



APPLICANT: Carolyn Adams

### **A. Describe the Proposed Action**

Renew the grazing permit on the East Boone Draw Allotment #04305, which continues previously authorized use, with expanded special terms and conditions, for a period of ten years and expiring February 28, 2019. The permit would be renewed as follows:

Allotment Name & Number	Livestock Number & Kind	Dates		%PL	AUMs
		From	To		
East Boone Draw #04305	81 Cattle	05/01	01/01	38	249
	82 Cattle	05/01	01/01	38	<u>252</u>
				Total	501

#### Special Terms and Conditions

1. Only 250 AUMs may be activated until water can be provided to more areas of the allotment and acceptable grazing system established and or a change in season of use. The remaining AUMs will be held in non-use. If reliable water, pasture fencing, and grazing system were to be established, constructed, and maintained that would facilitate flexibility in livestock rotation, deferment, and distribution, then activation of AUMs above 250 would be considered.

2. At least one of the BLM pastures will be deferred until at least July 12 every third year. The permittee must notify the BLM which pasture will be deferred each year.

The permit 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 lease 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 the grazing permit 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.

Environmental Assessment CO-016-99-14, Renewal of the ten-year grazing permit for the East Boone Draw Allotment #04305 licensed to the Cheston Solace

**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 East Boone Draw Allotment were analyzed in the RMP/EIS (page A8-10) and were designated as “M” (Maintain). The Proposed Action received site-specific analysis in Environmental Assessment CO-016-99-14, Renewal of the ten-year grazing permit for the East Boone Draw Allotment #04305 licensed to the Cheston Solace. This EA analyzed grazing use that is to be continued under the current proposal, with expanded language in terms and conditions.

**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 1998. 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.

Resource conditions on the East Boone Draw Allotment #04305 meet objectives and goals. The previous analysis remains valid. No new, threatened or endangered plant or animal species have been identified on the allotment. Data reaffirms that the RMP identified all resource concerns for these allotments.

**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 on the East Boone Draw Allotment #04305 at the current grazing intensity and period of use are within those parameters, with terms and conditions that have been expanded to encourage resource objective driven livestock management. Monitoring data, including an allotment-specific analysis of resource conditions, assure that this allotment is in compliance with the Colorado Public Land Health Standards. No adverse site specific impacts were identified in this analysis (see Attachment 3).

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.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Initials</b>	<b>Date</b>
Ole Olsen	Natural Resource Specialist	Air Quality, Floodplains Prime/Unique Farmlands, Water Quality – Surface	OO	12/17/08
Robyn Morris	Archaeologist	Cultural Resources, Native American Concerns	RWM	01/05/09
Mike Andrews	Realty Specialist	Environmental Justice	MAA	12/10/08
Mark Lowrey	Rangeland Management Spec.	Hazardous Materials	ML	11/04/08
Ole Olsen	Natural Resource Specialist	Invasive Non-native Species	OO	12/17/08
Hunter Seim	Rangeland Management Spec.	Sensitive Plants, T&E Plant	JHS	12/11/08
Tim Novotny	Wildlife Biologist	T&E Animal	TMN	12/11/08
Jennifer Maiolo	Geologist	Water Quality - Ground	JAM	12/11/08
Ole Olsen	Natural Resource Specialist	Wetlands/Riparian Zones	OO	12/17/08
Gina Robison	Recreation Specialist	WSA, W&S Rivers	GR	12/16/08
<b>Standards</b>				
Tim Novotny	Wildlife Biologist	Animal Communities	TMN	12/11/08

Tim Novotny	Wildlife Biologist	Special Status, T&E Animal	TMN	12/11/08
Hunter Seim	Rangeland Management Spec	Plant Communities	JHS	12/11/08
Hunter Seim	Rangeland Management Spec	Special Status, T&E Plant	JHS	12/11/08
Ole Olsen	Natural Resource Specialist	Riparian Systems	OO	12/19/08
Ole Olsen	Natural Resource Specialist	Water Quality	OO	12/19/08
Ole Olsen	Natural Resource Specialist	Upland Soils	OO	12/19/08

**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.

In 2002 the East Boone Draw Allotment was included in the Sandwash Landscape Health Assessment, stop #25. Overall the Sandwash Landscape met all standards with the exceptions of specific resource concerns on individual areas or sites, none of which were in the East Boone Draw Allotment. At stop #25, 85% of indicators were in the plus category for vegetative health and 100% of indicators were in the plus category for physical health. For the wildlife habitat evaluation, 78% of habitat components were found to be present in expected quantity with 80% of those components rated as being in good vigor and health.

**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-N010-2009-0009 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 permit may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

**ATTACHMENT #3**  
**DOI-BLM-CO-N010-2009-0009 DNA**  
**Standards and Assessments**

**PLANT AND ANIMAL COMMUNITY (animal) STANDARD:**

The East Boone Draw Allotment is capable of supporting healthy, diverse wildlife populations. The Proposed action allows for stocking rates that will ensure that livestock grazing does not have adverse impacts on wildlife populations or habitats. In the event new water sources are developed, stocking rates would be adjusted but utilization would remain at levels that would continue to support wildlife populations and habitats. This standard is currently being met and would continue to be met with implementation of the proposed action and or grazing up to the full preference with additional water developments and established grazing system.

