

**U.S. Department of the Interior
Bureau of Land Management**

**Determination of NEPA Adequacy (DNA)
Grazing Permit Renewal for West Sommerville, Lower Granite
and Browns Canyon Allotments**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management



Determination of NEPA Adequacy (DNA)

Grazing Permit Renewal for West Sommerville, Lower Granite and Browns Canyon Allotments

DOI-BLM-CO-FO2-2016-0017 DNA

**Prepared by
U.S. Department of the Interior
Bureau of Land Management
Royal Gorge Field Office
Canon City, CO**

This page intentionally
left blank

U.S. Department of the Interior
Bureau of Land Management

OFFICE::, LLCOFO200000

TRACKING NUMBER: DOI-BLM-CO-FO2-2016-0017 DNA

CASEFILE/PROJECT NUMBER:

Authorization #0501863

Authorization #0501884

Authorization #0505613

PROPOSED ACTION TITLE/TYPE: Grazing Permit Renewal for West Sommerville #05120, Lower Granite #05107 and Browns Canyon #05813 Allotments.

LOCATION/LEGAL DESCRIPTION:

West Sommerville Allotment: Fremont County, T.18S., R.72W., Sec. 6, Public Acres: 600

Lower Granite Allotment: Fremont County, T48N, R11E, S. 35 & 36, T47N, R11E, S. 1-3, 10, 12-14, T47N, R12E, S. 7 Public Acres: 3,457

Browns Canyon Allotment: Chaffee County, T51N, R8E, Sec 35, T50N, R8E, Sec 2, Public Acres: 1,137

APPLICANT (if any):

Marchand, Gary & Debbie

Eggleston, Howard & Ruth

Dines, Bunny

A. Description of Proposed Action and any applicable mitigation measures

The grazing permits for the listed allotments expire on February 28, 2016 and need to be renewed. Renewal will be based on the most recent grazing EA conducted for the allotments.

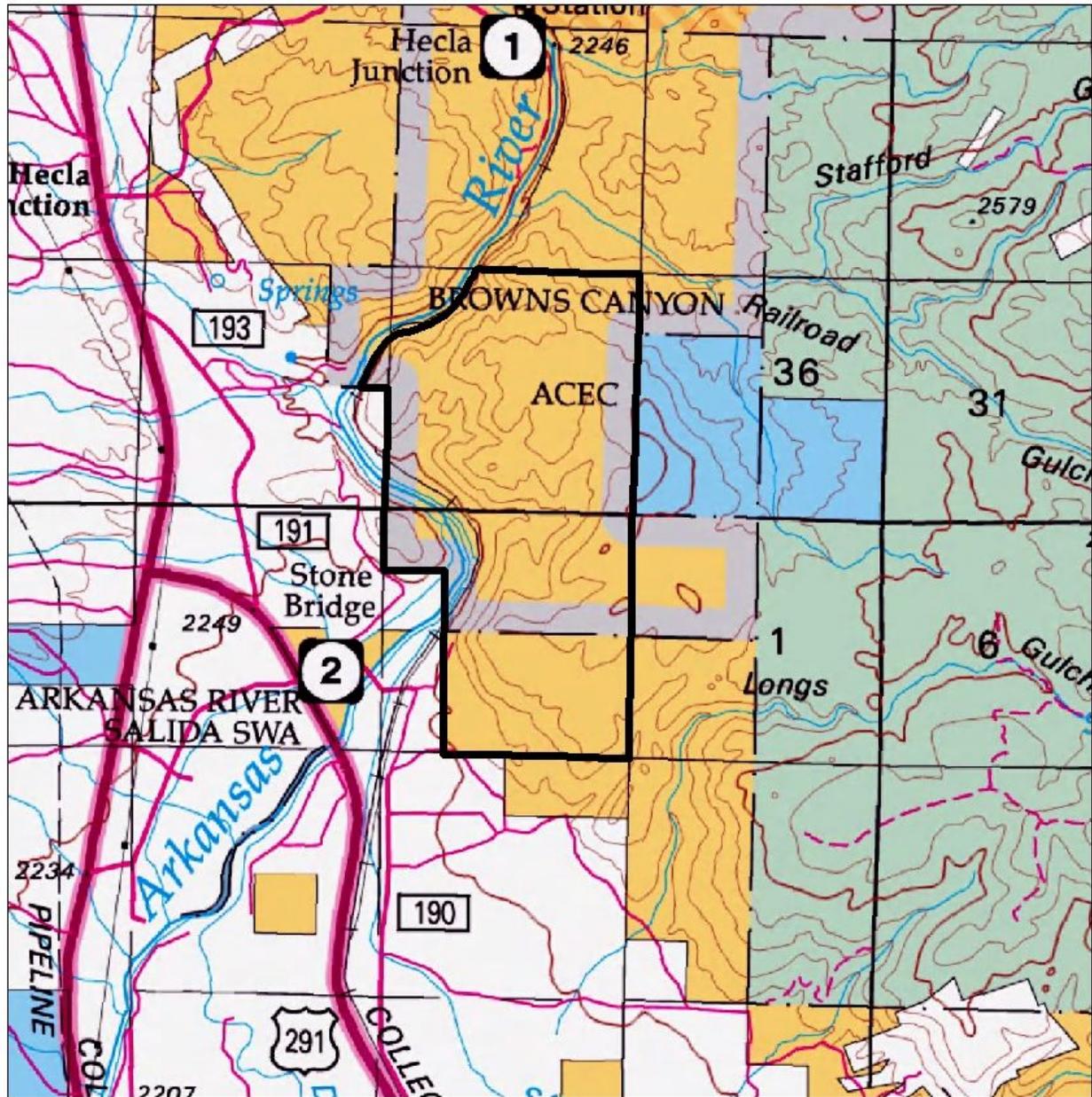
The proposed action is to renew the authorization (permit) to graze livestock on public lands included in the West Sommerville, Lower Granite and Browns Canyon Allotments. The permit would be issued for ten years as previously scheduled. Grazing use on the allotments will remain as previously scheduled. There will be no changes in livestock numbers; authorized grazing dates and times; authorized levels of use; or terms and conditions.

