United States Department of the Interior
Bureau of Land Management

Environmental Assessment
for the Renewal of the Grazing Permit on the
Pome Allotment #04554

Little Snake Field Office
455 Emerson Street
Craig, Colorado

DOI-BLM-CO-N010-2013-0023-EA

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CHAPTER 1 - INTRODUCTION

1.1 IDENTIFYING INFORMATION

PROJECT NAME: Renewal of the grazing permit on the Pome Allotment #04554

CASEFILE/ALLOTMENT OR PROJECT NUMBER: 0500106 / 04554

1.2 PROJECT LOCATION AND LEGAL DESCRIPTION

ALLOTMENT NAME AND NUMBER: Pome #04554

LEGAL DESCRIPTION: see Allotment Map, Attachment #1.

T5N R91W parts of Section 33
T4N R91W parts of Section 9

ALLOTMENT SUMMARY: 58 acres BLM

COUNTY AND GENERAL LOCATION: Moffat County; Southwest of Hamilton, CO between MCR 41 and MCR 39.

LANDSCAPE DESCRIPTION: This allotment lies above Morapos Creek and consists of brushy hills and steep cliffs. The elevation within the allotment is about 6,600 feet.

CLIMATE/PRECIPITATION SUMMARY: The mean annual precipitation within the allotment ranges from approximately 13-15 inches with a mean annual temperature of 40-45 degrees.

1.3 BACKGROUND

The Pome Allotment #04554 was formed out of a portion of the Lower Morapos Creek Allotment #04605 and a portion of the South Moffat Oil Field Allotment #04174 in 2000. Historically, these BLM parcels were authorized to Albert Camilletti. Prior to about 1975 the parcels were authorized for sheep use with split seasons occurring in November and April/May. Historic bills show a range of 400-700 sheep grazing the Lower Morapos Creek Allotment. In the mid 1970's this use converted to about 80 cattle grazing the same seasons. When Albert Camilletti transferred the South Moffat Oil Field Allotment #04174 and the Lower Morapos Creek Allotment #04605 to Jim Redman in 2000 he retained 18 acres of BLM in Sec. 9, T4N R91W and 40 acres of BLM in Sec. 33, T5N R91W. These two parcels were combined to form the Pome Allotment #04554. In 2003 Mr. Camilletti sold the base property and the Pome Allotment was transferred to Douglas and Kay Weeldreyer. Since the creation of the Pome Allotment in 2000 it has continued to be authorized for cattle, and the season of use being May through September.

1.4 PURPOSE AND NEED

BLM permit 0500106, which authorizes livestock grazing on the Pome Allotment #04554, was scheduled to expire February 28, 2012 but was extended under the 2012 Appropriations Act through February 28, 2022. The permittee has applied for renewal of the grazing permit.

This permit is subject to renewal at the discretion of the Secretary of the Interior, who delegated the authority to BLM, for a period of up to ten years. BLM has the authority to renew the livestock grazing permits and leases consistent with the provisions of the *Taylor Grazing Act, Public Rangelands Improvement Act, Federal Land Policy and Management Act,* and Little Snake Field Office's *Record of Decision and Resource Management Plan.* This plan includes the *Colorado Public Land Health Standards* and the *Guidelines for Grazing Management.*

BLM is required to provide for public uses of public land resources under the principles of multiple use and sustained yield. Among these uses is the allocation of forage for the purposes of domestic livestock grazing. BLM allocates grazing privileges in a manner that ensures orderly and sustainable consumption of forage while ensuring that wildlife habitat, vegetative, and soil resources remain healthy and provide for a wide array of other public benefits.

The following Environmental Assessment will analyze the impacts of livestock grazing on public land managed by the BLM. The analysis will recommend terms and conditions to the lease which improve or maintain public land health. The Proposed Action will be assessed for meeting land health standards.

In order to graze livestock on public land, the livestock producer (permittee/lessee) must hold a grazing permit/lease. The grazing permittee has a preference right to receive the permit if grazing is to continue. The land use plan allows grazing to continue. This EA will be a site specific look to determine if grazing should continue as provided for in the land use plan and to identify the conditions under which it can be renewed.

The action is needed to respond to an application for renewal and to fully process an extended permit.

1.4.1 Decision to be Made

The BLM will decide whether or not to issue a grazing permit and if issued, the terms and conditions grazing would be subject to.

1.5 PLAN CONFORMANCE REVIEW

The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

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

Date Approved: October 2011

Decision Language: The Proposed Action and all alternatives are consistent with the Little Snake Record of Decision and Resource Management Plan, Livestock Grazing Management goals to manage resources, vegetation, and watersheds to sustain a variety of uses, including livestock grazing, and to maintain the long-term health of the rangelands; provide for efficient management of livestock grazing allotments; and contribute to the stability and sustainability of the livestock industry.

Section/Page: 2.14 Livestock Grazing/RMP-41

1.6 PUBLIC PARTICIPATION

1.6.1 Scoping: 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.

External Scoping Summary: The action in this EA is included in the NEPA log posted on the LSFO web site: http://www.blm.gov/co/st/en/BLM_Information/nepa/lsfo.html. Additionally, the BLM Range Specialist had conversations with the permittee to discuss the renewal of the grazing permit. These comments have been incorporated into the Proposed Action.

The Little Snake Field Office sent out a Notice of Public Scoping to all interested parties on December 15, 2010 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were due for renewal in fiscal year 2012. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on grazing permit and lease renewals. Individual letters were sent to the affected permittee/lessee informing them that their permit and/or lease was due for renewal and requesting any information they wanted included or taken into consideration during the renewal process. The issuance of a grazing permit is being carefully analyzed within the scope of the specific action being taken, resources issues or concerns, and public input received.

Persons/Agencies Consulted:
Four Native American tribes have cultural and historical ties to lands administered by the BLM LSFO. These tribes include the Eastern Shoshone Tribe, Ute Mountain Ute Tribe, Uinta and Ouray Agency Ute Indian Tribe, and the Southern Ute Indian Tribe. Consultation for proposed general activities requiring recreational permits is consulted on annually with the tribes. Letters were sent to the tribes in the spring of 2012 describing general livestock permitting. No comments were received.

