



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
UNCOMPAHGRE FIELD OFFICE  
2465 South Townsend  
Montrose, CO 81401  
[www.blm.gov/co/st/en/fo/ufo.html](http://www.blm.gov/co/st/en/fo/ufo.html)

In Reply Refer To: COS050 (4160)

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

September 18, 2013

## NOTICE OF FINAL DECISION

Livestock Grazing Permittees:

### BACKGROUND/INTRODUCTION

The project area is in west end of the Uncompahgre Field Office (UFO), including portions of Montrose and San Miguel Counties, Colorado. Livestock crossing permits authorize the movement of livestock across Public Lands, and occur outside of existing grazing permits.

In July of 2012 the Bureau of Land Management, Colorado State Office, issued Instructional Memorandum (IM) 2012-031. The purpose of this IM is to provide guidance concerning the issuance of livestock crossing permits resulting from applications to cross public lands from current livestock grazing permittees/lessees and non permittees/lessees.

In January 2013, livestock operators in the local area, including current BLM grazing permittees, were asked to submit applications for livestock crossing routes that they expect to use in the future so that the BLM could prepare to respond to such requests.

The Uncompahgre Field Office has completed Environmental Assessment (EA) # DOI-BLM-CO-S050-2013-0025, which analyzes the effects of issuing livestock crossing permits.

### FINDING OF NO SIGNIFICANT IMPACT (FONSI)

A Finding of No Significant Impact (FONSI) was prepared, based on the information contained in EA # DOI-BLM-CO-S050-2013-0025 and my consideration of criteria for significance (40 CFR 1508.27). It is my determination that: 1) the implementation of the proposed action will not have significant environmental impacts; 2) the Proposed Action is in conformance with the San

Juan/San Miguel Resource Management Plan; and 3) the Proposed Action does not constitute a major federal action having significant effect on the human environment. Therefore, an Environmental Impact Statement is not necessary.

## **FINAL DECISION**

It is my decision to authorize livestock crossing permits for a 10 year period with special stipulations to operators who submit applications to move livestock across BLM-administered lands within the west end of the Uncompahgre Field Office (map and legal description is in the EA). This decision applies to routes identified in Attachment 1, and applies to crossing events that occur on allotments where livestock operators either do not have a grazing permit for the allotment they are crossing through and/or operators who need to cross an allotment they hold a permit for outside of their permitted grazing dates.

Livestock crossing permits will be issued for a one-time annual use on routes applied for, for up to 10 consecutive years, unless resource conditions on the ground substantially change. 43 CFR 4130.6 states that "...crossing permits ... have no priority for renewal and cannot be transferred or assigned". Therefore, crossing permits will not be considered a part of, or a special Term and Condition of, any BLM issued Grazing Permit which holds transferable Preference.

Crossing permits will be for cattle only. Crossing by other classes of livestock such as sheep and goats will not be allowed.

Grazing permittees or other livestock producers requesting to trail livestock across BLM-administered lands will be required to submit an application and pay all applicable fees prior to crossing. The BLM will issue one-time crossing permits which will specify the livestock crossing route, the period of use (dates) during which livestock crossing will be permitted, locations where livestock will be permitted to overnight and the maximum number of livestock which will cross the route during the permitted event. Additionally, special Terms and Conditions specific to each crossing route will be included as needed for resource protection. Prior to issuing any crossing permit, the BLM will ensure that the annual number of livestock and annual number of times a route (or route segment) has been used does not exceed that shown in Attachment 1.

Attachment 1 lists the crossing route segments, total number of cattle permitted per year for each segment, a breakdown of livestock crossing events per segment (which shows individual cattle numbers per crossing event multiplied by the number of times those cattle use the route segment in a year), and the total number of times the segment is used in one year.

Some route segments in Attachment 1 include overnight locations. Crossing events which utilize these segments will have the option of allowing cattle to rest overnight at the corrals and holding traps identified. Corrals are generally small (approximately 1 acre) confinements, and holding traps are larger (between 1 and 5 acres) confinements. Overnighting of cattle will come with the stipulations that cattle are kept confined by the boundary of the trap or corral and not allowed outside of the confinement, and livestock operators will be required to provide feed and water to

their livestock. Feed and water will not be provided by the BLM where overnight locations are on Public Land.

BLM will approve applications for livestock crossing permits on the specified route segments listed in Attachment 1 for any time of year, unless resource protection measures prevent crossing during certain seasons or during specific, defined, on-the-ground conditions (see terms and conditions). Annual authorizations to cross livestock will not exceed the total livestock numbers per year or the maximum route segment uses per year described in Attachment 1.

Resource protection stipulations specific to each route will be incorporated based on analysis. Terms and Conditions for each crossing permit will be included as needed for items such as special status species and their habitat, wildlife, cultural sites eligible for the National Register of Historic Places, and standards for rangeland health.

