

U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2009-0102-DNA

CASEFILE/ALLOTMENT NUMBER: 0501271/04098, 04103, 03397 & 0504082/04076

PROJECT NAME: Renewal of the grazing leases on the Upper Cottonwood #04076 and Morgan Creek #04098 Allotments. Issuance of new grazing lease on the Sec 28 #03397 Allotment.

LEGAL DESCRIPTION: Also see allotment maps, Attachments #1a & 1b.

Upper Cottonwood #04076	T8N R91W sections 11, 14, 15, 23 957 acres BLM lands
Morgan Creek #04098	T8N R87W sections 28, 34 T7N R87W sections 1, 12 750 acres BLM lands
Sec 28 #03397	T8N R91W section 28 40 acres BLM lands

APPLICANT: Smith Rancho Inc. & LR Smith Investments, LLC

A. Describe the Proposed Action

Administrative actions not requiring NEPA analysis

- Combine the Morgan Creek #04098, and Northeast Wolf Mountain #04103 Allotments. The resulting allotment will retain the Morgan Creek Allotment name and number.
- Due to changes in qualifying base property, separate a public land parcel from the Upper Cottonwood Allotment #04076 and create a new allotment, the Sec 28 Allotment #03397.

- Eliminate the grazing preference on the Wolf Creek Allotment #04101, due to sale of qualifying base property. There have been no new applications received for this allotment. Therefore, these public land parcels will be administered as un-allotted parcels until other management priorities for these parcels have been identified.
- Adjust all allotment boundaries to only include public lands in each allotment.

These administrative actions modify the mandatory terms and conditions on each grazing lease in reallocation of Animal Unit Months (AUMs). There have been no increases in AUMs or changes in season of use from previously authorized use.

Proposed Action

Renew the grazing lease for Smith Rancho Inc (#0501271) on the Morgan Creek Allotment #04098 and issue a lease for the new Sec 28 Allotment #03397 for a period of ten years, expiring February 28, 2020.

Issue a new grazing lease (#0504082) to LR Smith Investments, LLC for the remainder of the Upper Cottonwood Allotment #04076 for a period of ten years, expiring February 28, 2020. Leases would be renewed as follows:

Authorization #0501271

From:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
Upper Cottonwood #04076	284 Sheep	05/01	09/30	100	286
Morgan Creek #04098	100 Sheep	05/01	09/30	100	101
Northeast Wolf Mountain #04103	108 Sheep	05/01	09/30	100	109

To:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
Morgan Creek #04098	209 Sheep	05/01	09/30	100	210
Sec 28 #03397	12 Sheep	05/01	09/30	100	12

Authorization #0504082

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
Upper Cottonwood #04076	272 Sheep	05/01	09/30	100	274

The leases would be subject to the Standard and Common Terms and Conditions (Attachment #2).

B. Land Use Plan (LUP) Conformance

LUP Name: Little Snake Resource Management Plan and Record of Decision (ROD)

Date Approved: April 26, 1989

Final RMP/EIS, September 1986

Draft RMP/EIS, February 1986

Other Documents:

Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado

Date Approved: February 12, 1997

The Federal Land Policy and Management Act of 1976, as Amended (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement, December 1994.

The Proposed Action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions.

The Proposed Action implements the Resource Management Plan Livestock Grazing Management objective on page 10 of the ROD to improve range conditions through proper utilization of key forage plants and adjust livestock stocking rates. Also, as stated on page 11 of the ROD, the goal of the livestock management program is to improve the rangeland forage resource by managing toward a desired plant community, and states "In the future, allotment categorization, levels of management, and permit modifications could be made if additional information suggests that this is warranted in order to achieve or make significant progress toward achieving the Colorado Standards for Rangeland Health" (43 CFR 4180). The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM 1617.3). The proposed action of renewal of these grazing permits is in conformance with the Little Snake RMP/ROD.

C. Identify applicable NEPA documents and other related documents that cover the Proposed Action.

Rangeland Program Summary (RPS), Little Snake Resource Area, November 15, 1990

Standard Terms and Conditions (See Attachment 2).

Colorado Public Land Health Standards, March 1997.

Federal Land Policy and Management Act, Section 402, as amended (43 USC 1752).

