

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

## **DETERMINATION OF NEPA ADEQUACY (DNA)**

NUMBER: DOI-BLM-LLCON02000-2013-036-DNA

CASEFILE/PROJECT NUMBER: RIPS # 016633

PROJECT NAME: Reed Creek Fence

LEGAL DESCRIPTION: T. 1N., R. 77W., Sections 9, 10, 11 and 14, 6<sup>th</sup> P.M.

APPLICANT: Sandy Baker

ISSUES AND CONCERNS: None

DESCRIPTION OF PROPOSED ACTION: Reconstruct a fence on the property line to replace an old downed fence. BLM would supply fencing materials for up to 400 feet of fence, and the grazing permittee will construct the fence.

Design Features: The fence would be a four strand fence, with the top strand smooth and the bottom three strands of barbed wire. The spacing of the wire from the ground up would be 16", 6", 6", and 12". Spacing of the T-posts would be 16.5 to 30 feet, with two stays between the T-posts.

Decision to be Made: To allow Sandy Baker to reconstruct an allotment fence.

### PLAN CONFORMANCE REVIEW:

Name of Plan: Kremmling Resource Management Plan

Date Approved: 1984 and updated in 1999

Decision Number/Page: 6 Forest Management p. 22

Decision Language: Public lands in forest product priority areas would be committed to the growth and harvesting of commercial forest products through intensive management. Other uses would be allowed, provided they did not significantly interfere with the intensive management of these lands for forest products.

### REVIEW OF EXISTING NEPA DOCUMENTS:

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

Name of Document: Reed Creek Sanitation Harvest and Pre-Commercial Thinning

Date Approved: 08/04/2011

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

Yes, reconstruction of the fence is a design feature of the original EA. Yes, the fence is within the boundaries of the timber units that were treated.

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Yes. Two alternatives (Proposed Action and No Action Alternative) were analyzed in DOI-BLM-CO-120-2010-0048. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Yes, the existing analysis is valid, there is no new information.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. Existing activities, such as hunting and other recreational uses would continue, although such use is not expected to increase due to limited public access. The reconstruction of the fence would be to return the area to a manageable livestock grazing allotment.



DATE SIGNED: 8/2/13

ATTACHMENTS: None

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

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**DECISION RECORD**

**PROJECT NAME:** REED CREEK FENCE

**NUMBER:** DOI-BLM-LLCON02000-2013-036-DNA

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-LLCON02000-2013-036 -DNA, authorizing the reconstruction of a fence on the Linke allotment #07530.

**Mitigation Measures: None**

**COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

**PUBLIC INVOLVEMENT:** The permittee and logger have been advised of the fence reconstruction project. In addition, the original EA scoped with tribal affiliations and 65 adjacent property owners, grazing permittees, Right-of-Way grant holders, communications-use lease holders, and other interested parties on March 4, 2011

**RATIONALE** The logging and salvage activities have opened the understory, and reconstruction of the fence is necessary to prevent livestock drift to and from other grazing allotments in the area.

**ADMINISTRATIVE REMEDIES**

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's (Kremmling Field Office) internet website.

**SIGNATURE OF AUTHORIZED OFFICIAL:**  /s/ Susan Cassel  
Acting Field Manager

**DATE SIGNED:** 8/2/13