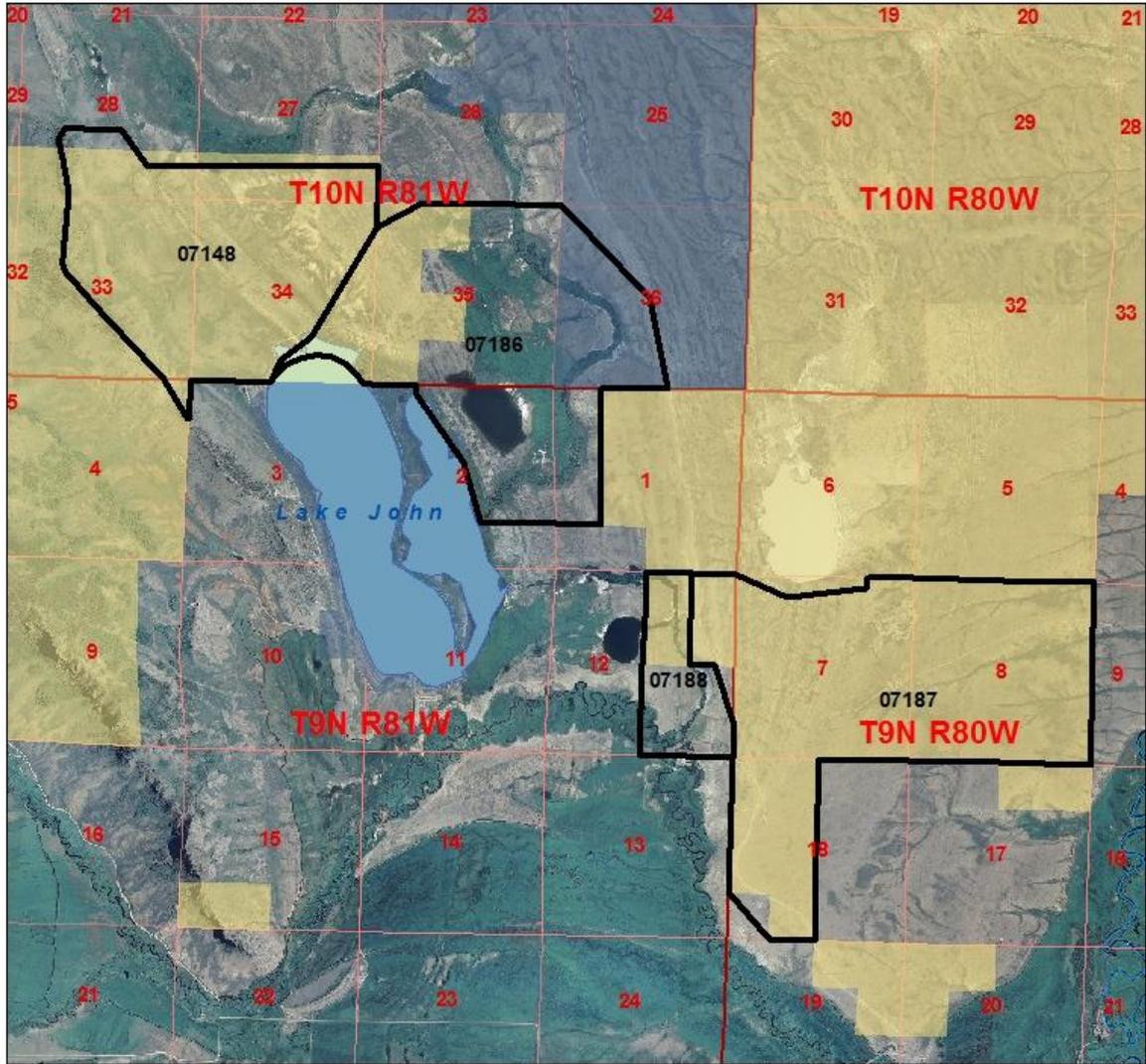
PROJECT LOCATION AND LEGAL DESCRIPTION

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

Allotment Number	Legal Description
07186 (10 81 3)	T. 9N., R. 81W., 6 th P.M., Section 1, 2 T 10N., R. 81W., 6 th P.M., Sections 34, 35, 36
07148 (North Lake John)	T. 9N., R. 81W., 6 th P.M., Section 4 T. 10N., R. 81W., 6 th P.M., Sections 27, 28, 33, 34
07187 (South Alkali Lake)	T. 9N., R. 80W., 6 th P.M., Sections 7, 8, 18 T. 9N., R. 81W., 6 th P.M., Section 12
07188 (9 80 1)	T. 9N., R. 81W., 6 th P.M., Section 12