The West Sommerville allotment was assessed for Public Land Health Standards in 2003 and again in 2011. It was determined during those assessments that the allotment was meeting public land health standards. The allotment was fully analyzed for grazing use under current management in BLM-CO-200-2006-0023 EA completed in April, 2006. The Lower Granite

allotment was assessed for Public Land Health Standards in 2002 and 2011 and fully analyzed for grazing use under BLM-CO-200-2006-0017 EA.

The Browns Canyon allotment was assessed for Public Land Health Standards in 2005. The assessment identified vegetative issues related to vegetative composition on a small portion of the allotment. It was difficult to differentiate between drought and grazing as the primary cause. An EA was done in 2006 (CO-200-2006-0038EA) that addressed the issue and made changes in grazing management. Since the management change the allotment has received limited grazing use. Based on ocular observations conducted during the summer of 2015 the area is showing an improvement in vegetative composition. A formal ID team re-assessment would be scheduled for this allotment in 2016 or 2017 to document the improvement.

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.



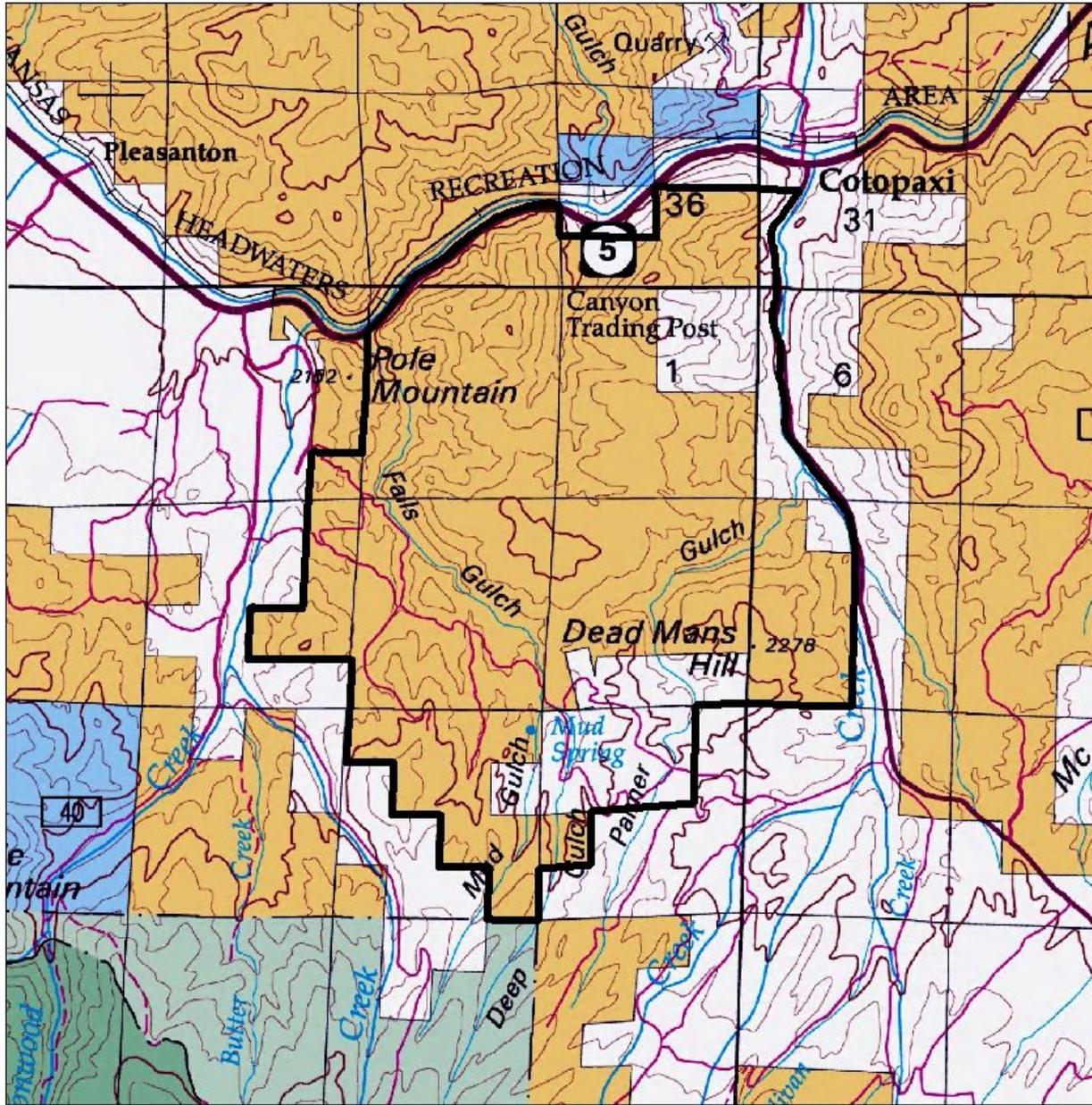
Browns Canyon Allotment #05813
 DOI-BLM-CO-FO2-2016-0017 DNA
 T51N, R8E, Sec 35, T50N, R8E, Sec 2
 Chaffee County

Legend

- Allotment
- Bureau of Land Management
- Private
- State
- US Forest Service

0 0.150.3 0.6 0.9 1.2
 Miles

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.