Internal Scoping Summary: The renewal of this grazing lease was discussed at the LSFO priority meeting on March 4, 2013. Two separate site visits occurred on this allotment. The first was part of the Williams Fork Landscape Assessment in 2006. An additional upland health assessment was completed on September 21, 2011 by a biologist and rangeland management specialist to evaluate and discuss any concerns on the allotment. No new issues were identified.

CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES

2.1 INTRODUCTION

The purpose of this chapter is to provide information on the Proposed Action and Alternatives. Alternatives considered but not analyzed in detail are also discussed. The issues identified during scoping helped to formulate the Proposed Action.

2.2 ALTERNATIVES ANALYZED IN DETAIL

2.2.1 Proposed Action

Renew the grazing permit #0500106 on the Pome Allotment #04554 for 10 years, expiring February 28, 2023. The permit would be renewed as follows:

From:

Allotment	Livestock		Dates			
Name & Number	Number	Kind	Begin	End	%PL	AUMs
Pome 04554	2	Cattle	05/13	09/30	100	9

To:

Allotment	Livestock		Dates			
Name & Number	Number	Kind	Begin	End	%PL	AUMs
Pome 04554	2	Cattle	06/15	10/31	100	9

The permit would also be subject to the Standard and Common Terms and Conditions as shown in Attachment #2.

2.2.2 No Action Alternative

Renew the lease with the existing mandatory terms and conditions. The Standard and Common Terms and Conditions would continue to apply. The lease would be renewed as follows:

Allotment	Livestock		Dates			
Name & Number	Number	Kind	Begin	End	%PL	AUMs
Pome 04554	2	Cattle	05/13	09/30	100	9

2.2.3 No Grazing Alternative

The application for renewal of the grazing authorization on the Pome Allotment #04554 would be denied. As a result, livestock grazing would not be authorized. The BLM would initiate a process in accordance with the 43 CFR 4110.3 regulations to remove authorized grazing on this allotment.

CHAPTER 3 – AFFECTED ENVIRONMENT AND EFFECTS

3.1 INTRODUCTION

Affected Resources:
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 1 lists the resources considered and the determination as to whether they require additional analysis.

Table 1. Resources and Determination of Need for Further Analysis

Determination[1]	Resource	Resource Issue/Rationale for Determination
Physical Resources		
NI	Air Quality	Activities associated with grazing that may affect air quality, namely dust and exhaust from ranch operation vehicles as well as dust from livestock hoof action, fall below EPA emission standards for the six criteria pollutants of concern (sulfur dioxide, nitrogen oxide, ground-level ozone, carbon monoxide, particulate matter [both PM2.5 and PM10], and lead). Furthermore, ranch operation and livestock activities are not a significant source of these pollutant emissions that do occur in Moffat County. Impacts to air quality caused by either alternative are therefore considered negligible.
NP	Floodplains	There are no FEMA-identified 100-year floodplains present within the allotment.
NI	Hydrology, Ground	There would be no significant impact to Ground Hydrology within the boundary of the allotment.
PI	Hydrology, Surface	See Water Quality, Surface
NI	Minerals, Fluid	There are no oil/gas wells located in the area.
NP	Minerals, Solid	There are no solid mineral permits or active mining claims within the allotment boundary.
PI	Soils	See Chapter 3for detailed analysis
NI	Water Quality, Ground	There would be no significant impact to Ground Water Quality within the boundary of the allotment.
PI	Water Quality, Surface	See Chapter 3 for detailed analysis
Biological Resources		
PI	Invasive, Non-native Species	See Chapter 3 for detailed analysis
PI	Migratory Birds	See Chapter 3 for detailed analysis
PI	Special Status Animal Species	See Chapter 3 for detailed analysis

Determination[1]	Resource	Resource Issue/Rationale for Determination
NP	Special Status Plant Species	There are no federally listed threatened, endangered, or BLM sensitive plant species populations identified within this allotment.
PI	Upland Vegetation	See Chapter 3 for detailed analysis
NP	Wetlands and Riparian Zones	There are no riparian resources identified within the allotment.
NP	Wildlife, Aquatic	There are no aquatic wildlife resources present within the allotment.
PI	Wildlife, Terrestrial	See Chapter 3 for detailed analysis
NP	Wild Horses	There are no HMA's within the vicinity of the allotment.
Heritage Resources and the Human Environment		
PI	Cultural Resources	Cultural resources inventory should be conducted within 10 years of permit issuance. Inventory should include the investigation and evaluation of potential historic-age features identified on GLO plats. If new assessment finds NRHP-eligible sites or features are subject to adverse effects, mitigation measures will be identified and implemented in consultation among the BLM-LSFO and SHPO.
NP	Environmental Justice	According to the most recent Census Bureau statistics (2000), there are no minority or low income populations within the LSFO.
NP	Hazardous or Solid Wastes	There are no known hazardous or solid waste issues within the allotment.
NP	Lands with Wilderness Characteristics	Subject to WO-IM 2011-154 and in accordance with BLM policy, the project area did not meet the criteria for an area greater than 5,000 acres. Therefore, there would be no affect to lands with wilderness characteristics.
NP	Native American Religious Concerns	There are no known items, sites, or landscapes determined as culturally significant to the tribes within or immediately adjacent to the allotment area. The alternatives do not prevent access to any known sacred sites, prevent possession of sacred objects, or interfere with the performance of traditional ceremonies and/or rituals.
NI	Paleontological Resources	There would be no significant impact to Paleontological Resources within the boundary of the allotment.
NI	Social and Economic Conditions	There would not be any significant changes to local social or economic conditions.
NI	Visual Resources	The grazing allotment is located in a VRM Class III area where moderate change to the characteristic landscape would be allowed as long as the existing characteristics of the landscape are partially retained. Based on seven criteria, the Scenic Quality Rating is B. The Sensitivity Level Rating is Moderate, where maintenance of visual quality has moderate value. The area falls within the foreground-middleground zone where management activities and proposed projects may be viewed in more detail. No impacts to visual resources would be anticipated.
Resource Uses		
NI	Access and Transportation	There would not be a significant impact to access and/or transportation in the project area. Public access is by foot only.
NI	Fire Management	The nature of the alternatives would have no impact to fire management.