Allotments 07148, 07186, 07188, 07186



BLM, Kremmling FO 2010

Red box shows map location.

Legend

- swift
- Highway Labels
- State Highways Legend**
- U.S./State

Land Status

- Bureau of Land Mgt
- National Park
- US Forest Service
- National Wildlife Refuge
- State/DOW
- CO State Forest State Park

1 Miles

1:50,680

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data. Last edited by cll

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 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 (CPW) (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.

The Kremmling Field Office received three comments from the scoping effort. The CPW had no concerns with the permit/lease renewals. The US Forest Service, Sulphur District of the Arapaho National Forest expressed no issues or concerns with renewing the permits/leases. In a comment letter from the Grand County Commissioners, they strongly support the renewal of all Middle Park and North Park permits. They support the preservation of agriculture and feel it is extremely important in Middle Park and North Park.

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 #0501822 for Robert Swift based on the analysis contained in this Environmental Assessment (EA). The BLM may choose to; 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 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.

Proposed Action

Under the Proposed Action, the BLM would renew the applicant's livestock grazing permit #0501822. 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:

Allotment	Kind of Livestock	Authorized Use	Season of Use	Public Land Acres	State Land Acres	Private land Acres	Total Acres
07186 (10 81 3)	cattle	70 AUMS*	05/15-10/31	343	220	788	1,351
07148 (North Lake John)	cattle	83AUMS	05/16-6/30	1,107	0	0	1,107
07187 (South Alkali Lake)	cattle	76AUMS	06/07-06/30	1,504	0	0	1,504
07188 (9 80 1)	cattle	24 AUMS	12/01-3/31	80	0	150	230

* 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.
12. A Travel Restriction was put in place August 31, 2005 for the Sheep Mountain area which includes a portion of Allotment 07148. The Travel Restriction is to protect the areas natural resources and provide for public health and safety. Administrative use of existing routes as outlined in Attachment 1 and along fencelines for maintenance purposes is authorized exclusively for the management of the grazing lease until the completion of the Resource Management Plan.
13. Areas are designated within Resource Management Plans as Open, Limited, or Closed to motorized travel activities and are defined in 43 CFR §8340.0-5, (f), (g) and (h) respectively. The permittee is responsible for following an areas designation and stipulations outlined within a grazing lease that permit administrative use and exemptions to an areas designation exclusively for the management of such lease.
14. Roads, trails and trailheads, or campsites commonly in public use shall not be blocked or enclosed by the permittee.

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.

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.

No Grazing Alternative

Under the No Grazing Alternative, grazing would be discontinued on all allotments with Grazing Permit #0501822 for Robert Swift.

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. Per 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.

There were no issues or concerns raised during the scoping period about continuing grazing on this permit.

There are no fences or natural barriers separating BLM and non-BLM administered lands within these allotments. 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. Because it would not be economically feasible for the BLM to fence all federal land parcels, fences would most likely be constructed on private land, fragmenting the area and making BLM unable to stipulate wire spacing to facilitate wildlife movement.

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.

AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES / MITIGATION MEASURES:

INVASIVE, NON-NATIVE SPECIES

Affected Environment:

Past actions such as livestock grazing, motorized travel, recreation, etc. that have caused disturbance of vegetation and soil contributed to the invasion and spread of invasive, non-native species (noxious weeds). There are small populations of known invasive, non-native species (noxious weeds) growing within the allotments. These species include houndstongue (*Cynoglossum officinale*), cheatgrass (*Bromus tectorum*), and Canada thistle (*Cirsium arvense*). These species are generally located along roadways and in high-use areas, such as ephemeral streams, livestock watering areas, and ponds. Soil or vegetation disturbing such as livestock grazing activities provides an avenue for the establishment and expansion of invasive, non-native species. The BLM monitors these known areas to control the spread of these species.

