

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

## DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: CO-100-2006-042 DNA

CASE FILE/ALLOTMENT NUMBER: #0500109

PROJECT NAME: Renewal of the ten-year grazing permit for the Deer Creek Road Allotment #04203 licensed to Joseph Toia, expiring February 28, 2006.

LEGAL DESCRIPTION: See allotment map, Attachment 1

Deer Creek Road Allotment #04203	T5N, R91W Sec 32-33 143 ac. Private <u>54 ac. BLM</u> 197 ac. Total
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APPLICANT: Joseph (Joe) Toia

### A. Describe the Proposed Action

Renew the ten year grazing permit for Joe Toia, operator #0500109 for the Deer Creek Road Allotment #04203, expiring February 28, 2006. This permit would be renewed under Section 402 of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended (43 USC 1752). The new grazing permit would expire February 28, 2016. The renewal would continue livestock grazing use with the same permitted use as the expiring permit as follows:

<u>Allotment Name and #</u>	<u>Livestock # and kind</u>	<u>Grazing Period</u>		<u>%PL</u>	<u>AUMs</u>
		<u>Begin</u>	<u>End</u>		
Deer Creek Road #04203	4 Horses	06/01	09/30	34%	5

This permit would be subject to the Standard and Common Terms and Conditions shown in Attachment 2.

## **B. Resource Management Plan (RMP) Conformance**

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

Date Approved: April 26, 1989

Draft RMP/EIS, February 1986

Final RMP/EIS, September 1986

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

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

FLPMA, Section 402 as amended (43 USC 1752).

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

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

Date Approved: February 12, 1997

Rangeland Reform Final Environmental Impact Statement, December 1994.

## **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 Deer Creek Road Allotment was analyzed in the RMP/EIS (Appendix 8, Section 15, page A8-4) and was designated as a “C”, or custodial allotment. The Proposed Action is the same action that has been previously addressed in a site-specific manner for livestock grazing in the RMP (pages 10-12).

### **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 1986. 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 allotment continue to meet and/or exceed objectives and goals. The previous analysis remains valid. No new threatened or endangered plant or animal species have been identified on the Deer Creek Road Allotment #04203. Data reaffirms that the RMP identified all resource concerns for the allotment.

### **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 unchanged from those identified in the existing NEPA documents. Impacts regarding the Proposed Action to authorize livestock grazing in the Deer Creek Road Allotment #04203 at the current grazing intensity and period of use remain the same. An assessment for meeting land health standards assure that this allotment

is in compliance with the Colorado Public Land Health Standards. No 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 the 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 in the Deer Creek Road Allotment #04203 which would change the impacts resulting from the Proposed Action.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate 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. This Proposed Action was included in the development of the RMP/EIS.

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

Name	Title	Resource Represented	Initial
Martin Espil	Rangeland Management Specialist	Range/Veg	MME 10/18/05
Curtis Bryan	Rangeland Management Specialist	Weeds	CJB 2/8/06
Hunter Seim	Rangeland Management Specialist	T&E Plants	JHS 2/7/06
Tim Novotny	Wildlife Biologist	Wildlife	TN 2/13/06
Tim Novotny	Wildlife Biologist	Wildlife Stds & T&E	TN 2/13/06
Hal Keesling	Archaeologist	Cultural/Nat. Amer.	HSK 2/7/06
Jim McBrayer	Outdoor Recreation Planner	VRM/ACEC/WSA	JDM 2/14/06
Ole Olsen	Natural Resource Specialist	SWA/Riparian	OO 2/13/06
Louise McMinn	Realty Specialist	Env. Justice	LM 2/7/06
Fred Conrath	Geologist	Grnd. Water Qual	FC 2/14/06
Duane Johnson	Planning/Environmental Coord.	Haz. Mat.	DJ 2/7/06

Andrea Minor            Lead Rangeland Mgt. Specialist        Range  
David Blackstun        Associate Field Manager

**Land Health Assessment**

This action has been reviewed for conformance with the BLM’s Public Land Health Standards adopted February 12, 1997. All Public Land Health Standards are currently being met. This action will continue to allow the Public Land Health Standards to be met in the future. Standard Assessment was conducted on August 19, 2005 by a wildlife biologist and a rangeland management specialist.