Determination[1]	Resource	Resource Issue/Rationale for Determination
NP	Forest Management	There are no forest resources that would be impacted by any of the alternatives.
NP	Livestock Operations	Since this action involves a livestock grazing permit, there are no impacts from unrelated livestock operations.
NI	Prime and Unique Farmlands	There are no federally designated Prime and Unique farmlands present within the allotment, however, there are farmlands of statewide importance. There would be no adverse impacts to these special status soils, as none would become irrigated or otherwise manipulated so as to create conditions favorable to create prime farmland within the allotment boundary.
NI	Realty Authorizations, Land Tenure	There will be no impact to existing realty authorizations in the project area.
NI	Recreation	There would not be a significant impact to recreation in the project area.
Special Designations		
NP	Areas of Critical Environmental Concern	The proposed project area does not meet the criteria for protection as an ACEC. The Irish Canyon ACEC is not in the vicinity of the proposed project area and would not be affected by the proposed action(s).
NP	Wild and Scenic Rivers	The proposed project area is not located within or in the vicinity of WSRs
NP	Wilderness Study Areas	The proposed project area is not located within or in the vicinity of WSAs.

[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.

3.2 PHYSICAL RESOURCES

3.2.1 Soils

Affected Environment: Major soil groups within the allotment include deep loams, deep clay loams, and clayey foothills with well-drained, low to moderate slopes. The most recent land health assessment in 2011 indicates that surface soil characteristics are stable with a moderate vegetative cover and diversity to help protect from accelerated erosion, which is an improvement since the 2006 assessment. There is little to no evidence of soil movement or erosion in the form of gullies, pedestals, or observed flow patterns. Land capability classification for all soil types within the allotments are suitable for grazing,

Environmental Consequences, Proposed Action and No Action Alternatives: Soils within the allotment are largely clay-based, which are least susceptible to damage and compaction when dry (late spring through early fall). Both the current and proposed grazing periods occur during this period, reducing the likelihood of long-term adverse impacts. Given the good condition of the vegetation within the allotment and the relatively low number of proposed AUMs/acre, it is expected that both the proposed and no action alternatives would maintain sufficient plant cover to both protect the soil surface from erosion, and allow the plant community to continue to produce litter in sufficient amounts to maintain litter and sustain appropriate water permeability.

Environmental Consequences, No Grazing Alternative: Removal of livestock from public lands

would decrease hoof compaction of soil surfaces. Over time, the lack of compaction, combined with the annual freeze-thaw cycle, may lead to a decrease in soil bulk density and improved soil moisture conditions, which facilitates vegetation germination and root development. Removing livestock would also result in an increase of both plant litter and live vegetative ground cover that would provide more protection from wind and water erosion. Any existing livestock trails and the resulting erosion would heal over time.

If grazing were to continue on adjacent private or other non-federal lands in the allotment, additional fences may have to be built by the landowner to prevent trespass onto federally-managed lands. Given the natural tendency of cattle to congregate and trail along fence lines, it is likely that paths and forage depletion would occur to some localized degree along the fences within the Pome allotment. The resulting decrease in vegetation would fail to decrease the impact of raindrops on the soil surface, while the expected increase in compaction would increase runoff from both rain and snowmelt. These factors would combine to increase the likelihood of both wind and water erosion in the areas adjacent to fences. This may result in blowouts and gullies which could indirectly impact federal lands through deposition or by the eroded area actually spreading onto federal lands.

Mitigation: None

3.2.2 Water Quality, Surface

Affected Environment: There is no perennial surface water present on public lands within the allotment. Any surface runoff from the Pome allotment would flow primarily into Morapos Creek, a perennial tributary to the Williams Fork River. Water quality for Morapos Creek must support Aquatic Life Cold 1, Recreation P, and Agricultural uses. There are no water quality impairments or suspected water quality issues for waters influenced by the Pome allotment.

Environmental Consequences, Proposed Action and No Action Alternatives: Grazing activities could result in soil compaction and displacement that increase the likelihood of erosional processes, especially on steep slopes and areas devoid of vegetation. Soil detachment and sediment transport are likely to occur during runoff events associated with spring snowmelt and short-duration high intensity thunderstorms. In addition, the number of livestock in the area would increase the amount of feces present in close proximity to nearby drainages and could lead to stream bank trampling. The introduction of livestock feces to waterbodies often leads to water quality degradation by increasing fecal coliform bacteria levels and often leads to algal blooms which increase water temperatures. However, based on the lack of perennial drainages of concern in the allotment and good vegetative cover, the potential for measureable water quality degradation in nearby perennial drainages (i.e. Morapos Creek) associated with the proposed activities is minimal.

Surface waters influenced by the allotment are currently supporting classified uses. Permitting livestock grazing as proposed is consistent with land uses throughout the watershed and would not result in changes to water quality. The proposed grazing intensity would not compromise soil stability and vegetation community health given the relatively good condition of the vegetation within the allotments.

Environmental Consequences, No Grazing Alternative: The potential for indirect impacts to downstream water quality caused by livestock use, such as trampling, trailing, or overgrazing of vegetation that may lead to increased sediment production, would be eliminated. This alternative has the potential to benefit overall water quality downslope of the allotment, however, since there are no perennial surface waters present, this alternative would likely have a neutral effect in surface water quality.

Mitigation: None

Reference: Colorado Department of Public Health and Environment Water Quality Control Commission. 2012. Regulations #33, 37, and 93. http://www.cdphe.state.co.us/regulations/wqccregs/index.html

3.3 BIOLOGICAL RESOURCES

3.3.1 Invasive/Non-Native Species

Affected Environment: Invasive plant species and noxious weeds occur within the affected area. Cheatgrass, Hoary cress (whitetop), Canada thistle, musk thistle, scotch thistle, Dalmatian toadflax, perennial pepperweed and knapweeds occur within or near this area. Other species of noxious weeds could be introduced by vehicle traffic, livestock, wildlife and other means of dispersal. Principals of Integrated Pest Management (IPM) are employed to control noxious weeds on BLM lands in the Little Snake Field Office.

