

**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-LLCON02000-2014-004-DNA

CASEFILE/PROJECT NUMBER: (optional)

PROJECT NAME: Livestock Grazing Preference Transfer to Owl Creek Lands, LLC.

LEGAL DESCRIPTION: Grazing Allotments

Permit: #501833

07022 (9 79 9)	T. 9 N., R. 79 W., 6 th P.M., Sec. 25, 36 T. 8 N., R. 79 W., 6 th P.M., Sec 1
07023 (Upper Sudduth Draw)	T. 9 N., R. 78 W., 6 th P.M., Sec. 8, 9, 16, 17, 19-22, 28-30 and 33

Permit: #0501739

07024 (Dry Fork)	T. 9 N., R.78 W., 6 th P.M., Sec. 29, 30 and 33
07025 (Culver)	T. 9 N., R. 78 W., 6 th P.M., Sec 30 and 29
07026 (Owl Creek)	T. 8 N., R. 78 W., 6 th P.M., Sec 8
07027 (Abandoned Ditch)	T. 8 N., R. 78 W., 6 th P.M., Sec. 5
07028 (Bostwich)	T. 8 N., R. 78 W., 6 th P.M., Sec. 4 and 5
07079 (Upper Bush Draw)	T. 8 N., R. 78 W., 6 th P.M., Sec 4, 5 and 9

Permit: #0502955

07100 (Indiv. Allot.)	T. 8 N., R. 78 W., 6 th P.M., Sec 18 and 19, T. 8 N., R. 79 W., 6 th P.M., Sec 13 and 24
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APPLICANT: Owl Creek Lands, LLC

ISSUES AND CONCERNS: (optional)

DESCRIPTION OF PROPOSED ACTION:

Transfer Grazing Preference: The Proposed Action is to transfer grazing preference from the current grazing permittee to a new grazing permittee. The Existing base property was sold to a new owner who is applying for the grazing permit.

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Issue Grazing Permit: A new grazing permit would be issued to the applicant. The number/kind of livestock, period of use, percent public land and Animal Unit Months (AUMs) will remain the same as the previous permit. The permit would be issued for a 10-year period. The proposed action is in accordance with 43 CFR 4130.2. Scheduled grazing use and grazing preference for the permit are summarized below.

Allotment	Livestock	Kind	Season of Use		Percent Public Land	AUMs
07022 (9 79 3)	37	Cattle	6/1	9/30	30	44
07023 (Upper Sudduth Draw)	90	Cattle	6/1	9/30	100	362
07079 (Upper Bush Draw)	34	Cattle	6/1	9/30	100	137
07024 (Dry Fork)	25	Cattle	6/1	9/30	100	100
07025 (Culver)	16	Cattle	6/1	9/30	100	67
07026 (Owl Creek)	30	Cattle	6/1	9/30	2	2
07027 (Abandoned Ditch)	60	Cattle	5/1	9/1	2	5
07028 (Bostwich)	43	Cattle	5/1	9/1	21	37
07001 (Adams Indiv.)	9	Cattle	5/16	11/30	100	59

