

# Determination of NEPA Adequacy (DNA)

U.S. Department of the Interior

Bureau of Land Management

Royal Gorge Field Office

3028 E. Main

Cañon City, CO 81212

OFFICE: Royal Gorge Field Office, Canon City, CO

PROJECT NUMBER: DOI-BLM-CO-200-2013-063 DN

CASEFILE:

PROPOSED ACTION TITLE/TYPE: Range – Grazing Permit Transfer and Renewal for Mill Creek #05086 and Waugh Mountain #05199 Allotments.

LOCATION/LEGAL DESCRIPTION:

Mill Creek	T50N, R12E, S. 8-10 (inclusive), & 15, 21, 22 (within) NM PM Colorado, Fremont County Public Acres: 1,141
Waugh Mountain	T50N, R12E, S. 4 thru 9 (inclusive) NM PM Colorado Fremont County Public Acres : 973

APPLICANT:

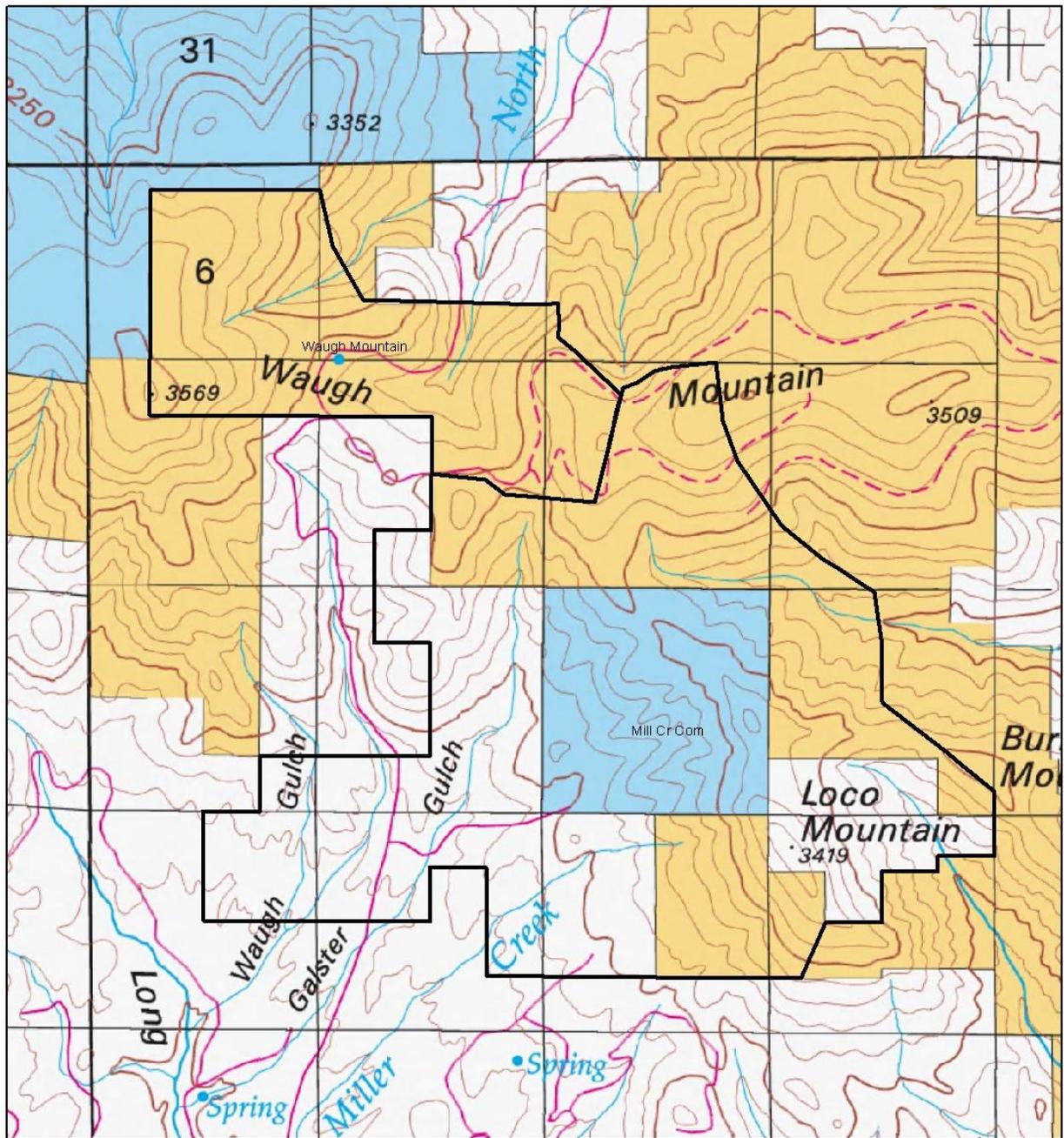
David Bunker & Alan Gordon (From David Wolfe) –Mill Creek Allotment

Davis Smith, Steve Smith & Robert Williams (From David Lord) – Waugh Mountain Allotment

## **A. Description of the Proposed Action and any applicable mitigation measures**

The proposed action is to transfer the authorization (permit) to graze livestock on public lands included in the Mill Creek #05086 and Waugh Mountain #05199 Allotments. The permits would be issued for ten years as previously scheduled. Grazing use on the allotments will remain as previously scheduled. There will be no changes in livestock numbers; authorized grazing dates and times; authorized levels of use; or terms and conditions.