Colorado Public Land Health Standards, Decision Record & Finding of No Significant Impact and Environmental Assessment, March 1997.

D. NEPA Adequacy Criteria

1. Is the current Proposed Action substantially the same action (or is a part of that action) as previously analyzed? Is the current Proposed Action located at a site specifically analyzed in an existing document?

Yes. The public lands within the, Upper Cottonwood, Morgan Creek, and Northeast Wolf Mountain Allotments were analyzed in the RMP/EIS and were designated as “C” (Custodial) Management Category Allotments.

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

Yes, the multiple use alternatives analyzed in the valid NEPA documents are still appropriate. The current environmental concerns, interests, and resource values are essentially the same as those in 1989. No new alternatives have been proposed by the public to address current or additional issues or concerns.

3. Is the existing analysis valid in light of any new information or circumstances?

Yes. The Proposed Action would have no disproportionate impacts on minority populations or low income communities per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186.

Current management of the resource conditions on the Upper Cottonwood, Morgan Creek, and Northeast Wolf Mountain Allotments meets objectives and goals. New circumstances are that both allotments provide habitat for Canada lynx, a federally listed species. Canada lynx were listed as threatened under the Endangered Species Act in 2000, after the LSFO RMP was completed. No critical habitat was designated in Colorado. The renewal of the Morgan Creek and NE Wolf Mt. grazing lease “May Affect, but is Not Likely to Adversely Affect” the Canada

lynx. Furthermore, the proposed action will not result in the destruction or adverse modification of United States Fish and Wildlife Service (USFWS) designated critical habitat. Informal consultation with USFWS was completed for this project and a concurrence letter for this determination was received on 12/21/09. See attached, Biological Assessment and concurrence letter.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current Proposed Action?

Yes, the methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the Proposed Action. Impacts to all resources were analyzed.

5. Are the direct and indirect impacts of the current Proposed Action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current Proposed Action?

Yes. Direct and indirect impacts of the Proposed Action are within the parameters of those identified in the existing NEPA documents. Impacts regarding the Proposed Action to authorize livestock grazing at the current grazing intensity and period of use are within those parameters. Monitoring data, including an allotment-specific analysis of resource conditions, supports compliance with the Colorado Public Land Health Standards. No adverse site specific impacts were identified under the Proposed Action in this analysis (see Attachments #3a, 3b, & 3c).

The Proposed Action would provide for at least the minimum legal requirements for cultural resources management and protection and would generally result in benefits through cultural resource data acquisition resulting from required cultural resource survey work.

Previously identified sites and new sites recorded and evaluated as eligible and/or need data sites during a Class III survey will need to be monitored. Initial recordation of new sites and reevaluation of known sites will establish the current condition of the resource and help in developing a monitoring plan for all of these sites. Some sites will have to be monitored more often than others. Sites that are found to be impacted by grazing activities will need physical protection or other mitigative measures developed (see Attachment #4).

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current Proposed Action substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. The cumulative impacts that would result from the implementation of the Proposed Action would remain unchanged from those identified in the existing NEPA documents. No additional activities have been implemented on either that would change the impacts resulting from the Proposed Action.

7. Are the public involvement and interagency review associated with existing NEPA document(s) adequately for the current Proposed Action?

Yes. Extensive public outreach through scoping and involvement of the public and other agencies occurred during the development of the RMP/EIS.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