Environmental Consequences, Proposed Action and No Action alternatives: The impact of livestock grazing to invasive or noxious weed establishment is very similar under these alternatives. Access to public lands for dispersed recreation, hunting, livestock grazing management, livestock and wildlife movement, as well as wind and water, can cause weeds to spread into new areas. Surface disturbance from livestock concentration and human activities associated with grazing operations can increase weed presence. The largest concern in the allotment would be for biennial and perennial noxious weed infestations to establish and not be detected. Once an infestation is detected it could be controlled with various IPM techniques. Land practices and land uses by the livestock operator and their weed control efforts and awareness would largely determine the identification of potential weed infestations within the allotment.

Environmental Consequences, No Grazing Alternative: This alternative removes the spread and introduction of weeds by livestock. Additional sources of seed dispersal would still be present throughout the allotment. However, under this alternative there would be no presence by the grazing permittee to assist with detection of infestations.

Environmental Consequences, Cumulative Impacts: Under the Proposed Action and No Action alternatives weed infestation and dispersal may increase on a potential of 58 acres of BLM land. The potential of this increase would be at an acceptable level if monitored by the range staff and grazing permittee. Under the No Grazing Alternative there would be no additional increase in weed infestations resulting from authorized livestock grazing nor would there be any monitoring.

Mitigation: None

3.3.2 Migratory Birds

Affected Environment: Plant communities within the allotment are comprised primarily of sagebrush/rabbitbrush with an understory of grasses and forbs. Bitterbrush can also be found scattered through the allotment. A variety of migratory birds may utilize these habitats during the nesting period (May through July) or during spring and fall migrations. The general area contains potential nesting and/or foraging habitat for the following USFWS 2008 Birds of Conservation Concern in the Southern Rockies/Colorado Plateau Region: Bald eagle, golden eagle and Brewer's sparrow. Bald eagles can be found in the area during the winter months, opportunistically feeding on winter or vehicle killed big game. Although there are no raptor nests located on the Pome Allotment, there are several golden eagle and red-tailed hawk nests within the watershed. These two species, as well as other raptors, likely forage in the area.

Environmental Consequences, Proposed Action: While livestock grazing can directly impact reproductive success of migratory songbirds by trampling of nests, it is more likely that it indirectly influences reproductive success due to changes in vegetation such as species composition, height or cover. The Proposed Action would authorize 9 AUMs on the allotment. During a recent allotment visit, the uplands were found to be in good condition, providing suitable habitat for migratory bird species. Continued grazing on the allotment is not expected to impact migratory bird habitat. Overall, it is expected that the proposed grazing regime is compatible with maintaining local migratory bird populations.

Environmental Consequences, No Action Alternative: Impacts to migratory bird species would be similar to impacts described in the Proposed Action section.

Environmental Consequences, No Grazing Alternative: This alternative may lead to increases/improvements in vertical structure, composition and density of herbaceous understory on the allotment as a whole from current conditions. Benefits associated with livestock removal would be most expected in those areas that currently experience concentrated livestock use (such as water sources). Response by migratory birds to vegetative changes would depend on the species, likely providing the greatest benefit to ground and low shrub nesters. However, since only 9 AUMs are currently permitted on the allotment, benefits to migratory bird habitat would be minimal.

Cumulative Impacts: The primary use of the allotments and the surrounding area is livestock grazing, recreation (hunting) and some oil and gas development. Continuation of grazing would not be expected to add substantially to existing or proposed disturbances.

Mitigation: None

3.3.3 Special Status Animal Species

Affected Environment: There are no ESA listed or proposed species that inhabit or derive important benefit from habitats in the general area of this allotment.

The allotment provides habitat for greater sage-grouse, a BLM sensitive species and a candidate for ESA listing. The allotment is on the fringe of sage-grouse habitat and is classified as

'general' habitat. There are no active leks within 4 miles of the allotment and the allotment does not provide nesting, brood rearing or winter habitat for this species.

The Pome Allotment provides habitat for three additional BLM sensitive species, bald eagle, Brewer's sparrow and Columbian sharp-tailed grouse. Bald eagles can be found in the area during the winter months, opportunistically feeding on winter or vehicle killed big game. Brewer's sparrows are a summer resident in Colorado and nest in sagebrush stands. Nests are constructed in sagebrush and other shrubs in denser patches of shrubs. This species would likely be nesting in the Proposed Action area from mid-May through mid-July. The allotment is mapped as winter habitat for sharp-tailed grouse. The closest active sharptail lek is approximately 2.3 miles from the allotment.

Environmental Consequences, Proposed Action: The Proposed Action would authorize 9 AUMs on the allotment. During a recent allotment visit, the uplands were found to be in good condition, providing suitable habitat for both grouse species and Brewer's sparrow. Since bald eagles would only be in the area during the winter, grazing would not impact this species use of the habitat. Overall, it is expected that the proposed grazing regime is compatible with maintaining suitable habitat for special status wildlife species.

Environmental Consequences, No Action Alternative: Impacts to special status species would be similar to impacts described in the Proposed Action section.

Environmental Consequences, No Grazing Alternative: This alternative may lead to increases/improvements in vertical structure, composition and density of herbaceous understory on the allotment as a whole from current conditions. However, since just 9 AUMs are authorized on the allotment, benefits to special status species would be minimal.

Cumulative Impacts: The primary use of the allotments and the surrounding area is livestock grazing, recreation (hunting) and some oil and gas development. Continuation of grazing would not be expected to add substantially to existing or proposed disturbances.

Mitigation: None

3.3.4 Upland Vegetation

Affected Environment: The vegetation in this allotment is comprised of sagebrush and shrub communities. Species present include Wyoming big sagebrush, snowberry, currant, rubber rabbitbrush, green rabbitbrush, bitterbrush, arrowleaf balsamroot, astragalus species, yarrow, scarlet globemallow, allysum, buckwheat, needle and thread, Kentucky bluegrass, western wheatgrass, prairie junegrass, Indian ricegrass and basin wildrye. Noxious species were also present in the allotment including Dalmatian toadflax and perennial pepperweed. Overall the upland vegetation communities are productive and diverse.