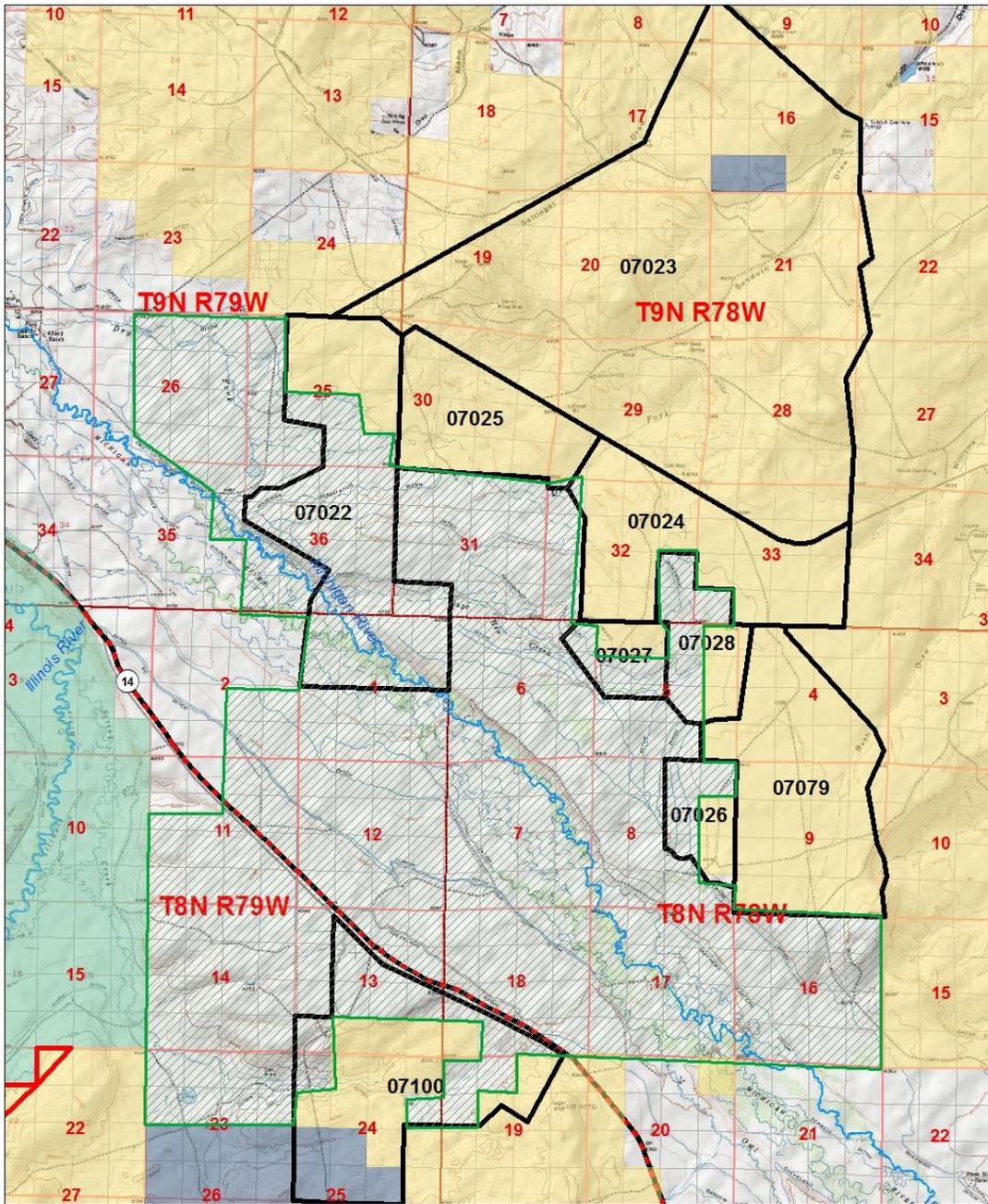
The following other terms and conditions will be carried forward on the renewed permit:

The Proposed Action would continue to implement the Owl Creek Grazing Plan for allotments 07079, 07024, 07025, 07026, 07028, 07022 and 07023. The grazing plan allows for livestock to be moved between all allotments in a rotation to improve livestock utilization, long term vegetation vigor and land health.

Attached is a copy of the existing grazing system and the Owl Creek Grazing Plan.



Owl Creek Ranch Base Property (in green)



BLM, Kremmling FO 2010

Red box shows map location.

Legend

- owl creek ranch
- Land Status Simple
- Highway Labels
- Land Status
- State Highways
- Bureau of Land Mgt
- Legend
- National Park
- U.S./State
- US Forest Service
- ROUTE SIGN
- National Wildlife Refuge
- Interstate
- State/DOW
- CO State Forest State Park

0.9

Miles

1:40,000

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.

Decision to be Made: The decision to transfer the above listed allotments grazing preference and to issue a new grazing permit for the grazing preference to Owl Creek Land, LLC.

PLAN CONFORMANCE REVIEW:

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

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock grazing pages 6 through 8, as revised.

Decision Language: Objectives of the RMP/ROD include allocation of a base level livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority. The RMP/Rod designated the project area with a no priority. Livestock grazing is compatible with this designation.