Environmental Consequences, Proposed Action:

Direct and Indirect Effects: Any type of soil and vegetation disturbance in an area where invasive, non-native species are established promotes their expansion. Although the renewed grazing permit would not change the livestock grazing management, there is the chance for invasion or spread of invasive, non-native species. The present grazing management has improved conditions from the past in which these allotments pass and meet all standards. Therefore this indicates a positive trend toward inhibiting the expansion of invasive, non-native species (noxious weeds).

Mitigation: None

Cumulative Impacts of Proposed Action: None

SOCIAL AND ECONOMIC CONDITIONS

Affected Environment: 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.

Environmental Consequences of 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.

Mitigation: None

Cumulative Impacts of Proposed Action: None

CUMULATIVE EFFECTS SUMMARY

Geographic Scope of the Cumulative Impacts:

For the purpose of the EA, the general geographic boundaries for cumulative impact analysis are: Allotment 07186 (10 81 3), 07148 (North Lake John), 07187 (South Alkali Lake), and 07188 (9 80 1). All allotments are in the North Platte River drainage.

“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 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.

COMPLIANCE/MONITORING: 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.

NAME OF PREPARER: Neilie Goodwin

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 2/21/13

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Susan Cassel

DATE SIGNED: 3/19/13

ATTACHMENTS:

- Attachment 1 – Interdisciplinary Team Analysis Review Record and Checklist
- Attachment 2 – Native American Tribal Consultation List
- Attachment 3 – Travel Restriction
- Attachment 4 - Livestock Grazing Permits with Standard Terms and Conditions

Attachment 1. Resources and Determination of Need for Further Analysis

Consultation	Date Initiated	Date Completed	Responsible Specialist/ Contractor	Comments
Cultural/Archeological Clearance/SHPO	NA	1/30/2013	BBW	This is not an undertaking under Section 106 of the NHPA, no consultation was conducted with the Colorado SHPO.
American Indian Tribal Consultation	NA	1/30/2013	BBW	This action requires tribal consultation which was initiated on February 17, 2011.
T&E Species/FWS	N/A	N/A	MM	
Permits Needed (i.e. Air or Water)	N/A	N/A	PB	

(NP) = Not Present

(NI) = Resource/Use Present but Not Impacted

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

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

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.)
NI	Air Quality Belcher	12/5/11	PB	The North Park area is considered to be meeting the National Ambient Air Quality standards. The Proposed Action would not measurably affect air quality.
NP	Areas of Critical Environmental Concern McGuire	1/28/13	MM	There are no Areas of Critical Environmental Concern in the proximity of the proposed project area.
NI	Cultural Resources Wyatt	1/30/2013	BBW	An allotment assessment was completed in 1999 and 2001, for potential impacts to known cultural resources. Allotment #7186 has had approximately 231.03 acres inventoried at the Class III level, with no historic properties have been located. Allotment #7148 has had approximately 239.64 acres inventoried at the Class III level, with no historic properties have been located. Allotment #7187 has had approximately 22 acres inventoried at the Class III level with no historic properties located. Allotment #7188 has had approximately 3 acres inventoried at the Class III level, and with no historic properties located. When project undertakings are identified, a cultural resource inventory would be conducted under Section 106 of the National Historic Preservation Act to determine if historic properties are present and effects if any form grazing.
NP	Environmental Justice Cassel	2/1/11	SC	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.
NP	Farmlands, Prime and Unique Belcher	12/5/11	PB	There are no farmlands, prime or unique, in the proximity of the proposed project area.
NP	Floodplains Belcher	12/5/11	PB	Only 07188 has lands that include a floodplain (on private lands). Renewing the permits will not impact the functionality of the floodplain nor increase flood hazard.
PI	Invasive, Non-native Species Hughes	11/29/11	ZH	See analysis in this EA
NI	Migratory Birds McGuire	12/14/13	MM	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 none as the identified bird species within the allotments nest in trees, cliffs, 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 none. The probability that golden eagle's or falcons prey species are impacted is low to none as sufficient forage and cover is expected to remain in the allotments after being grazed by livestock.
NP	Native American Tribal Consultation Wyatt		BBW	Tribal consultation was initiated on February 17, 2011. To date no tribe has identified any area of traditional cultural or spiritual concern. As individual undertakings under Section 106 of the NHPA are identified within the allotment consultation will be initiated.
NI	T/E, and Sensitive Species (Finding on Standard 4) McGuire	2/14/13	MM	The Proposed Action would not have any impact on threatened or endangered species or their habitats. Greater sage-grouse typically 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 very low as sage-grouse typically nest under shrubs and livestock prefer to go around these obstacles rather than through them. The proposed grazing system would not likely impact the long-term health of nesting habitat.
NP	Wastes, Hazardous and Solid Elliott	2/1/11	KE	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.
NI	Water Quality, Surface and Ground	2/7/2013	PLB	The allotments are within the Lake Creek 5 th