Environmental Consequences, Proposed Action: The change in the season of use under this alternative would provide a longer opportunity for spring plant growth prior to livestock grazing. Plants, especially cool season species, would have reduced livestock grazing pressure during this prime growth period improving vigor and production. The later fall use period continues grazing

when plants are preparing for winter dormancy but stocking rate and distribution are sufficient to mitigate these affects. Healthy upland vegetation would compete with existing weed infestations and provide resilience to new establishments.

Environmental Consequences, No Action Alternative: Under this alternative livestock grazing would continue to include the majority of the vegetative growing season. There would be little to no change in plant community vigor or production under this alternative. Healthy upland vegetation would continue to compete with existing weed infestations and provide resilience to new establishments.

Environmental Consequences, No Grazing Alternative: Removal of livestock grazing from this allotment would eliminate livestock forage pressure on upland vegetation communities. However, adjacent private lands would likely continue to be utilized for livestock grazing. Consequently, wildlife utilization would concentrate on the ungrazed BLM parcels resulting in similar utilization levels with no way to implement grazing management systems. Noxious weeds would still be present within the allotment and potential for further infestations would still exist.

Environmental Consequences, Cumulative Impacts: The various upland plant communities on this allotment have been affected and influenced by a variety of natural and artificial influences over the years. BLM records indicate that the lands within this allotment have historically been grazed by livestock including both sheep and cattle. Additional herbivory by elk and mule deer occurred prior to human settlement and has continued alongside livestock use, though elk use has increased dramatically in the last 30 or so years. Livestock and wild ungulates, have influenced species composition in ways that tend to favor shrub species, however fire, disease, insects, and favorable moisture regimes have contributed to the healthy mix of woody and herbaceous species exhibited on the allotments today. Future use on adjacent private lands would likely continue to include livestock grazing as a primarily use in addition to energy development, recreational use and farming. When added to the existing and future activities the approval of the Proposed Action would not cause undue damage to upland vegetation.

Mitigation: None

3.3.5 Wildlife, Terrestrial

Affected Environment: Plant communities within the allotment are comprised primarily of sagebrush and rabbitbrush with an understory of grasses and forbs. Bitterbrush can also be found scattered through the allotment. A variety of wildlife habitats and their associated species occur in the general area. Common species such as coyotes, cottontail rabbits and ground squirrels likely use these habitats. The allotment provides important winter habitat for elk and mule deer.

Environmental Consequences, Proposed Action: Vegetative communities within the Pome Allotment are in good condition, providing suitable habitat for terrestrial wildlife species. Cattle grazing would primarily overlap with elk use of the habitat, since both species primarily forage on grass. Grass cover and abundance was appropriate for the area when the allotment was visited in 2011 and should be resilient to grazing by both species. Shrub cover was adequate to provide

winter habitat for mule deer. Overall, it is expected that the proposed grazing regime is compatible with maintaining local wildlife populations.

Environmental Consequences, No Action Alternative: Impacts from the No Action Alternative would be similar to impacts described in the Proposed Action section.

Environmental Consequences, No Grazing Alternative: This alternative would lead to increases/improvements in vertical structure, composition and density of herbaceous understory on the allotment as a whole from current conditions. However, these benefits would be very minor since just 9 AUMs are authorized on the allotment.

Environmental Consequences, Cumulative Impacts: The primary use of the allotments and the surrounding area is livestock grazing, recreation (hunting) and some oil and gas development. Continuation of grazing would not be expected to add substantially to existing or proposed disturbances.

3.4 HERITAGE RESOURCES AND HUMAN ENVIRONMENT

3.4.1 Cultural Resources

Affected Environment: BLM's authorization of grazing permits is considered an undertaking subject to compliance with Section 106 of the National Historic Preservation Act (NHPA). BLM has the legal responsibility to consider the effects of its actions on cultural resources located on federal land. BLM Manual 8100 Series; the Colorado State Protocol; and BLM Colorado Handbook of Guidelines and Procedures for Identification, Evaluation, and Mitigation of Cultural Resources provide guidance on Section 106 compliance requirements to meet appropriate cultural resource standards. Section 106 of NHPA requires federal agencies to: 1) inventory cultural resources within federal undertaking APEs, 2) evaluate the significance of cultural resources by determining National Register of Historic Places (NRHP) eligibility and, 3) consult with applicable federal, state, and tribal entities regarding inventory results, National Register eligibility determinations, and proposed methods to avoid or mitigate potential impacts to eligible sites.

In Colorado, BLM's NHPA obligations are carried out under a Programmatic Agreement (PA) among the BLM, the Advisory Council on Historic Preservation, and the State Historic Preservation Officer (SHPO). Should an undertaking be determined to have "no effect" or "no adverse effect" by the BLM-LSFO archaeologist, the undertaking may proceed under the terms and conditions of the PA. If the undertaking is determined to have "adverse effects," project-specific consultation is then initiated with the SHPO. Additionally, cultural resources assessment of grazing allotments follows the procedures and guidance of the Colorado BLM State Director as provided in BLM Instructional Memorandums (IMs) IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM CO-2002-29.

The culture history of northwestern Colorado is presented among several recent context studies. Reed and Metcalf's (1999) study of the Northern Colorado River Basin provides applicable prehistoric and historic overviews as compiled by Frederic J. Athearn (1982) and Michael B.

Husband (1984). A historical archaeology context also was prepared for the State of Colorado by Church et al. (2007). Furthermore, significant cultural resources administered by the BLM-LSFO are provided in a Class 1 (archival) overview (McDonald and Metcalf 2006), in addition to valuable contextual data provided by synthesis reports of archaeological investigations conducted for a series of large pipeline projects in the BLM-LSFO management area (Metcalf and Reed 2011; Rhode and others 2010; Reed and Metcalf 2009).

A Class 1 cultural resources assessment was completed for the Pome Allotment by BLM-LSFO Archaeologist Kim Ryan on March 15, 2013. Data reviewed were obtained from BLM-LSFO cultural program project files, site reports, and atlases, in addition to BLM-maintained General Land Office (GLO) plats and patent records. Electronic files also were reviewed through online cultural resource databases including *Compass* (maintained by the Colorado Office of Archaeology and Historic Preservation) and the National Register Information System (NRIS; maintained by the National Park Service). The results of archival research are summarized in the following table; data provided are for the specified allotment and based on information available from the above-referenced sources.