Signature of Lead Specialist\_\_\_\_\_ Date\_\_\_\_\_

Signature of NEPA Coordinator\_\_\_\_\_ Date\_\_\_\_\_

**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 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**  
**CO-100-2006-042 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 terms 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**  
**CO-100-2006-042 DNA**  
**Standards and Assessments\***  
**Deer Creek Road Allotment #04203**

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

This standard is met for the Deer Creek Road Allotment. Upland soil infiltration and permeability rates are appropriate for the steep to moderate slopes found on the public land tract within this allotment. Vegetative cover and biological soil crusts are sufficient to disperse hydrologic influences. Runoff from snow melt and rain is not excessive for these slopes and in typical years optimal soil water recharge would be expected. Upland soils within this allotment support a diverse shrub/forb/grass plant community. The plant community provides good cover, abundant litter and a variety of root depths to protect soil from erosion and allow continued soil genesis and nutrient cycling.

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

There are no wetlands or riparian systems on public lands within this allotment. This standard does not apply.

**STANDARD 3. Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat potential. Plants and animals at both the community and population levels are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations and ecological processes.**

This standard is met for the Deer Creek Road Allotment and will continue to be met under the Proposed Action. The native plant communities across the allotment are diverse and healthy. Several desirable grass and shrub species are present, including Indian ricegrass, snowberry and oakbrush. There was also a high diversity of forb species such as purple aster, wild onion and arrowleaf balsamroot.

The Deer Creek Road Allotment provides quality wildlife habitat for a variety of wildlife species. This allotment provides severe winter range for mule deer and elk. This allotment also provides habitat for a variety of small mammal species. Wildlife habitat within this allotment provides appropriate seral stages, vegetation structure and patch size to ensure healthy productive wildlife populations. The proposed livestock permit renewal will ensure that this standard continues to be met in the future.

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

There are no federally listed threatened or endangered or BLM sensitive plant species present on the Deer Creek Road Allotment #04203. For plants this standard does not apply.

There are no threatened or endangered species or habitat for such species in or near this allotment. There is potential habitat for Columbian sharp-tailed grouse on BLM lands within this allotment. Columbian sharp-tailed grouse habitat is in good condition and is large enough to support viable populations. This standard is currently being met and will continue to be met in the future.

**STANDARD 5. The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado. Water Quality Standards for surface and ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirement set forth under State law as found in 5 CCR 1002-8, as required by Section 303 of the Clean Water Act.**

The water quality standard is met for the Deer Creek Road Allotment. The public land tract within this allotment is comprised of a draw flanked by southwesterly and northeasterly facing slopes. Drainage from the public land tracts will primarily be dispersed overland flow that will drain towards the unnamed draw which is a tributary to Morapos Creek. The water quality of Morapos Creek and its tributaries fully supports the classified beneficial uses designated for these streams.

\*Standards assessment conducted by a wildlife biologist and a rangeland management specialist on August 19, 2005.

**Attachment #4**  
**CO-100-2006-042DNA**  
**Cultural Resource and Native American Concerns**

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**Background Information:**

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 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. Other data sets, spring and riparian locations, and new data developed in future studies will be used for the GIS maps developed from the Little Snake Field Office Geographic Information System (GIS).

The GIS maps will be developed using USGS and BLM data that show the springs, creeks and rivers, intermittent drainages, riparian areas, and slopes greater than 30 percent. The BLM data that reflects water features potentially present in the project areas is incomplete at this time. This data represents the “best available data” that the BLM office currently has developed at this time. These maps, as well as the cultural programs current understanding of prehistoric settlement and subsistence patterns, as reflected in the archaeological record, will be used to guide initial survey efforts to locate past human activity areas in each allotment. These areas will be evaluated for potential livestock concentration impacts. The effort to identify and evaluate cultural resources in association with livestock concentration areas will take place during upcoming field seasons.