	(Finding on Standard 5) Belcher			<p>order watershed, except Allotment 7187 is primarily within the North Platte River above 3 Way 5th Order watershed. There are water quality concerns for Lake John, which is on the state's 303(d) List, and possibly Lake Creek, which is on the Monitoring and Evaluation list. Additional data collection is needed, but the Jackson County 2012 Drat Nonpoint Source Watershed Protection Plan's review of water quality data and BLM's field reviews do not indicate that these public lands are the source of possible impairment. The current management is maintaining or improving conditions on the public lands, and the proposed action would not alter anything. If future data indicates there could be concerns on public lands, then this permit would be further reviewed.</p> <p>Allotment 7187 has a well, which is developed in a matter to protect groundwater quality. The wetlands within the allotments do not appear to be tied to groundwater, as they are seasonal. There is no known or suspected groundwater concern for the allotments.</p>
NI	Wetlands & Riparian Zones (Finding on Standard 2) Belcher	2/7/2013	PLB	The involved allotments have many types of wetland and riparian areas on both private and public lands. There are no concerns for the public lands' condition and renewing the permits with the existing terms and conditions would maintain or improve the conditions.
NP	Wild and Scenic Rivers Schechter	11/4/11	HS	There are no eligible Wild and Scenic River segments in the proposed project area.
NP	Wilderness Monkouski	1/31/11	JJM	There is no designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.
NP	Lands with Wilderness Characteristics Monkouski	2/19/2013	JJM	Allotments 07148 and 07186 were part of Inventory Unit CO-010-115. Allotments 07187 and 07188 were part of Inventory Units CO-010-116 and CO-010-116A. These areas were inventoried for Wilderness Characteristics in 1979 and reviewed in 2009. These areas do not possess Wilderness Characteristics due to its size being less than 5000 acres nor is it of sufficient size as to make practicable its preservation and use in an unimpaired condition.
NI	Soils (Finding on Standard 1) Belcher	2/7/2013	PLB	The existing permit, with the terms and conditions, are maintaining or improving the overall longterm soil health on the allotments. Renewing the permit with no changes would continue this trend.
NI	Vegetation (Finding on Standard 3) Goodwin	1/16/2013	NG	The permitted grazing under this alternative would likely maintain 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. The allotments are currently meeting rangeland health standards. Since there are no changes to the kind or number of livestock or the amount of authorized AUMs, impacts are not expected to occur.
NI	Wildlife, Aquatic (Finding on Standard 3) McGuire	2/14/13	MM	Aquatic wildlife such as muskrat, beaver, amphibians, and cold water fish are not expected to be impacted by the Proposed Action. Most waterfowl 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 low as utilization levels under the current grazing system are light and cattle are not likely concentrating in one area. Similar utilization levels are expected under the Proposed Action, therefore impacts to nesting waterfowl are expected to be slight to none and have no effect to their populations as a whole.
NI	Wildlife, Terrestrial (Finding on Standard 3) McGuire	2/14/13	MM	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 may sustain injury or damage to burrows by livestock. Because utilization levels under the current grazing system are light, similar utilization levels are expected under the Proposed Action. Therefore impacts to rodent burrows are expected to be minor and have no effect to their populations as a whole.
NI	Access/Transportation Monkouski	1/31/11	JJM	The current designation is "Open" for Off Highway Vehicle use. A Temporary Travel Restriction for a portion of Allotment 07148 was put in place in 2005 to protect the area natural resources and provide for public health and safety. The grazing permittee must abide by any current or future travel designation for the area. Administrative use to allow for the management of the grazing lease and allotment are incorporated into the stipulations. No change in access or use of transportation system utilized currently by the public. No Impacts.
NP	Forest Management K. Belcher	12/2/2010	KB	No forest resources present.