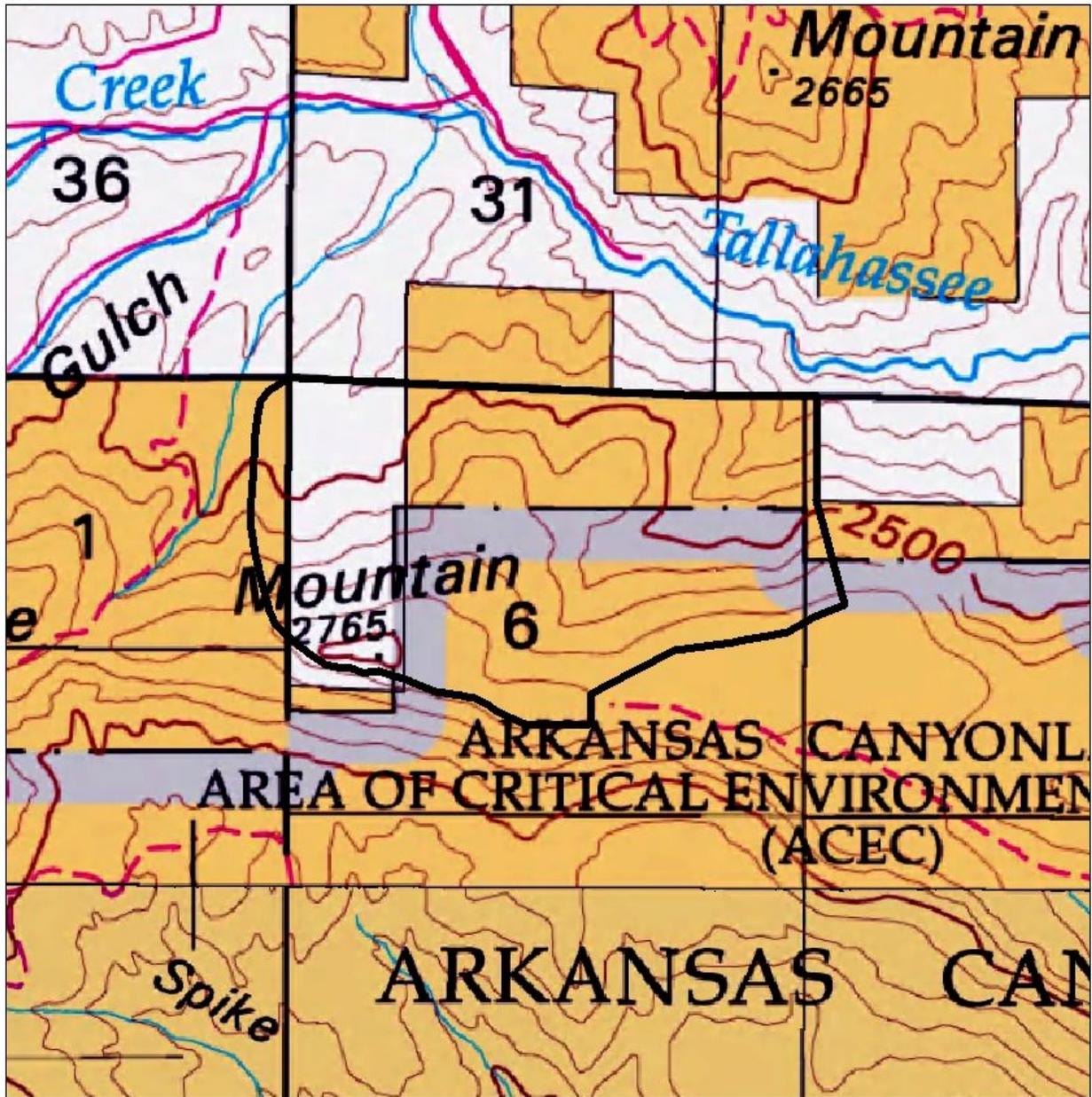
Lower Granite Allotment #05107
 DOI-BLM-CO-FO2-2016-0017 DNA
 T48N, R11E, S. 35 & 36, T47N, R11E, S. 1-3, 10, 12-14,
 T47N, R12E, S. 7 Fremont County

Legend

- Allotment
- Bureau of Land Management
- Private
- State
- US Forest Service

0 0.2 0.4 0.8 1.2 1.6 Miles

NOTE TO MAP USERS
 No warranty 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.