Allotment No. (BLM acres)	BLM Acres Previously Surveyed	BLM Acres NOT Surveyed	Percent of BLM Acres Inventoried Within Allotment	Identified NRHP-Eligible or Needs Data Sites	Estimated Sites Within Allotment*	Estimated NRHP-Eligible or Needs Data Sites Within Allotment*
4554 (58)	0	58	0	0	2	1

*Estimated site density as based on existing inventory data. Estimates may be revised (up or down) by future inventories and/or consultations.

Background research indicates that no prior cultural resource inventories have been conducted within the Pome Allotment. Review of historic-age GLO plats, however, shows the "Stage Road from Axial to Craig" crossing through the current permit area (as depicted on T4N R91W, dated 1917; and T5N R91W, dated 1918). No other cultural features are shown within the allotment. As mapped, segments of this possible historic feature concord with extant roads and two-tracks on USGS topographic quadrangles and satellite imagery (Google Maps; available online). No inventory records were found for the stage road itself (within or beyond the current allotment), however, additional research is warranted to determine if segments of the old "Axial to Craig" stage correspond with portions of the Colorado State Highway (SH) 13 alignment (5MF.5138; recommended NRHP-eligible [Dobson-Brown and Autobee 2002]).

Estimating the amount of cultural resources present within the Pome Allotment is difficult because of the lack of prior survey. Additionally, few cultural resource studies have been conducted in the immediate vicinity, however, those conducted have documented evidence of historic-age features. Based on the available data for the allotment and surrounding vicinity, it is likely that one or two historic-age sites (and/or features) exist within Pome Allotment, one of which may later be determined as NRHP-eligible.

Cultural resources inventory of the Pome Allotment (all 58 acres) should be conducted within 10 years of permit issuance. Inventory should include the investigation and evaluation of potential historic-age features as depicted on the GLO plats. If, as a result of new assessment, NRHP-

eligible sites or features are found to exhibit potential for or actively occurring impacts, mitigation measures will be identified and implemented in consultation among the BLM-LSFO and SHPO.

Environmental Consequences, Proposed Action: Direct impacts to historic properties where livestock concentrate may include trampling, chiseling, and churning of site soils, cultural features and artifacts, artifact breakage, and impacts from standing, leaning, or rubbing against historic structures, above-ground cultural features and/or rock art (Broadhead 2001; Osbourn et al. 1987). Indirect impacts from livestock concentrations may include increased soil erosion and gullying, in addition to increased potential for unlawful artifact collection and/or vandalism of cultural resources. Other indirect impacts may include degradation of the historic setting, thereby detracting from the view-shed and historic feeling of nearby cultural resource sites.

Mitigation Measures, Proposed Action: Cultural resources survey of the Pome Allotment (58 acres) should occur within 10 years of permit issuance. Any cultural resources identified as NRHP-eligible also should be assessed for potential livestock impacts. Continued livestock use of the area is appropriate, provided that any identified impacts to NRHP-eligible resources are mitigated. Should BLM-LSFO determine that livestock grazing is having an adverse effect on historic properties, mitigation will be developed in coordination with the SHPO.

Environmental Consequences, No Action Alternative: Impacts from the No Action Alternative would be similar to impacts described in the Proposed Action section. Associated mitigation measures should be planned and implemented accordingly.

Environmental Consequences, No Grazing Alternative: While a no grazing alternative alleviates potential damage from livestock activities, cultural resources are constantly subject to site formation processes or events after creation (Binford 1981; Schiffer 1987). These processes can be both cultural and natural, and may occur instantly or over thousands of years. Cultural formation processes include activities directly or indirectly caused by humans. Natural processes include chemical, physical, and biological processes of the natural environment that impinge upon and/or modify cultural materials.

Environmental Consequences, Cumulative Impacts: Cumulative impacts to historic properties may occur within or adjacent to the allotment, including areas within the allotment view-shed. However, the region has been historically grazed (for more than 50 years) and the intensity of livestock use has generally decreased over time. Any extant historic property within or adjacent to the allotment—and where potential for impacts exist—are more likely to have sustained impacts as a result of prior livestock/grazing activities or other historic land-use activities (e.g., mining, agriculture, etc.). Although continued livestock use may not pose additional, direct impacts in areas where prior grazing was intensive, secondary effects such as increased erosion could cause long-term, irreversible effects to historic properties, where present. Livestock use also has increased ground visibility over time as a result of increased erosion and decreased ground cover, and by the installation and/or removal of range improvements such as stock ponds and pipelines. These factors may result in the exposure of cultural deposits that would otherwise remain obscured or buried, thereby raising the potential for illegal collection of cultural materials.

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Schiffer, Michael B.
1987 *Formation Processes of the Archaeological Record*. University of New Mexico Press, Albuquerque.

3.4.2 Native American Religious Concerns

Affected Environment: Four Native American tribes have cultural and historical ties to lands administered by the BLM-LSFO. These tribes include the Eastern Shoshone, Ute Mountain Ute, Uinta and Ouray Agency Ute, and the Southern Ute.

American Indian religious concerns are legislatively considered under several acts and Executive Orders including the American Indian Religious Freedom Act, the Native American Graves Environmental Assessment Protection and Repatriation Act, and Executive Order 13007 (Indian Sacred Sites). In sum, and in concert with other provisions such as those found in the NHPA and Archaeological Resources Protection Act, these acts and orders require the federal government to carefully and proactively consider the traditional and religious values of Native American culture and lifeways to ensure, to the greatest degree possible, that access to sacred sites, treatment of human remains, the possession of sacred items, conduct of traditional religious practices, and the preservation of important cultural properties are not unduly infringed upon. In some cases, these concerns are directly related to "historic properties" and "archaeological resources." Likewise, elements of the landscape without archaeological or human material remains also may be involved. Identification of Native American concerns is normally completed during land-use planning efforts, reference to existing studies, or through direct consultation with tribes.