NI	Geology and Minerals	Elliott	2/1/11	KE	There would be no impacts to geology or mineral resources from implementation of the Proposed Action.
NI	Fire	Wyatt	1/30/13	BBW	Grazing would reduce light flashy fuels. Cattle trails that result in the trampling and removal of vegetation would create potential fuel breaks.
NI	Hydrology/Water Rights	Belcher	2/7/2013	PLB	The BLM only holds a water right on allotment 7187, and it is sufficient for the livestock use. Private lands provide most of the forage and water on allotments 7186 and 7188. Allotment 7148 has no water right, but intermittent or seasonal wetland water sources that potentially could be filed on. Renewing the existing permit would continue the existing conditions and not pose any new hydrologic impact or impact to existing water rights.
NI	Paleontology	Wyatt	1/30/2013	BBW	All four allotments are within the Coalmont formation with PFYC system Class IV and Class V units that have a high potential for non-vertebrate and vertebrate fossils with a high scientific value. All future actions would require a paleontological inventory. BLM standard "discovery" stipulation is part of the environmental assessment and is to be attached to any authorization allowing the project to proceed.
NI	Noise	Monkouski	2/19/2013	JJM	The management of grazing allotments and the maintenance of grazing improvements has limited noise generated that is typically short-term in extent. There would be no impacts from the Proposed Action.
NI	Range Management	Goodwin	1/16/2013	NG	Since there would be no changes to the number or kind of livestock, season of use, or amount of authorized livestock grazing preference, there would be no impact on the range management.
NI	Lands/ Realty Authorizations	Sperandio	1/19/2011	AS	There is one road ROW for Jackson County (COC-63991), one phone line ROW for Century Tel (COC-9596). There is an R&PP lease to CDOW on the north part of Lake John (grazing allotment 7148). No impacts would occur in the proposed project area under all alternatives.
NI	Recreation	Monkouski	1/31/11	JJM	Existing recreational uses in the general area include hunting, hiking, horseback riding, wildlife viewing; snowmobiling and driving for pleasure. There are no BLM recreation activity plans or other BLM special recreation designations for this area. A portion of Allotments 07186 and 07148 are within the Lake John State Wildlife Area that is managed by the CDOW under a Recreation and Public Purposes Act Lease. No impacts would occur within the proposed project area.

PI	Socio-Economics	Cassel	1/23/13	SC	There is an economic component to the permittee, county and state from grazing. See discussion.
NI	Visual Resources	Schechter	10/4/11	HS	Visual resources would not be impacted by the Proposed Action or No Grazing Action. There would be a slight difference in vegetation between the proposed action and the no grazing action as long as utilization levels are met. The casual viewer would not likely notice.
FINAL REVIEW					
	P&E Coordinator	Cassel			

LIST OF PREPARERS AND PARTICIPANTS

INTERDISCIPLINARY REVIEW

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

ATTACHMENT 2

TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED

Colorado Commissioner of Indian Affairs
Attn: Ernest House, Jr., Exec. Sec.
130 State Capitol
Denver, Colorado 80203

Matthew Box, Chairman
Southern Ute Indian Tribe
P O Box 737
Ignacio, Colorado 81137

Neil Cloud, NAGPRA Rep.
Southern Ute Indian Tribe
Mail Stop #73
Ignacio, Colorado 81137