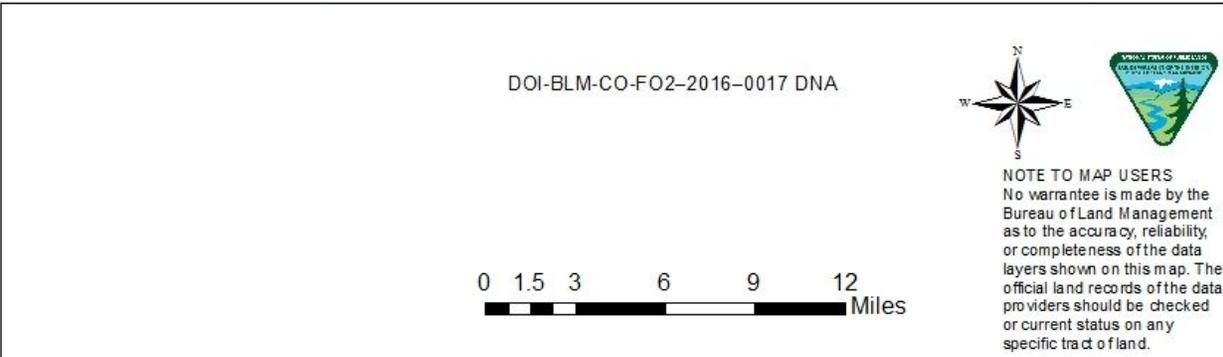
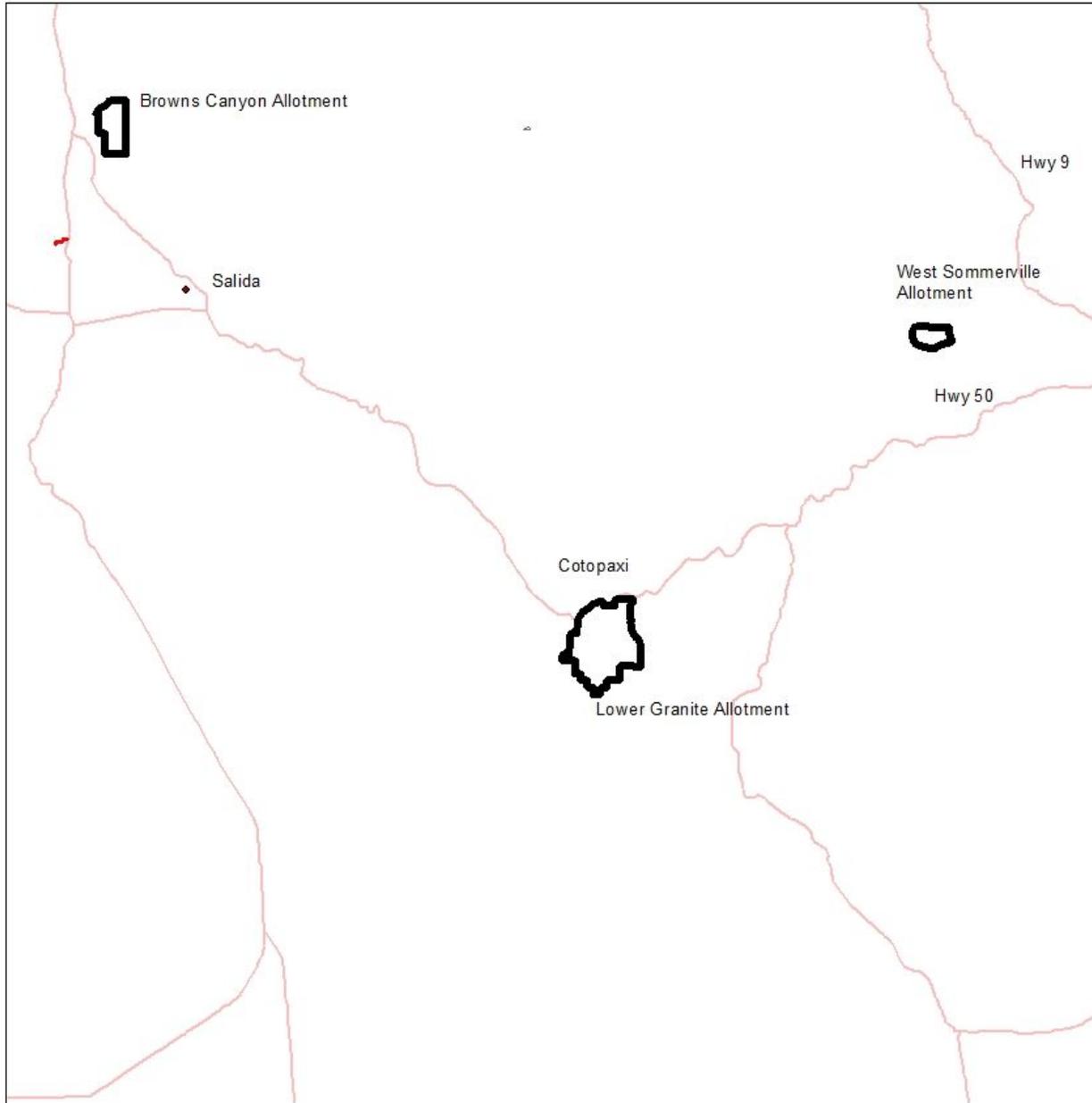
West Sommerville Allotment #05120
 DOI-BLM-CO-FO2-2016-0017 DNA
 T.18S., R.72W., Sec. 6 Fremont County

Legend

- Allotment
- Bureau of Land Management
- Private
- State
- US Forest Service

0 0.1 0.2 0.4 0.6 0.8 Miles

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.



B. Land Use Plan Conformance

LUP Name Royal Gorge Resource Management Plan	Date Approved 5/13/1996
Other Document	Date Approved
Other Document	Date Approved

The proposed action is in conformance with the applicable LUP because it is specifically for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions).

1-2, 1-4, 4-2, 4-4, 6-2, 6-4, 6-6, C-30, C-43

1-2: Season of use and stocking rates will continue based on the Grazing EIS and vegetation monitoring.

1-4: Grazing is authorized on 62 allotments,

4-2: Season of use and stocking rates will continue based on the Grazing EIS and vegetation monitoring.