Consultation for the type of proposed undertaking is consulted on annually with the aforementioned tribes. Letters were sent to the tribes in the spring of 2012 describing general range permits and projects as planned for the 2013 fiscal year. No comments were received. Project-specific consultation is typically not conducted unless activities are proposed within a previously identified area of tribal concern or if an undertaking may involve culturally significant items, sites and/or landscapes.

Environmental Consequences, Proposed Action: Items, sites, or landscapes determined as culturally significant to the tribes can be directly or indirectly impacted. Direct impacts may include, but are not limited to, physical damage, removal of objects or items, and activities construed as disrespectful (e.g., installation of portable toilets near a sacred site). Indirect impacts may include, but are not limited to, prevention of access (hindering the performance of traditional ceremonies and rituals), increased visitation of an area, and potential loss of integrity related to religious feelings and associations.

There are no known items, sites, or landscapes determined as culturally significant to the tribes within or immediately adjacent to the permit area. The Proposed Action does not prevent access to any known sacred sites, prevent the possession of sacred objects, or interfere with the performance of traditional ceremonies and/or rituals.

Mitigation Measures, Proposed Action: There are no known adverse impacts to any culturally significant items, sites, or landscapes. If new information is provided by consulting tribes, additional or edited terms and conditions for mitigation may be required to protect resource values.

Environmental Consequences, No Action Alternative: Impacts from the No Action Alternative would be similar to impacts described in the Proposed Action section. If new information is

provided by consulting tribes, additional or edited terms and conditions for mitigation may be required to protect resource values.

Environmental Consequences, No Grazing Alternative: None

Mitigation Measures, No Grazing Alternative: None

Environmental Consequences, Cumulative Impacts: Continued livestock grazing has the additive effect of altering the landscape from that ancestrally known by the tribes. Although specific, culturally sensitive sites have not been identified within the allotment or immediate vicinity, the overarching concern is for cumulative effects that modern culture and/or developments cause upon the landscape.

CHAPTER 4– PUBLIC LAND HEALTH STANDARDS

4.1 INTRODUCTION

The Pome Allotment #04554 was assessed for compliance with the Colorado Standards of Public Land Health by an interdisciplinary team consisting of three rangeland management specialists and a wildlife biologist on June 28, 2006. This assessment was part of the Williams Fork Watershed Assessment. Additionally, a land health assessment was completed on September 21, 2011 by a rangeland management specialist and a wildlife biologist. This was a site specific assessment.

4.2 COLORADO PUBLIC LAND HEALTH STANDARDS

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.

4.2.1 Standard 1 Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes.

Finding of most recent assessment: The 2011 land health assessment indicates that this standard is being met and conditions have improved since the previous 2006 assessment.

Proposed Action and No Action Alternatives: The current and proposed grazing periods occur during the time of year when impacts to the type of soils present (clay-based loams) are at a minimum. Vegetation community is adequate to protect soils from erosion. This standard would continue to be met under either alternative.

No Grazing Alternative: Removing livestock from public lands would generally improve soil conditions within the allotment, but may have unintended, indirect impacts to soil health immediately adjacent to the allotment if additional infrastructure would be built to implement this alternative. This standard is likely to continue to be met under this alternative.

4.2.2 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.

Finding of most recent assessment: There are no riparian resources present within the allotment. This standard does not apply.

4.2.3 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.

Finding of most recent assessment: The most recent land health assessment was allotment specific in 2011. The allotment was meeting this standard.

Proposed Action, No Action Alternative and No Grazing Alternative: The allotment provides habitat for a variety of wildlife species. Elk and mule deer utilize this area for winter habitat. Overall, vegetative communities within the Pome Allotment are in good condition, providing suitable habitat for terrestrial wildlife species. Shrub cover was adequate to provide winter habitat for browsing species. The plant community within the allotment is appropriate for the site. Vegetation is diverse and productive providing resilience from human activities. This standard is currently being met and would continue to be met under all alternatives.

4.2.4 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.

Finding of most recent assessment: The most recent land health assessment was allotment specific in 2011. The allotment was meeting this standard.

Proposed Action, No Action Alternative and No Grazing Alternative: There are no federally listed threatened, endangered, or BLM sensitive plant species populations identified within this allotment. The allotment provides habitat for greater sage-grouse, a BLM sensitive species and a Candidate for listing under the Endangered Species Act. The allotment also provides habitat for three additional BLM sensitive species: bald eagles, Brewer's sparrow and Columbian sharp-tailed grouse. Overall, vegetative communities within the Pome Allotment are in good condition, providing suitable habitat for sensitive wildlife species. This standard is met and would continue to be met under all alternatives.

4.2.5 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.

Finding of most recent assessment: Surface waters influenced by the allotment are currently supporting classified uses.

Proposed Action and No Action Alternatives: Permitting livestock grazing as proposed is consistent with land uses throughout the watershed and would not result in changes to water quality. The proposed grazing intensity would not compromise soil stability and vegetation community health given the relatively good condition of the vegetation within the allotments. This standard would continue to be met under these alternatives.

No Grazing Alternative: This alternative has the potential to benefit overall water quality downslope of the allotment, however, since there are no perennial surface waters present, this alternative would likely have a neutral effect in surface water quality. This standard would continue to be met under this alternative.

SIGNATURE OF PREPARER:

SIGNATURE OF ENVIRONMENTAL REVIEWER:

DATE SIGNED:

Finding of No Significant Impact

Based upon a review of the EA and the supporting documents, I have determined that the Proposed Action is not a major federal action and will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27 and do not exceed those effects as described in the Little Snake Resource Management Plan and Record of Decision (2011). Therefore, an environmental impact statement is not required. This finding is based on the context and intensity of the project as described below.

Context:
The project is a site-specific action directly involving BLM administered public lands that do not in and of itself have international, national, regional, or state-wide importance.

Intensity:
The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

1. Impacts that may be both beneficial and adverse:
The beneficial effects of the Proposed Action include: in authorizing public land grazing this action sustains the local economy as grazing operations would continue to supply personal income to the operator and employees, and would have a proportional influence on the regional, Colorado, and national economy. This action supports the western livestock industry. The authorized livestock operator has mandatory and special terms and conditions that must be met to maintain their grazing preference. This provides a certain level of stewardship of public lands in that if these lands were to become degraded by any activity or event, natural or human in origin, grazing and or other authorized uses would be terminated. This stewardship role of the livestock operator not only mandates proper livestock and forage management but also provides communication with the BLM as to other activities or events that could cause degradation to public lands.