Gary Hayes, Chairman
Ute Mountain Ute Tribe
P O Box 189
Towaoc, Colorado 81334

Terry Knight, Sr., THPO Director
Ute Mountain Ute Tribe
P O Box 468
Towaoc, Colorado 81334

Robert Goggles, NAGPRA Rep.
Northern Arapaho Tribe
328 Seventeen Mile Road
Arapaho, Wyoming 82510

Harvey Spoonhunter, Chairman
Northern Arapaho Business Council
P O Box 396
Fort Washakie, Wyoming 82514

Wilford Ferris
Shoshone Tribe, Cultural Center
P O Box 538
Fort Washakie, Wyoming 82514

Ivan Posey, Chairman
Shoshone Tribe
P O Box 538
Fort Washakie, Wyoming 82514

Darlene Conrad, THPO Director
Northern Arapaho Tribe
P O Box 396
Fort Washakie, Wyoming 82514

Curtis Cesspooch, Chairman
Uintah & Ouray Tribal Business Center
P O Box 190
Fort Duchesne, Utah 84026

Betsy Chapoose, Director
Uintah & Ouray Tribal Business
Council
P O Box 190
Fort Duchesne, Utah 84026

Attachment 3:

Travel Restriction

In order to protect public safety, prevent soil erosion, and protect vegetation on Sheep Mountain, motorized travel is restricted to the existing access route(s) along the travel restriction area boundary shown on the attached map and described below. All other routes and areas within the travel restriction boundary are closed to motorized use, except those routes serving as access to designated parking areas or the designated permitted use site.

In accordance with *CFR 9268.3 (d) (1), the BLM public lands within the BLM boundary lines in Section 9, north along the west boundary line of Section 5 and north-trending access road in Sections 5 and 32, east and south along the existing access road into Sections 33 and 4, are restricted from motorized vehicle use (see Sheep Mtn Temporary Travel Restriction Map). Access to designated parking areas at the base of Sheep Mountain and to a designated permitted use site is allowed.

Motorized use on the slopes of Sheep Mountain are damaging the area's natural resources and creating a public safety hazard. Routine field checks will be conducted to ensure that this travel restriction is honored. Buck and rail closures have been installed to prevent use beyond designated access points.

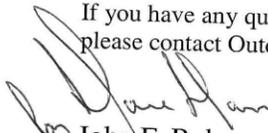
**(d)(1) Closure of Lands. In the management of lands to protect the public and assure proper resource utilization, conservation, and protection, public use and travel may be temporarily restricted. Areas may be closed temporarily to:*

- (i) *Protect the public health and safety;*
- (ii) *Prevent excessive erosion;*
- (iii) *Prevent unnecessary destruction of plant and wildlife habitat;*
- (iv) *Protect the natural environment*

(2) Penalties. Any person who knowingly and willfully violates any closure order issued under 9268.3 shall be fined not more than \$1,000 or imprisoned for not more than 12 months or both.