As per CFR 4130.3-3 the authorized officer may modify the grazing schedule, terms and conditions of the permits at any time during the term when the active use or related management practices are not meeting the land use plan, allotment management plan or other activity plan, or management objectives.

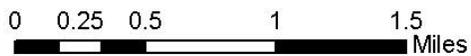


**Legend**

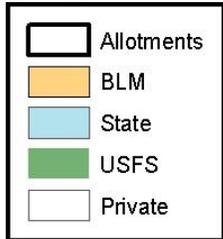
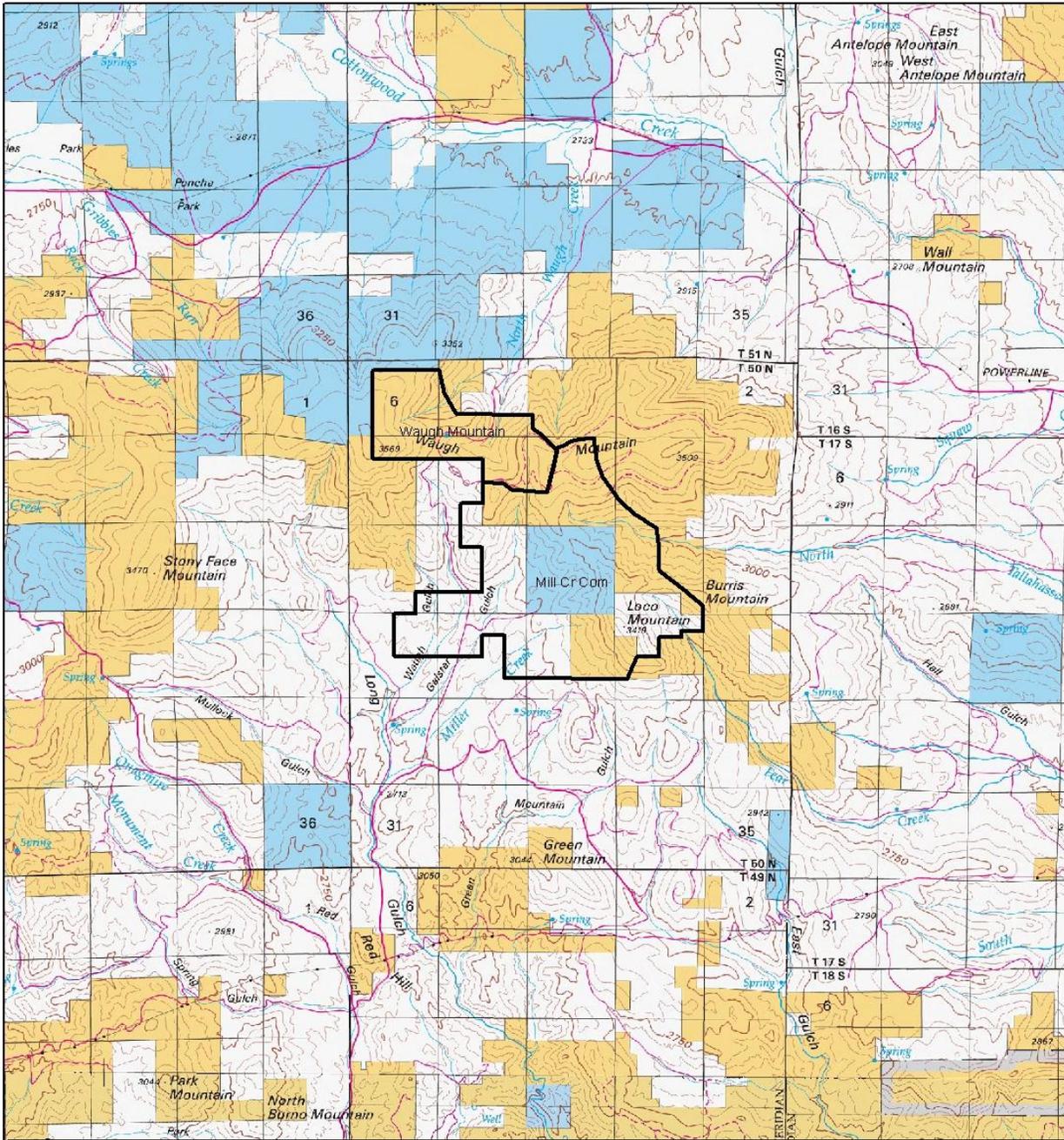
-  Allotments
-  BLM
-  State
-  USFS
-  Private

**Grazing Permit Transfer and Renewal**

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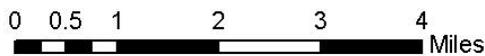


**NOTE TO MAP USERS**  
 No warrantee is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked or current status on any specific tract of land.