### Terms and Conditions

Livestock crossing routes will be subject to special stipulations based on resource protection needs. The Terms and Conditions listed below will apply. All routes will be subject to General Terms and Conditions and Terms and Conditions for the protection of Cultural Resources.

General Terms and Conditions -- Includes all route ID numbers:

- Livestock operators will adhere to the route described in the Crossing Permit. No deviations from this route will be authorized.
- Livestock will only cross during the time frame designated in the Crossing Permit.
- Livestock will be kept moving and will not be permitted to stop or rest except at designated pre-determined corrals or holding traps identified in the Crossing Permit.
- Livestock operators are required to make a courtesy call to their BLM rangeland management specialist several days before a permitted crossing event is to occur.
- Livestock will feed and water only at the locations designated in the Crossing Permit.
- Additional watering sites may be required to reduce impacts to riparian, sensitive vegetation or other resources, as identified by BLM.
- Livestock will be managed in a way that does not encourage the establishment or spread of weeds or other invasive plants and does not conflict with efforts to treat such weeds and invasive plants. Hay for feeding will follow the guidelines outlined in BLM CO IM 1997-005 for noxious weed management.

Terms and Conditions for Cultural Resources -- Includes all route ID numbers:

- If historic or archaeological materials are uncovered during permitted activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the Authorized Officer (AO). Within five working days the AO will inform the operator as to:
  - 1) whether the materials appear eligible for the National Register of Historic Places;
  - 2) the mitigation measures the operator will likely have to undertake before the activity may proceed.

- Pursuant to 43 CFR 10.4(g) the holder of the authorization must notify the AO, 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

Terms and Conditions for Soils and Sensitive Plants -- Includes route ID numbers 1, 6, 34, 35, 49, 59, 60, 61:

- Avoid crossing during wet conditions. If depth of hoof prints exceeds 2 inches, find alternate routes on existing roads. This applies to routes in drainages and trails with severe erosion hazard.
- Avoid crossing during “exceptional (D4)” drought conditions as defined by the USDA drought monitor. Alternate routes on roads should be used to prevent pulverization of soil aggregates, soil structure, and biological soil crusts. This applies to routes in drainages and trails with severe erosion hazard.

Terms and Conditions for Surface Water -- Includes route ID numbers 1, 13, 22, 34, 35, 47, 55, 59, 60, 61, 85, 94:

- If unplanned overnight stays are needed, locate livestock bed grounds at least 1,000 feet away from water sources such as ponds, streams, wetlands, springs, and seeps.
- Livestock trailing routes should be on benches/terraces above narrow drainages or at least 50 feet from streams and drainages that support riparian zones.

Terms and Conditions for Wild and Scenic River Resources -- Includes route ID number 94. May also apply to future WSR designated routes:

- On livestock crossing routes within the study corridors of eligible or suitable sections of river classified as "wild" and managed under the Wild and Scenic River Act, no trail building, modifications to the stream banks or mechanical removal of vegetation would be allowed.

Terms and Conditions for Rights-of-Ways:

- ROWs will be avoided to the extent possible (does not apply to road rights-of-way). If they cannot be avoided, caution will be taken to ensure disruption of use or impacts to the facilities do not occur.

## **RATIONALE**

Approval of livestock crossing permits will facilitate movement of livestock from, to, or between grazing allotments. This decision meets the need of the proposed action, which includes responding to applications for the permits, and complying with the Federal Land Policy and Management Act (FLPMA). Issuing livestock crossing permits is in conformance with the San Juan/San Miguel RMP.

## **AUTHORITY**

This proposed decision is authorized by:

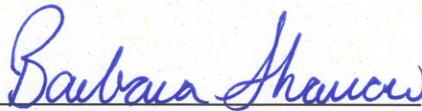
43 CFR § 4130.6-3, which states “A crossing permit may be issued by the authorized officer to any applicant showing a need to cross the public land or other land under the Bureau of Land Management control, or both, with livestock for proper and lawful purposes. A temporary use authorization for trailing livestock shall contain terms and conditions for the temporary grazing use that will occur as deemed necessary by the authorized officer to achieve the objectives of this part.”

43 CFR § 4130.3-1(a), which states in pertinent part “The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease.”

43 CFR § 4130.3-1(c), which states “Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part.”

## **PROTEST AND/OR APPEAL**

Pursuant to Section 123 of the Consolidated Appropriations Act, 2012 (Pub. L. 112-74), this BLM final decision is not subject to protest and/or administrative appeal under subpart E of Part 4 of Title 43, Code of Federal Regulations and subpart 4160 of part 4100 of such title.