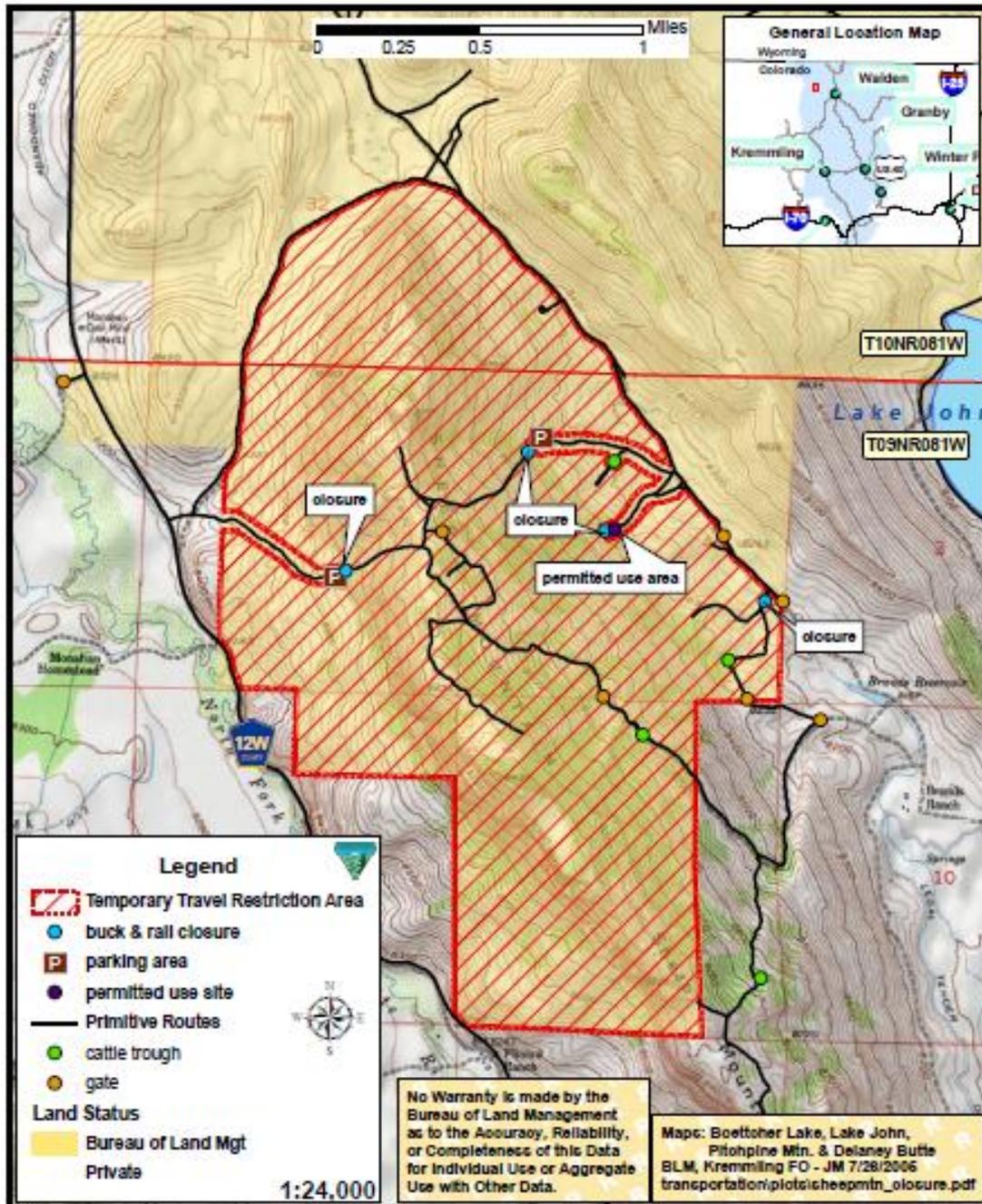
This temporary closure will not preclude future travel management designations for this area, to be completed in conjunction with ongoing travel management planning within the next few years.

If you have any questions about this closure or the travel management planning process, please contact Outdoor Recreation Planner Stacey Antilla at (970) 724-3039.


John F. Ruhs
Field Manager

Date 8/31/05

Sheep Mtn. Temporary Travel Restriction Area



Finding of No Significant Impact and Decision Record
Bureau of Land Management
Kremmling Field Office

Environmental Assessment DOI-BLM-LLCON02000-2011-0015-EA

Proposed Action Title/Type: Grazing Permit Renewal

Applicant/Proponent: **Robert Swift**

Location of Proposed Action:

6th PM

T. 9N., R. 81W., 6th P.M., Section 1, 2, 4, 12

T 10N., R. 81W., 6th P.M., Sections 27, 28, 33, 34, 35, 36

T. 9N., R. 80W., 6th P.M., Sections 7, 8, 18

Conformance with Applicable Land Use Plan:

These plans have been reviewed to determine if the proposed action conforms to the land use plan terms and conditions as required by 43 CFR 1610.5. This proposed action is in conformance with the following land use plans:

Name of Plan:	Kremmling Resource Management Plan	Date Approved:	1999
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BACKGROUND

The Kremmling Field Office of the Bureau of Land Management (BLM) is proposing to issue grazing lease renewals for Robert Swift's specific application to renew the Grazing Permit #0501822 on the 07186 (10 81 3), 07148 (North Lake John), 07187 (South Alkali Lake), 07188 (9 80 1) allotments.