The table below is based on the allotment specific analysis developed for each allotment in this DNA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in each allotment. Fieldwork for the cultural resources on the table will be carried out in current fiscal year or in subsequent years

Allotment Number	Acres Surveyed at a Class III Level <sup>1 2</sup>	Acres <u>NOT</u> Surveyed at a Class III Level	Percent -%-Of Allotment Inventoried at a Class III Level	Eligible or Need Data Sites – Known in Allotment (Site Numbers)	Estimated Sites for the Allotment** (Total Number)	Estimated Eligible or Need Data Sites in the Allotment (Number)
04203	None <sup>1</sup>	54	0%	None	1.43	.43

(Note: \*Acres are derived from GIS allotment maps. 1. BLM only acres or 2. BLM and other acres in the allotment. See allotment specific analysis form. \*\*Estimates of site densities are based on known inventory data. Estimates represent a minimum figure which may be revised upwards based on future inventory findings.)

**Cultural Review Process:** Monitoring of the previous years range permit renewal environmental documentation for FY98, FY99, FY2000, FY2001, FY2002, FY2003, FY2004, and FY2005 has been carried out. These reports represent three field seasons of evaluation work

on the eligible and need data sites. The fieldwork conducted in 2000, 2001, 2002, 2003, and 2005 as expected, identified impacts to some of the cultural resources being evaluated. This information is covered in the following reports:

Keesling, Henry S. and Gary D. Collins, Patrick C. Walker  
2000 Cultural Resource Evaluation of Known Eligible and Need Data Sites within Range Allotments for Range Permit Renewal EA's FY98 and FY99. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D., and Patrick C. Walker, Sam R. Johnson, Henry S. Keesling  
2001 Addendum to Cultural Resource Evaluation of Known Eligible and Need Data Sites within Range Allotments for Range Permit Renewal EAs FY98 and FY99, Range Permit Renewal EA's FY2000 and FY2001. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D. and Ryan J. Nordstrom, Henry S. Keesling  
2002 The Second Addendum to The Cultural and Need Data Sites Within Range Allotments for Range Permit Renewal EA's FY98, FY99, FY00, FY01, and FY02. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office.

Collins, Gary D. and Henry S. Keesling  
2003 The Third Addendum to The Cultural and Need Data Sites Within Range Allotments for Range Permit Renewals EA's FY98, FY99. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy on file at that office

Collins, Gary D. and Henry S. Keesling  
2005 The Fourth Addendum Range Permit Renewal FY04 and FY05 to The Cultural Resource Evaluation of Known Eligible and need Data Sites Within Range Allotments for Range Permit Renewal EA's FY00, FY01, FY02, FY03. BLM 10.27.05. Bureau of Land Management, Little Snake Field Office, Craig, Colorado. Copy of file at that office.

BLM has committed to a ten year phased evaluation being conducted for cultural resources that takes into account identified livestock concentration areas and the cultural resources that are either eligible and/or need data and to carrying out mitigation on cultural resources that require this action. The phased monitor and mitigation approach will mitigate identified adverse effects, significant impacts and data loss, (NHPA Section 106, 36CFR800.9; Archaeological Resource Protection Act 1979; BLM/Colorado SHPO Protocol 1998; NEPA/FLPMA requirements) to an acceptable level.

The GIS mapping and evaluation effort will establish areas that have potential conflicts between livestock and prehistoric cultural resources. The GIS maps will provide a computer generated visual departure point for the proposed cultural fieldwork. GIS maps using USGS and BLM best available data, will be created showing springs, stream course features, riparian areas, and slopes that are greater than 30% slope within the allotment. Current understanding of prehistoric

settlement and subsistence patterns will be applied to the GIS map review and used to establish prehistoric cultural areas. These potential livestock concentration areas will be evaluated in the field.

Livestock impacts may cause cumulative effects, some of which will be significant, and will cause long-term, irreversible, potentially irretrievable adverse impacts and data loss. However, the phased identification and evaluation fieldwork will identify mitigation measures that will reduce these impacts (NHPA Section 106; 36CFR800.9; Archaeological Resource Protection Act 1979; BLM/Colorado SHPO Protocol 1998; NEPA/FLPMA requirements), to an acceptable level.