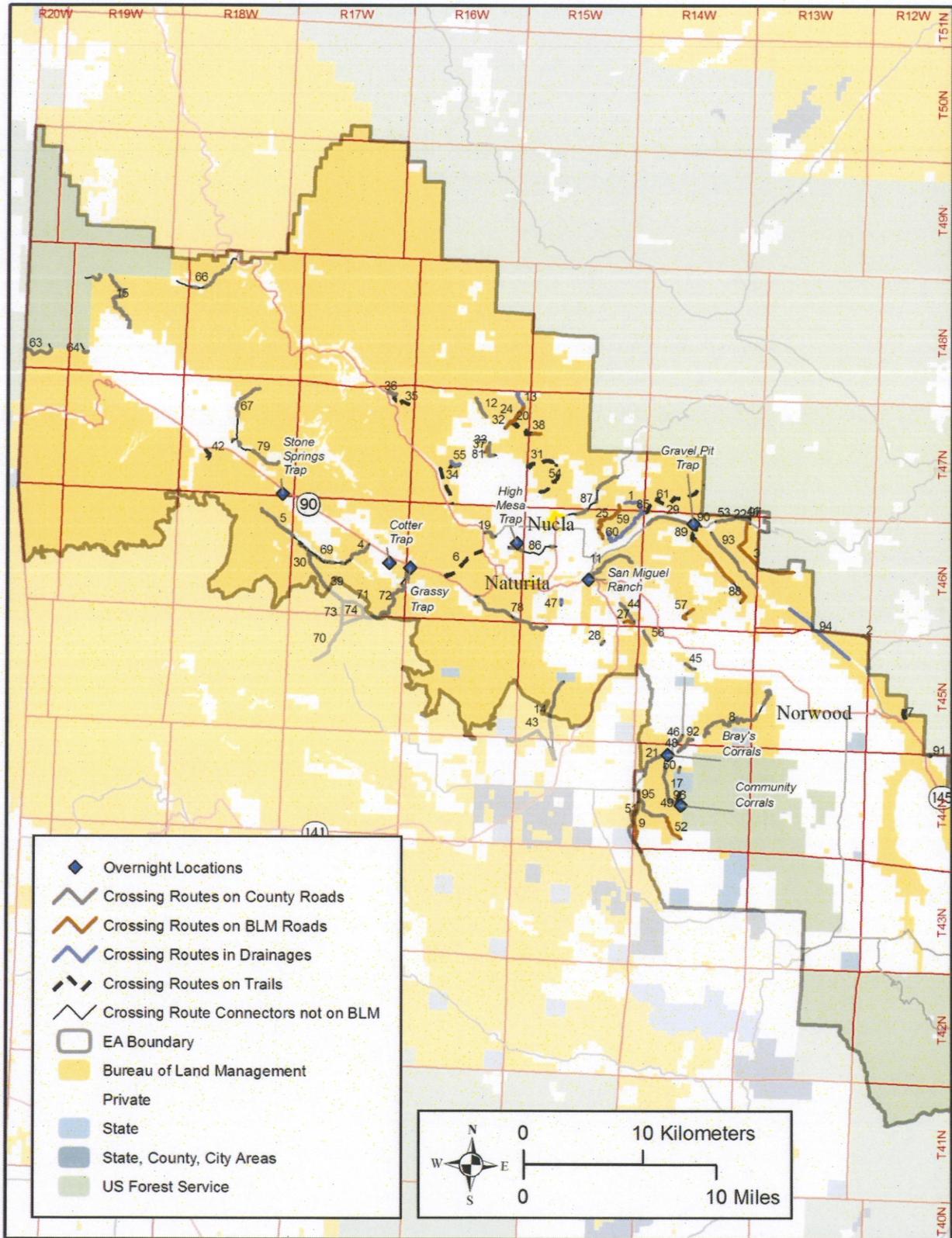


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Barbara Sharrow  
Field Manager  
Uncompahgre Field Office

Attachment: Route Segments (Map and Table)