The Bureau of Land Management prepared an Environmental Assessment which analyzed the effects of re-authorization of the above mentioned permits to determine impacts and mitigation required 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 permittees must hold valid grazing permits.

The EA identified a preferred alternative which proposes to continue livestock grazing on the identified allotments. There would be no changes to the number or kind of livestock, season of use, or amount of authorized grazing preference as expressed in animal unit months (AUMs).

Finding of No Significant Impact

The Kremmling Field Office interdisciplinary review and analysis determined that the proposed action would not trigger significant impacts on the environment based on criteria established by regulations, policy and analysis.

I have reviewed the above mentioned NEPA compliance document (EA). I have determined that the proposed action and the alternatives are in conformance with the Kremmling Resource Management Plan, 1999.

I have determined, based on the analysis in DOI-BLM-LLCON02000-2011-0015-EA, this is not an action that would significantly affect the quality of the human environment and, therefore, an Environmental Impact Statement is not required. This determination is based on the rationale that the significance criteria, as defined by the Council on Environmental Quality (CEQ) (40 CFR 1508.27) have not been met.

Based on the analysis of potential environmental impacts contained in the attached environmental assessment (EA), 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.

The following rationale was used to determine that significant impacts were not present for each criteria mentioned in Title 40 CFR 1508.27:

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.

Decision: It is my decision to authorize the Proposed Action as described in the attached EA and renew livestock Grazing Permit #0501822 to be in effect from February 28, 2013 through February 27, 2023. This decision is contingent on meeting all monitoring requirements listed below.

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.

Reviewer: /s/ Susan Cassel Date 3/19/13
Environmental Coordinator

Authorized Officer: /s/ Susan Cassel Date: 3/19/13



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Kremmling Field Office

P.O. Box 68, 2103 E. Park Ave.

Kremmling, Colorado 80459-0068

www.blm.gov/co/st/en/fo/kfo.html



In Reply Refer To:

4190.1

CON020

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

NOTICE OF MANAGER'S PROPOSED DECISION

DECISION:

It is my proposed decision to implement the Proposed Action of Environmental Assessment DOI-BLM-LLCON02000-2013-015-EA, which is to issue the grazing permit for #0501822 for Robert Swift on allotments 07186 (10 81 3), 07148 (North Lake John), 07187 (South Alkali Lake), 07188 (9 80 1) 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-LLCON02000-2013-015-EA is attached.

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

Allotment	Kind of Livestock	Authorized Use	Season of Use	Public Land Acres	State Land Acres	Private land Acres	Total Acres
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07186 (10 81 3)	cattle	70 AUMS*	05/15-10/31	343	220	788	1,351
07148 (North Lake John)	cattle	83AUMS	05/16-6/30	1,107	0	0	1,107
07187 (South Alkali Lake)	cattle	76 AUMS	06/07-06/30	1,504	0	0	1,504
07188 (9 80 1)	cattle	24 AUMS	12/01-3/31	80	0	150	230

* 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.
12. A Travel Restriction was put in place August 31, 2005 for the Sheep Mountain area which includes a portion of Allotment 07148. The Travel Restriction is to protect the areas natural resources and provide for public health and safety. Administrative use of existing routes as outlined in Attachment XX is authorized exclusively for the management of the grazing lease until the completion of the Resource Management Plan.
13. Areas are designated within Resource Management Plans as Open, Limited, or Closed to motorized travel activities and are defined in 43 CFR §8340.0-5, (f), (g) and (h) respectively. The permittee is responsible for following an areas designation and stipulations outlined within a grazing lease that permit administrative use and exemptions to an areas designation exclusively for the management of such lease.
14. Roads, trails and trailheads, or campsites commonly in public use shall not be blocked or enclosed by the permittee.

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, 2013.

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 Goodwin at (970)724-3014 or stop by our office in Kremmling. Thank you for your continuing cooperation.

Susan L. Cassel
Acting Field Manager

Enclosure:
DOI-BLM-LLCON02000-2013-015-EA