4-4: Grazing is authorized on 49 allotments.

6-2: Season of use and stocking rates will continue based on the Grazing EIS and vegetation monitoring.

6-4: Grazing is authorized on 70 allotments.

6-6: Allotments are categorized as 22 Improve and 4 Maintain.

C-30: Base livestock grazing management on the 1981 Royal Gorge Area Grazing Environmental Impact Statement. Continue to use allotment management plans (AMPs) on an interim basis until replaced with IAPs.

C-43: Maximum allowable utilization on allotments with rotational grazing will be 80% annual production on grass species and 60% annual production on shrub species. These percentages may have to be reduced on allotments due to wildlife conflicts.

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.

Browns Canyon Allotment BLM-CO-200-2006-0038 EA completed in May, 2006

Lower Granite Allotment CO-200-2006-0017 EA completed in April, 2006.

West Sommerville Allotment CO-200-2006-0023 EA completed in March, 2006.

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).

Public Land Health Assessments 2002, 2003 & 2011

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 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 value?

Yes. The RMP 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 assessments, 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 there public involvement and interagency reviews 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

Table 1.1. Interdisciplinary Team

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 02/09/2016
John Lamman	Range Management Spec.	Weeds	JL, 02/09/2016
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 02/08/2016
Stephanie Carter	Geologist	Minerals, Paleontology, Waste Hazardous or Solid	SSC, 2/16/15
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 2/10/16
Ty Webb	Fire Management Officer	Air Quality, Fire Management	TW, 2/16/16
Dave Parker	Cadastral Surveyor	Cadastral Survey	DP, 2/23/16
Kalem Lenard	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers	KL, 2/8/2016
Jareemiah Moore	Forester	Forestry	JLM 2/16/2016
Michael Troyer	Archaeologist	Cultural, Native American	MDT 1/26/2016
Greg Valladares	Realty Specialist	Realty	GDV, 02/08/2016
Jeff Williams	Range	Range Management, Vegetation	JW, 2/8/2016

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 areas [see Report CR-RG-16-069 R]. Based on the information collected during the literature review, it was determined that in order to assess the potential for impacts to historic properties, additional inventory will be required within the Browns Canyon Allotment; the Lower Granite and West Sommerville allotments have been satisfactorily inventoried and no historic properties have been identified. The proposed action may proceed and the additional inventory of the Browns Canyon allotment will be phased over the life of the permit. If the inventory suggests that historic properties are present and may be impacted by range activities, cultural resource staff will work with range managers, in consultation with the SHPO and other interested parties, to identify applicable mitigation strategies.

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:

The analysis provided in the original environmental assessments remains adequate. Within the West Sommerville allotment, the northern goshawk is the only known special status species to occur; however, the proposed action will have no impact on goshawks or their habitat. Within the Lower Granite allotment, populations of the sensitive plants species within the assessment area are located along the Arkansas River in rough, rocky areas less suitable for grazing. These plants will not be impacted with the renewal of the grazing permits. Within the Brown's Canyon allotment, suitable cottonwood groves used by bald eagles do not occur in the area, nor do cliff complexes that are used by raptors. Furthermore, there are no known sensitive plants in this area. Therefore, the proposed action will not result in significant adverse impacts to special status species.

Migratory Birds

The analysis provided in the original environmental assessments remains adequate. In order to be in compliance with the Migratory Bird Treaty Act, requiring that BLM avoid actions that "take" migratory birds, it is recommended that any vegetation disturbance be avoided from May 15 thru July 15. This is the breeding and brood rearing season for most Colorado migratory birds. Grazing use at the levels approved in the environmental assessments will not result in "take" of migratory birds.

Wastes, Solid or Hazardous: If the permittee is involved with oil or fuel usage, transfer or storage, an adequate spill kit and shovels are required to be onsite during use. The permittee will be responsible for adhering to all applicable local, State and Federal regulations in the event of a spill, which includes following the proper notification procedures in BLM's Spill Contingency Plan.

Minerals: Some of these areas are open to the Mining Law. If there are unpatented mining claims that are active in these permit renewal areas, any associated claim markers encountered by the permittee cannot be disturbed.

MITIGATION:

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 requirement of NEPA.

Jeff Williams
Signature of Project Lead

Kyle Sullivan (acting)
Signature of Supervisor

/s/ Martin Weimer

Signature of NEPA Coordinator

/s/ Keith E. Berger

Signature of the Responsible Official

2/24/16

Date

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 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.