Grazing Permit Transfer for Mill Creek #05086  
and Waugh Mountain #05199 Allotments.

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## B. Land Use Plan (LUP) Conformance

LUP Name Royal Gorge Resource Management Plan	Date Approved 5/13/96
Other Document Final Livestock Grazing EIS	Date Approved 1995
Other Document	Date Approved

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions: 6-2, 6-4, 6-6, C-30, C-43, C-44

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

## C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Waugh Mountain Allotment: CO-200-1998-0139 EA

Mill Creek: CO-200-1999-0036EA and CO-200-2007-0032EA

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

Waugh Mountain #05199

2003 & 2007 Land Health Assessment

Mill Creek #05086

2002 Land Health Assessment

## D. NEPA Adequacy Criteria

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

The RMP and Grazing EIS analyzed livestock grazing by allotment with the mandatory terms and conditions. The previous EAs analyzed grazing use and permit renewal on the same allotments. The Proposed Action is substantially the same action and at the site specifically analyzed in the existing NEPA documents(s). Grazing use on the allotment will remain as previously scheduled. There will be no changes in livestock numbers; authorized grazing dates, times, authorized levels of use or terms and conditions.

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

Yes. The RMP/EIS and EA's considered a range of alternatives. The existing EAs for permit renewal continue to be appropriate for current conditions. The EAs included a proposed action alternative whereby grazing prescriptions could potentially change, a no action alternative where grazing prescriptions would remain the same as the previous permit and a no grazing alternative that were analyzed in the document. No new environmental conditions or change in resource values have arisen that would invalidate those alternatives analyzed.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

The information and circumstances surrounding the grazing permit in this renewal are unchanged from the previous analysis. No new evidence or circumstances have arisen that would change the analysis.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes. There are no negative direct or indirect impacts associated with the proposed action. The impacts analyzed in the permit renewal EAs remain unchanged.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. Public scoping was conducted for the previous NEPA analysis. No issues were brought forward as a result of this scoping.

**E. Persons/Agencies /BLM Staff Consulted**

<b>INTERDISCIPLINARY TEAM REVIEW</b>			
<b>NAME</b>	<b>TITLE</b>	<b>AREA OF RESPONSIBILITY</b>	<b>Initials/date</b>
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 5/1/2013
Jeff Williams	Range Management Spec.	Range, Vegetation, Farmland	JW, 6/3/13
Chris Cloninger	Range Management Spec.	Range, Vegetation, Farmland	-----
John Lamman	Range Management Spec.	Weeds	JL, 04/24/2013
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG,5/29/13
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	-----
Melissa Smeins	Geologist	Minerals, Paleontology	MJS, 04/18/2013
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 4/18/2013
Ty Webb	Prescribed Fire Specialist	Air Quality	TW, 4/18/13

Jeff Covington	Cadastral Surveyor	Cadastral Survey	JC, 4/19/13
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	KL, 4/19/2013
John Nahomenuk	River Manager	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	-----
Ken Reed	Forester	Forestry	KR, 4/17/13
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 4/18/13
Monica Weimer	Archaeologist	Cultural, Native American	-----
Michael Troyer	Archaeologist	Cultural, Native American	MDT 6/3/2013
Vera Matthews	Realty Specialist	Realty	vm, 5/7/2013
Steven Craddock	Realty Specialist	Realty	-----
Bob Hurley	Fire Management Officer	Fire Management	n/a
Steve Cunningham	Law Enforcement Ranger	Law Enforcement	n/a
Bob Hurley	Fire Management Officer	Fire	n/a

Other Agency Represented:

REMARKS:

Cultural Resources: Pursuant to BLM Instruction Memorandum Number CO-2002-029, RGFO cultural resources staff conducted a literature review of previous inventories and sites recorded on the public land in the allotment area [see Report CR-RG-13-159 (R)]. Based on the information collected during the literature review, it was determined that no historic properties would be impacted by the proposed undertaking.

Native American Religious Concerns: The literature review indicated that no traditional cultural properties have been recorded within the allotment boundaries. Native American Tribal consultation has been completed for these allotments. There is no other known evidence that suggests the project area holds special significance for Native Americans. Therefore, it is unlikely that any traditional cultural properties or other sites of concern to the tribes will be affected by grazing.

Threatened and Endangered Species: There are no records of any federally listed or BLM sensitive species within or near the project area. The Proposed Action will not result in impacts to TES species.

Realty: The lands identified in the project area consist of private, state, and public lands. Neither the proposed action nor the alternatives would affect land status or land use authorizations.

MITIGATION: None

## CONCLUSION

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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 the NEPA.

SIGNATURE OF PROJECT LEAD: Jeff Williams

SIGNATURE OF NEPA COORDINATOR: /s/ Martin Weimer

SIGNATURE OF NEPA SUPERVISOR: Melissa K.S. Garcia

SIGNATURE OF THE RESPONSIBLE OFFICIAL:        /s/ Keith E. Berger  
Keith E. Berger, Field Manager

DATE: 6/19/13

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.