Other project specific Class III surveys initiated by the BLM, industry, or ranching will identify previously unrecorded cultural resources within these allotments. Newly identified cultural resources will need to be mitigated in relationship to the proposed project(s). Further, these cultural resources will be incorporated into current and future grazing review efforts to be evaluated and monitored as necessary.

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

## **Allotment Specific Stipulations for this DNA.**

1. GIS maps based upon stream course features and springs from the 7.5 minute USGS maps and BLM best available riparian/spring data in this office will be used to initially establish evaluation areas for livestock concentrations. Current archaeological understanding of settlement and subsistence patterns for prehistoric cultural resources will be applied to these maps. Identified livestock concentration areas will be field evaluated. Those areas with no livestock impacts but with potential for cultural resources will under go the same Class III survey discussed below. This survey will be conducted documenting archaeological resources which may be impacted if grazing practices change in the future. Identified concentration areas that exhibit livestock impacts will have the following cultural surveys:

Springs, riparian areas, streams or creeks, and intermittent drainage will have a Class III survey in the area of concentration that includes an additional 50 feet around the impacted area. Identified cultural resources will be recorded to include the total site area and mitigation developed.

Springs will have a Class III survey in the area of concentration and include an additional 50 feet around the impacted area. Identified cultural resources will be recorded to include the total site area and mitigation developed.

2. GIS maps showing slope potential, 30% or greater, where rock art and rock shelters are predicted to occur, will be used to initially establish evaluation areas for Class III survey. These areas will be evaluated for livestock concentrations. Identified concentration areas will have the following cultural surveys performed:

Potential rock shelters, rock art areas will be evaluated to see if cultural materials are present. When cultural resources are identified the site will be recorded and appropriate mitigation will be developed.

3. Previously identified sites, table above, and new sites recorded and evaluated as eligible and/or need data during other project specific Class III survey will need to be evaluated as well. Initial recording of new sites and re-evaluation of the known sites will establish current condition of the resource and help in developing a monitoring plan for all sites. Some sites will have to be monitored more often than others. Sites that are impacted by grazing activities will need further monitoring, physical protection or other mitigative measures developed.

4. Site monitoring plans, other mitigation plans, will be developed and provided to the Colorado State Historic Preservation Officer in accordance with the Protocol (1998) and subsequent programmatic agreements regarding grazing permit renewals.

Conducting Class III survey(s), monitoring, and developing site specific mitigation measures will mitigate the adverse effects, data loss, and significant impacts (NHPA Section 106, 36CFR800.9; Archaeological Resource Protection Act 1979; BLM Colorado and Colorado SHPO Protocol 1998; and NEPA/FLPMA requirements) to an acceptable level.

The Colorado State Historic Preservation Officer (SHPO) agreed with the Bureau of Land Management, Colorado, (BLM) that the BLM could issue its Range Renewal Permits with the proposed Cultural Resource Management actions, monitoring known eligible and need data sites and conducting Class III and/or modified Class III surveys on selected areas of BLM lands within in a ten year time frame (Cultural Matrix Team Meeting 26 January 1999, Colorado BLM State Office).

The Little Snake Field Office will initiate the monitoring of known eligible and need data sites the first field season following the issuing of the permit if possible. This survey will be based upon an accepted, BLM and SHPO, research design that will establish criteria for evaluation of the sites for livestock impacts and any needed mitigation and future monitoring needs.

Name of Specialist and date: Henry S. Keesling      Date: 7 February 2006

**Native American Concerns:** A letter was sent to the Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Utes Tribal Council, and the Colorado Commission of Indian Affairs on 11 January 2006. The letter discussed the range permits that the BLM would be working on in FY05 and FY06. Comments received from the Southern Ute Tribal Council did not foresee any impacts. No other comments were received (Letters on file at the Little Snake Field Office, Craig, Colorado.)

Name of Specialist and date: Henry S. Keesling      Date: 7 February 2006

DATE SIGNED: 03/13/06