Name of specialist and date: Timothy Novotny, 12/11/08

**SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (animal) STANDARD:**

There are no threatened or endangered species or habitats for such species present within the East Boone Draw Allotment. This allotment does provide marginal nesting habitat for greater sage-grouse, a BLM special status species. It is unlikely that livestock grazing at the proposed levels of use and or up to the full preference would have adverse impacts to greater sage-grouse. This standard is currently being met and would continue to be met with implementation of the proposed action and or grazing up to the full preference with additional water developments and established grazing system.

Name of specialist and date: Timothy Novotny, 12/11/08

**PLANT AND ANIMAL COMMUNITY (plant) STANDARD:**

There are no federally listed threatened or endangered or BLM sensitive plant species present on the East Boone Draw Allotment. This standard does not apply.

Name of specialist and date: Hunter Seim, 12/11/08

**SPECIAL STATUS, THREATENED AND ENDANGERED SPECIES (plant) STANDARD:**

There are no federally listed threatened or endangered or BLM sensitive plant species present on the East Boone Draw Allotment. This standard does not apply.

Name of specialist and date: Hunter Seim, 12/11/08

**RIPARIAN SYSTEMS STANDARD:**

There are no wetlands or riparian zones on public lands within the East Boone Draw Allotment. This standard does not apply.

Name of specialist and date: Ole Olsen, 12/18/08

**WATER QUALITY STANDARD:**

The Proposed Action contains a provision for pasture deferment every few years and reduced AUMs to reduce grazing impacts near the existing water sources until additional water can be developed and grazing system established. The allotment is cross fenced to facilitate rotational

grazing and further enhance grazing distribution. These grazing management practices and range improvements are considered to be Best Management Practices (BMP's) that would enhance the health of plant communities, soils, and water quality. Runoff from snowmelt and summer storms presently drains from the East Boone Draw Allotment into stream segments that are supporting classified uses. No stream segments are listed as impaired. The water quality standard for healthy rangelands is being met and would continue to be met with implementation of the proposed action and or grazing up to the full preference with additional water developments and established grazing system.

Name of specialist and date: Ole Olsen, 12/19/08

**UPLAND SOILS STANDARD:**

Continued livestock grazing in the East Boone Draw Allotment at a reduced level of AUMs until additional water can be developed and grazing system established would help maintain proper grazing utilization of forage resources and reduce the impacts of concentrated use near existing water. The allotment is cross fenced to allow for better grazing distribution, rotation, and deferred grazing use. These mitigative measures would insure that plant community diversity and vegetative cover is maintained or improved. A healthy and diverse plant community would provide above and below ground biomass to protect the soil resource from excessive wind or water erosion. The upland soils standard for healthy rangelands is being met and would continue to be met with implementation of the proposed action and or grazing up to the full preference with additional water developments and established grazing system.

Name of specialist and date: Ole Olsen, 12/19/08

**ATTACHMENT 4**  
**DOI-BLM-CO-N010-2009-0009 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 allotment #4305 by Robyn Watkins Morris, Little Snake Field Office Archaeologist, on December 30, 2008. 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), 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 allotment in this EA. 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)
04305	453	11,794 (12,247)	3%	5MF6408	323	97

(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.)

Five cultural resource inventories have been previously conducted within the allotment resulting in the complete coverage of 453 acres and the recording of eighteen cultural resources. Five inventories were conducted primarily for oil and gas development and one as a wickiup (Native American shelter) study. Eleven cultural resources were prehistoric isolated finds (stone flakes) and one was an historic isolated find (bottle). One historic resource was a corral and there were four prehistoric open lithic sites. On historic 1909 General Land Office Plats (GLO) for T8N R99W sec. 23 and 36 there was a trail to Two Bar Spring and the Boone Draw Road. On the 1881 GLO plat, in T8N R99W sec. 22 there was a historic house mapped. On the 1906 GLO plat there were historic roads in T8N R98W sec. 30 and 31.

Based on available data, a high potential for historic properties occurs in allotment #4305. The allotment boundary falls close to the Sand Wash basin where high amounts of cultural resources

have been identified. The numerous historic roads and cabin indicate there should be multiple cultural resources in the area. Subsequent cultural resource inventory will be conducted in areas where livestock concentrate. Subsequent field inventory is to be completed within the ten year period of the permit.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities are adversely impacting 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, churning of site soils, cultural features and cultural artifacts 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 grazing listed in the proposed action and grazing up to the full preference may cause substantial ground disturbance and cumulative, long term, irreversible adverse effects to historic properties. Placing saltblocks along roads or in culturally sensitive area in the allotment would potentially impact historic properties. Additional monitoring of the historic properties currently known, and yet to be discovered, should be conducted to determine if livestock impacts are occurring to these properties.

**Mitigation Measures:** Standard Stipulations for cultural resources are included in Standard Terms and Conditions for the Range Renewal Permit (Attachment 2).

*Allotment Specific Stipulations.*

1. The historic road in Boone Draw should be surveyed and recorded (approximately 200 acres).
2. A Class II inventory is needed in about 200 acres of land near drainages south of Boone Draw Road and in the area south of Sheephead Basin. Roads used by permittee must be surveyed to ensure salt blocks are being placed off of eligible sites.

Conducting Class II and III survey(s), monitoring, and developing site specific mitigation measures will mitigate the adverse effects to an acceptable level (Cultural Matrix Team Meeting 26 January 1999, NHPA Section 106, 36CFR800.9; Archaeological Resource Protection Act 1979; BLM Colorado and Colorado SHPO Protocol 1998; and NEPA/FLPMA requirements).

Name of specialist and date: Robyn Watkins Morris, 01/05/09