Name	Title	Resource	Initials	Date
Mark Lowrey	Rangeland Management Spec.	Air Quality, Floodplains Prime/Unique Farmlands, Water Quality – Surface	ML	06/08/09
Robyn Morris	Archaeologist	Cultural Resources, Native American Concerns	RWM	08/28/09
Louise McMinn	Realty Specialist	Environmental Justice	LM	08/24/09
Mark Lowrey	Rangeland Management Spec.	Hazardous Materials	ML	07/05/09
Chris Rhyne	Rangeland Management Spec.	Invasive Non-native Species	CR	09/02/09
Hunter Seim	Rangeland Management Spec.	Sensitive Plants, T&E Plant	JHS	08/27/09
Desa Ausmus	Wildlife Biologist	T&E Animal	DA	01/05/10
Jennifer Maiolo	Geologist	Water Quality - Ground	JAM	08/31/09
Mark Lowrey	Rangeland Management Spec.	Wetlands/Riparian Zones	ML	08/24/08
Kimberly Miller	Recreation Specialist	WSA, W&S Rivers	KMM	9/14/09
Standards				
Desa Ausmus	Wildlife Biologist	Animal Communities	DA	01/05/10
Desa Ausmus	Wildlife Biologist	Special Status, T&E Animal	DA	01/05/10
Mark Lowrey	Rangeland Management Spec	Plant Communities	ML	07/05/09
Hunter Seim	Rangeland Management Spec	Special Status, T&E Plant	JHS	08/27/09
Mark Lowrey	Rangeland Management Spec.	Riparian Systems	ML	07/05/09
Mark Lowrey	Rangeland Management Spec.	Water Quality	ML	07/05/09
Mark Lowrey	Rangeland Management Spec.	Upland Soils	ML	07/05/09

Land Health Assessment

This action has been reviewed for conformance with the BLM's Public Land Health Standards adopted February 12, 1997. This action will not adversely affect achievement of the Public Land Health Standards.

Land Health and Riparian Proper Functioning Condition Assessments were conducted on the Morgan Creek, Northeast Wolf Mountain, and Upper Cottonwood Allotment on August 27, 2009 by a Rangeland Management Specialist and Wildlife Biologist. All allotments were determined to be meeting all standards. See attachments 3a, 3b, and 3c.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

Signature of Lead Specialist_____ Date_____

Signature of NEPA Coordinator_____ Date_____

Signature of the Authorizing Official_____ Date_____

Note: The signed Conclusion on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

ATTACHMENT #2
DOI-BLM-CO-N010-2009-0102-DNA
TERMS AND CONDITIONS

Standard Terms and Conditions

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
 - a. Noncompliance by the permittee/lessee with rules and regulations;
 - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based;
 - c. A transfer of grazing preference by the permittee/lessee to another party;
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described;
 - e. Repeated willful unauthorized grazing use;
 - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans **MUST** be incorporated in permits and leases when completed.
- 4) Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- 6) The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit or lease **MUST** be applied for prior to the grazing period and **MUST** be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.

- 10) Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

Common Terms and Conditions

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed-free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.
- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator 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 archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places;
- the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.
- I) The terms and conditions of this lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

ATTACHMENT #3a
Morgan Creek Allotment #04076
DOI-BLM-CO-N010-2009-0102-DNA
Standards and Assessments

This allotment is meeting all standards

There was one site assessed on 08/27/09, by a Rangeland Management Specialist and Wildlife Biologist, which is representative of the entire block of public lands. Two separate reaches of Cottonwood Creek, equaling approximately one mile, was assessed for Riparian Proper Functioning Condition (PFC) in July, 2009.

STANDARD 1. Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.

This allotment contains the mountain shrub, aspen woodland, and conifer vegetation types that would be expected for this area. There is good diversity, vigor, and recruitment in all herbaceous species, shrubs, conifers, and aspen trees. There is no sign of erosion and the soils are well protected with vegetation and litter cover. This standard is met for the Morgan Creek Allotment and would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 08/31/09

STANDARD 2. Riparian systems associated with both running and standing water functions properly and has the ability to recover from major disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment and provides forage, habitat, and biodiversity. Water quality is improved or maintained. Stable soils store and release water slowly.

Two lotic riparian assessments for Cottonwood Creek, a perennial stream, were completed. Overall, the riparian areas meet all criteria for both reaches regarding hydrologic (floodplain) function and vegetation present. On the upper reach there are some disturbed areas of bare soil along the creek due to game and livestock movement, or seasonal concentration. These disturbed areas do not show signs of expansion and are adequately vegetated above and below. There are two active and numerous abandoned beaver dams along the otherwise narrow, heavily vegetated channels. This standard is met for the Morgan Creek Allotment, and is rated as Properly Functioning Condition (PFC) with a static trend. This standard would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 08/31/09

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 potential. Plants and animals at both the community and population levels are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations and ecological processes.