2. Degree of effect on public health and safety:
There would be no effect to public health and safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas:
There are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas in the area of Proposed Action. As described in the EA, impacts to cultural resources were identified for the Proposed Action. As this action is not a new action but a continuation of historic land uses in this area there would be no affect to unique characteristics of the geographic area.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial:
Public input regarding the Proposed Action has been solicited during the planning process. The BLM Little Snake Field Office sent out a Notice of Public Scoping on December 15, 2010 to determine the level of public interest, concern, and resource conditions on the grazing authorizations that were up for renewal in FY 2012. A Notice of Public Scoping was posted on the Internet, at the Colorado BLM Home Page, asking for public input on permit/lease renewals. Individual letters were sent to the affected permittees/lessees, informing them their permit/lease was up for renewal and requesting any information they wanted included in or taken into consideration during the renewal process.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.
No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. 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 neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts:
No individually or cumulatively significant impacts were identified for the Proposed Action. Any adverse impacts identified for the Proposed Action, in conjunction with any adverse impacts of other past, present, or reasonably foreseeable future actions will result in negligible impacts to natural and cultural resources.

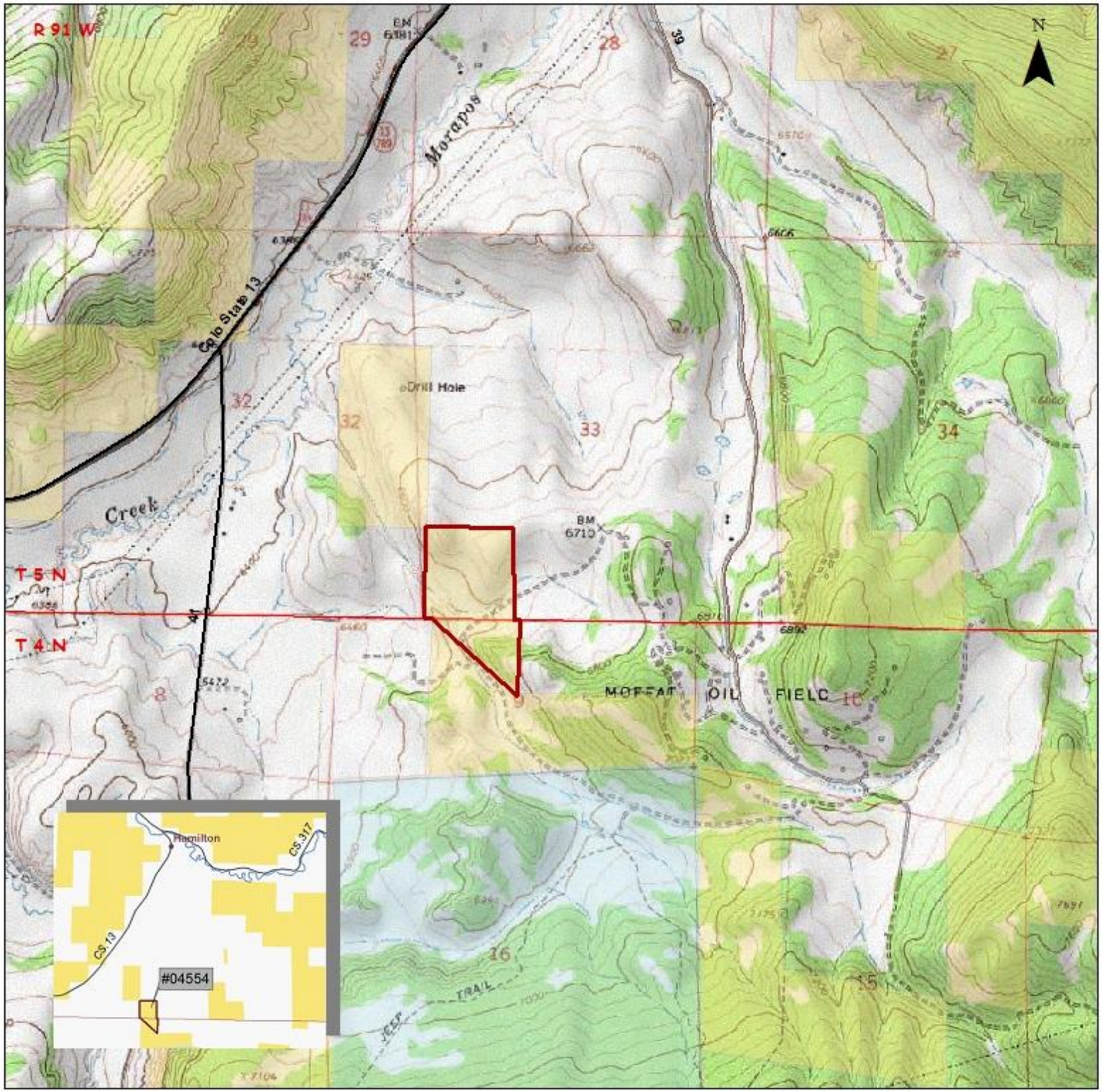
8. Degree to which the action may adversely affect district, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:
There would be no loss or destruction to these resources.

9. Degree to which the action may adversely affect an endangered or threatened species or its critical habitat:
There are no threatened or endangered species or habitats for such species present within these allotments.

10. Whether the action threatens a violation of federal, state, or local environmental protection law:
The Proposed Action violates no federal, state, or local environmental protection laws.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Wendy Reynolds

DATE SIGNED: 5/2/13



DOI-BLM-CO-N010-2013-0023-EA
Attachment #1

#4554
Pome

Allotment Boundary

Surface Management Status

- Private
- State Land Board
- US BLM

BLM	58 acres

Hamilton
Monument Butte

0 1,100 2,200 4,400

Feet

1:24,000

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation with other data. All boundaries are an approximate representation.

3/5/13 CR

ATTACHMENT #2
DOI-BLM-CO-N010-0013-0023
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 ensure 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.

The terms and conditions of this permit/lease may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.