REVIEW OF EXISTING NEPA DOCUMENTS:

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

Name of Document: DOI-BLM-CO-120-2009-0020-CX Date Approved: 3-3-09

Name of Document: DOI-BLM-120-2010-0019-EA Date Approved: 8/3/2010

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**

The new livestock grazing permit will contain the same terms and conditions, stocking rate and grazing schedule as the permits issued in 2009 and 2010.

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**

Yes, the allotments were meeting standards for land health, a grazing system has been implemented and there will be a continuation of current management.

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?
There is no new information. YES

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**

The new permit is a continuation of the current management.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action? **YES**

Yes, no issues or concerns were identified in previous scoping.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 12/20/2013. A complete list of resource specialists who participated in this review is available upon request from the Kremmling Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Area of Responsibility	Date Review Completed
Bill B. Wyatt	Staff Archaeologist	Archaeology/Tribal Consultation, Paleontology	1/15/2014
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian	1/22/2014
Megan McGuire	Wildlife Biologist	T&E Plant and Wildlife Species	12/13/13

REMARKS:

Cultural Resources: This action is not a Section 106 action as defined under the National Historic Preservation Act of 1966, as amended and it's implementing regulations and guidelines. Any future Section 106 action would require cultural resource clearance and SHPO consultation.

Native American Religious Concerns: This action does not affect traditional cultural or spiritual properties. Any future Section 106 action would require tribal consultation.

2014

Pasture/Allotment	date on	date off	days	#cows	%PL	AUMS
Herd 1+ 2 +3						
cow 7022	5-Jun	19-Jun	15	260	30%	38
cow 7023	20-Jun	19-Jul	30	260	100%	256
Herd 3						
7025	20-Jul	14-Aug	26	60	100%	51
Herd 2						
7024	20-Jul	14-Aug	26	100	100%	85
Herd 1						
7079 North	20-Jul	4-Aug	16	100	100%	53
7079 South	5-Aug	15-Sep	42	100	100%	138
Herd 4						
7026	1-Jun	1-Jul	31	30	2%	1
7028	11-Jun	19-Jun	9	130	21%	8
7027	5-Jun	3-Jul	29	300	2%	6

2015

Pasture/Allotment	date on	date off	days	#cows	%PL	AUMS
Herd 1						
7079 South	5-Jun	15-Jun	11	100	100%	36
7079 North	16-Jun	1-Jul	16	100	100%	53
Herd 2						
7024	6-Jun	1-Jul	26	100	100%	85
Herd 3						
7025	6-Jun	1-Jul	26	60	100%	51
Herd 1+2+3						
7023	2-Jul	31-Jul	30	260	100%	256
7022	1-Aug	15-Aug	15	260	30%	38
Herd 4						
7026	1-Jun	1-Jul	31	30	2%	1
7028	11-Jun	19-Jun	9	130	21%	8
7027	5-Jun	3-Jul	29	300	2%	6

7079,7024,7025,7026,7027,7028,7022,7023
The Grazing Plan incorporates the Following Conditions

Implementation of the attached grazing system.

Until the following projects are completed the grazing rotation will follow the 2010 livestock rotation.

- A successful livestock well to provide water in allotments 7079 and 7024.
- A successful livestock well in allotment 7023.
- Determine the feasibility of a spring development or additional water source in allotment 07025. After determining what water source would work best contact Owl Creek Ranch.

Utilizations for each pasture will not exceed 50% on upland and riparian areas. When utilization levels are met then the permittee will either move to the next scheduled pasture or to another area within the pasture.

The permittee will have 2 days of flexibility to move all cattle to next scheduled pastures unless otherwise agreed to by the BLM.

The permittee is given 5 days of flexibility on either side of turnout dates to turn cattle out onto the allotment. Permittee must contact the BLM to make his intentions known.

AUMs on allotment 07023 will be limited to 270 AUMs until the allotment is determined to support the full preference of 362 AUMs.

Actual use information will be provided to the Kremmling Field Office no later than 15 days after grazing has ended.

This grazing system should be evaluated after each grazing season and adjustments to the grazing plan instituted as determined by the permittee and the Kremmling Field Office.

Field Manager
(Associate Field Manager)

Permittee