Vegetative components include native plant species associated with mountain shrub, aspen woodland and coniferous forest communities. Overall, vegetation composition, diversity, and production are what would be expected for this area, although there is beetle kill occurring within the conifers. This is not significant at this time but continued, would be a threat to the entire ecosystem. The noxious weeds hound's-tongue (*Cynoglossum officinale*) and Canada thistle (*Cirsium arvense*) are occurring in some areas but are at acceptable levels and not causing degradation.

The Morgan Creek Allotment provides habitat for a variety of wildlife species. Vegetative communities in the allotment are in good condition and provide suitable and productive habitat for terrestrial wildlife species. This standard is met on the Morgan Creek Allotment for both animal and plant communities and would continue to be met with implementation of the proposed action.

Name of specialist and date: Desa Ausmus, 09/04/09

STANDARD 4. Special status, threatened, and endangered species (federal and state), and other plants and animals officially designated by BLM, and their habitats are maintained or enhanced by sustaining healthy native plant and animal communities.

The Morgan Creek Allotment provides habitat for Canada lynx, an ESA listed species. Overall, the allotment is in good condition, providing suitable and productive habitat for lynx and their prey species. Abundant grasses and forbs are present with good diversity and productivity. A good shrub component is also present. Conifer stands are generally healthy, despite the presence of beetle kill trees, with several age-classes and saplings present. The Morgan Creek Allotment is meeting this standard and would continue to meet this standard with implementation of the proposed action.

There are no federally listed threatened or endangered or BLM sensitive plant species present on this allotment. For plants, this standard does not apply.

Specialist and date: Desa Ausmus, 09/04/09

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. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirement set forth under State law as found in 5 CCR 1002-8, as required by Section 303 of the Clean Water Act.

Surface runoff from the public lands on the Morgan Creek Allotment flows into Cottonwood Creek, then Morgan Creek and eventually into the Yampa River. Agricultural use is a classified beneficial use of Yampa River and all its tributaries and wetlands. In the section where Morgan Creek enters the Yampa River, the Yampa River, its tributaries and wetlands achieve or exceed water quality standards. There is no reason to suspect any ground water impairment on this allotment. This standard is being met for the Morgan Creek Allotment and would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 08/31/09

ATTACHMENT #3b
Northeast Wolf Mountain #04103
DOI-BLM-CO-N010-2009-0102-DNA
Standards and Assessments

This allotment is meeting all standards

There was one site assessed on 08/27/09, by a Rangeland Management Specialist and Wildlife Biologist, which is representative of the entire block of public lands. There are no riparian resources on this allotment.

STANDARD 1. Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.

This allotment contains the mountain shrub, aspen woodland, and conifer vegetation types that would be expected for this area. There is good diversity, vigor, and recruitment in all herbaceous species, shrubs, conifers, and aspen trees. There is no sign of erosion and the soils are well protected with vegetation and litter cover. This standard is met for the Northeast Wolf Mountain Allotment and would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 08/31/09

STANDARD 2. Riparian systems associated with both running and standing water functions properly and has the ability to recover from major disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment and provides forage, habitat, and biodiversity. Water quality is improved or maintained. Stable soils store and release water slowly.

There are no riparian resources on the Northeast Wolf Mountain Allotment. This standard does not apply.

Name of specialist and date: Mark Lowrey, 08/31/09

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 potential. Plants and animals at both the community and population levels are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations and ecological processes.

Vegetative components include native plant species associated with mountain shrub, aspen woodland and coniferous forest communities and is what would be expected on this allotment. Overall, vegetation composition, diversity, and production are what would be expected for this area, although there is beetle kill occurring within the conifers. This is not significant at this time but continued, will be a threat to the entire ecosystem. The noxious weeds hound's-tongue (*Cynoglossum officinale*) and Canada thistle (*Cirsium arvense*) are occurring in some areas but is at acceptable levels and not causing degradation.

The Northeast Wolf Mountain Allotment provides habitat for a variety of wildlife species. Vegetative communities in the allotment are in good condition and provide suitable and productive habitat for terrestrial wildlife species. This standard is met on the Northeast Wolf Mountain Allotment for both animal and plant communities and would continue to be met with implementation of the proposed action

Name of specialist and date: Desa Ausmus, 09/04/09

STANDARD 4. Special status, threatened, and endangered species (federal and state), and other plants and animals officially designated by BLM, and their habitats are maintained or enhanced by sustaining healthy native plant and animal communities.

The Northeast Wolf Mountain Allotment provides habitat for Canada lynx, an ESA listed species. Overall, the allotment is in good condition, providing suitable and productive habitat for lynx and their prey species. Abundant grasses and forbs are present with good diversity and productivity. Aspen stands are primarily older, but there are some young trees. Conifer stands have several age classes with some beetle kill in the older trees. The Northeast Wolf Mountain Allotment is meeting this standard and would continue meeting this standard with implementation of the proposed action.

There are no federally listed threatened or endangered or BLM sensitive plant species present on this allotment. For plants, this standard does not apply.

Name of specialist and date: Desa Ausmus 09/04/09

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. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirement set forth under State law as found in 5 CCR 1002-8, as required by Section 303 of the Clean Water Act.

Surface runoff from the public lands on the Northeast Wolf Mountain Allotment flows into Deep Creek then into the Elk River, which is listed as for impaired water quality under a Section 303(d) of the Clean Water Act. Agricultural use is a classified beneficial use of Elk River and all its tributaries and wetlands. Due to the limited livestock utilization and resource conditions, there is no reason to suspect any ground water impairment on this allotment. This standard is being met for the Northeast Wolf Mountain Allotment and would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 08/31/09

ATTACHMENT #3c
Upper Cottonwood #04076
DOI-BLM-CO-N010-2009-0102-DNA
Standards and Assessments

This allotment is meeting all standards

There were two sites assessed on 08/27/09, by a Rangeland Management Specialist and Wildlife Biologist, which is representative of all public lands within allotment boundaries. There were five separate lotic riparian areas were assessed and included on the land health standards worksheet.

STANDARD 1. Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.

This allotment contains the sagebrush grassland vegetation types that would be expected for this area. There is good diversity, vigor, and recruitment in all herbaceous species and shrubs. There is no sign of excessive erosion and the soils are well protected with vegetation and litter cover. Some areas of the claypan and clayey foothills ecological sites have significant bare ground, which is what would be expected for these sites, and again no signs of significant erosion. This standard is met for the Upper Cottonwood Allotment and would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 08/31/09

STANDARD 2. Riparian systems associated with both running and standing water functions properly and has the ability to recover from major disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment and provides forage, habitat, and biodiversity. Water quality is improved or maintained. Stable soils store and release water slowly.

The following tributaries of the Cottonwood Gulch drainage were assessed and summarized:

Name	Length
Cottonwood Gulch Tributary Reach 3A	0.12 miles
Cottonwood Gulch Tributary 5 Reach 1	0.6 miles
Cottonwood Gulch Tributary 5 Reach 2	0.2 miles
Cottonwood Gulch Tributary 5 Reach 3	0.4 miles
Cottonwood Gulch Tributary 4 Reach 4	0.6 miles

All of the above lotic areas are ephemeral drainages. All drainages have sufficient riparian vegetation that is vigorous and diverse. There is no sign of significant hoof sheared banks or other potential erosion conditions. All drainages are influenced in some way by stock/wildlife ponds constructed on both public and private lands in most drainages. This standard is met for the Upper Cottonwood Allotment and would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 08/31/09

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 potential. Plants and animals at both the community and population levels are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations and ecological processes.

Vegetative components include native plant species associated with sagebrush grasslands communities, and is what would be expected on this allotment. Overall, vegetation composition, diversity, and production is what would be expected for this area. The native shrub, serviceberry (*Amelanchier spp.*), is present in expected density, but over utilized due to annual wildlife browsing. The invasive non-native grass Japanese brome (*Bromus japonicas*) is occurring in some areas but is at acceptable levels and not causing degradation. The noxious weeds cheatgrass (*Bromus tectorum*) and Canada thistle (*Cirsium arvense*) are occurring in some areas but is at acceptable levels and not causing degradation.

The Upper Cottonwood Allotment provides habitat for a variety of wildlife species. Vegetative communities in the allotment are in good condition, providing suitable and productive habitat for terrestrial wildlife species. This standard is met on the Upper Cottonwood Allotment for both animal and plant communities and would continue to be met with implementation of the proposed action.

Name of specialist and date: Desa Ausmus, 09/07/09

STANDARD 4. Special status, threatened, and endangered species (federal and state), and other plants and animals officially designated by BLM, and their habitats are maintained or enhanced by sustaining healthy native plant and animal communities.

The allotment provides habitat for two BLM sensitive species, greater sage grouse and Columbian sharp-tailed grouse. Sagebrush and grass communities are in good condition, providing suitable and productive habitat for both grouse species. This standard is met on the Upper Cottonwood Allotment and would continue to be met with implementation of the proposed action.

There are no federally listed threatened or endangered or BLM sensitive plant species present on this allotment. For plants, this standard does not apply.

Name of specialist and date: Desa Ausmus, 09/07/09

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. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirement set forth under State law as found in 5 CCR 1002-8, as required by Section 303 of the Clean Water Act.

Surface runoff from the public lands on the Upper Cottonwood Allotment flows into Cottonwood Gulch then into Fortification Creek and eventually into the Yampa River. Fortification Creek is listed for impaired water quality with low priority per Section 303(d) of the Clean Water Act. Agricultural use is a classified beneficial use of Fortification Creek including all its tributaries and wetlands. Due to the limited livestock utilization and resource conditions, there is no reason to

suspect any ground water impairment on this allotment. This standard is being met for the Upper Cottonwood Allotment and would continue to be met with implementation of the proposed action.

Name of specialist and date: Mark Lowrey, 09/02/09.

ATTACHMENT 4
DOI-BLM-CO-N010-2009-0102-DNA
Cultural Resource and Native American Concerns

Affected Environment

Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for each allotment on August 26, 2009 by Robyn Watkins Morris, Little Snake Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the Field Office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from General Land Office (GLO) maps, BLM land patent records, An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the Little Snake Resource Management Plan and Environmental Impact Statement, Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.

The table below is based on the allotment specific analysis developed for the allotments in this DNA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in each allotment.

Allotment Number	Acres Surveyed at a Class III Level	Acres NOT Surveyed at a Class III Level	Percent of Allotment Inventoried at a Class III Level	Eligible or Need Data Sites- Known in Allotment	Estimated Sites for the Allotment *(total number)	Estimated Eligible or Need Data Sites in the Allotment (number)
04076	98	17502	.5%	0	467	140
04098	110	14918	.7%	0	399	117
04103	0	1086	0%	0	28	8.6

(Note *Estimates of site densities are based on known inventory data. Estimates should be accepted as minimum figures which may be revised upwards based on future inventory findings.)

Nine cultural resource inventories have been previously conducted within allotment #04076. No cultural resources have been recorded. The historic General Land Office (GLO) Plats were reviewed for this area. Nothing was noted for this area.

Four cultural resource inventories have been previously conducted within allotment #04098. Seven cultural resources have been recorded consisting of five isolated finds, one open lithic, and one open architectural. The historic GLO plats were reviewed for this area.

On the 1882 GLO T8N R87W section 29 there was a historic ranch. This area is currently on private land. On the 8N87W 1915 GLO there is a road that is the same as county road 80. The same for T7N R87W with county road 80 and other roads that are not on today's maps.

There is no data for allotment #04103 and nothing on the historic maps.

There is a not adequate data to determine high or low likelihood of cultural resources on any of these allotments. Slopes in the BLM portions of these allotments are fairly steep and unlikely to have many cultural resources. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within ten year period of the leases.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

Environmental Consequences

The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gullying, and increased potential for unlawful collection and vandalism. Continued livestock use in these concentration areas may cause substantial ground disturbance and cause irreversible adverse effects to historic properties.

Standard Stipulations for cultural resources are included in Standard and Common Terms and Conditions (Attachment 2).

Mitigation Measures: None

Name of Specialist and date: Robyn Watkins Morris, 08/28/09

NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Eastern Shoshone, Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 26, 2009. The letter listed the FY2010 projects that the BLM would notify them on and projects that would not require notification. A follow up phone call was performed on July 26, 2009. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of specialist and date: Robyn Watkins Morris, 08/28/09