Map: Route segments to be analyzed under the Proposed Action



## Route segments

Route ID	Total Livestock/ Year	Event Breakdown (number of livestock for individual crossing events multiplied by number of crossing events per year)	Total Times Used/ Year	Overnight Location	Type of Trail*	Miles	Acre	Permit Stipulations
1	800	400*2	2	N/A	Drainage	1.3	48.2	General, Cultural, Soils, Surface waters
2	110	110*1	1	N/A	BLM Road	0.5	5.4	General, Cultural
3	575	575*1	1	N/A	BLM Road	4.3	51.6	General, Cultural
4	200	100*2	2	N/A	County Road	1.4	16.6	General, Cultural
5	200	100*2	2	N/A	County Road	2.3	29.0	General, Cultural
6	3100	180*2, 55*2, 575*2, 200*4, 140*2, 400*1	13	N/A	Trail	2.5	90.9	General, Cultural, Soils
7	1000	100*1	1	N/A	Trail	0.6	20.9	General, Cultural
8	1740	220*2, 500*2, 150*2	6	N/A	County Road	6.1	72.7	General, Cultural
9	1220	200*3, 20*1	4	N/A	BLM Road	2.8	33.2	General, Cultural
11	210	155*2	2	N/A	County Road	3.1	37.7	General, Cultural
12	720	360*2	2	N/A	County Road	1.1	14.2	General, Cultural
13	720	360*2	2	N/A	Drainage	1.0	37.0	General, Cultural, Surface waters
14	1380	190*2, 200*5	7	N/A	County Road	3.8	46.2	General, Cultural
15	200	100*2	2	N/A	County Road	5.4	63.7	General, Cultural
17	1620	220*1, 100*2, 200*3	6	FS Community Corrals	County Road	2.4	28.2	General, Cultural
19	4060	180*4, 55*2, 575*2, 200*4, 140*2, 400, 500, 100	17	N/A	County Road	0.7	9.0	General, Cultural
20	569	569*1	1	N/A	Trail	1.5	53.4	General, Cultural
21	2640	500*2, 220*2, 200*6	10	Bray's pvt corrals	County Road	1.8	21.4	General, Cultural

Attachment 1

Route ID	Total Livestock/ Year	Event Breakdown (number of livestock for individual crossing events multiplied by number of crossing events per year)	Total Times Used/ Year	Overnight Location	Type of Trail*	Miles	Acre	Permit Stipulations
22	620	110*2, 170*2, 30*2	6	N/A	Trail	0.5	18.8	General, Cultural, Surface waters
24	720	360*2	2	N/A	BLM Road	1.0	12.7	General, Cultural
25	800	400*2	2	N/A	BLM Road	2.7	32.9	General, Cultural
27	200	100*2	2	N/A	BLM Road	0.5	6.3	General, Cultural
28	580	190*2, 100*2	4	N/A	County Road	0.2	2.8	General, Cultural
29	2940	575*2, 400*3, 110*2, 170*2, 30*2	11	Gravel Pit Trap	County Road	2.8	32.9	General, Cultural
30	1000	100*2, 400*2	4	N/A	County Road	1.9	22.3	General, Cultural
31	569	569	1	N/A	Trail	1.6	57.1	General, Cultural
32	1289	360*2, 569	3	N/A	BLM Road	0.5	5.6	General, Cultural
33	360	180*2	2	N/A	BLM Road	0.4	5.2	General, Cultural
34	360	180*2	2	N/A	Trail	3.3	115.9	General, Cultural, Soils, Surface waters
35	180	180	1	N/A	Trail	1.3	48.2	General, Cultural, Soils, Surface waters
36	180	180	1	N/A	County Road	0.6	7.7	General, Cultural
37	2658	569*2, 360*3, 220*2	7	N/A	County Road	0.2	2.0	General, Cultural
38	569	569	1	N/A	BLM Road	0.4	5.1	General, Cultural
39	200	100*2	2	N/A	County Road	1.7	21.1	General, Cultural
41	575	575	1	N/A	County Road	0.2	1.3	General, Cultural
42	60	60	1	N/A	Trail	0.8	27.5	General, Cultural
43	350	175*2	2	N/A	County Road	3.1	37.9	General, Cultural
44	500	150*2, 100*2	4	N/A	County Road	1.2	15.0	General, Cultural

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Route ID	Total Livestock/ Year	Event Breakdown (number of livestock for individual crossing events multiplied by number of crossing events per year)	Total Times Used/ Year	Overnight Location	Type of Trail*	Miles	Acre	Permit Stipulations
45	600	300*2	2	N/A	County Road	0.6	6.7	General, Cultural
46	2300	150*2, 100*2, 200*6, 300*2	12	Bray's pvt corrals	County Road	0.5	5.6	General, Cultural
47	150	150	1	N/A	Drainage	0.3	9.1	Surface waters,
48	3540	220*2, 500*2, 150*2, 200*6, 300*2	14	Bray pvt corrals	County Road	0.4	5.0	General, Cultural
49	1800	200*6, 300*2	8	FS Community Corrals	Trail	0.8	29.5	General, Cultural, Soils
50	1800	200*6, 300*2,	8	N/A	County Road	0.4	4.2	General, Cultural
51	1220	200*6, 20	7	N/A	County Road	2.2	26.6	General, Cultural
52	1220	200*6, 20	7	N/A	BLM Road	1.4	16.9	General, Cultural
53	1805	575, 400*3, 110*2, 170*2, 30*2	10	N/A	County Road	1.7	20.4	General, Cultural
54	569	569	1	N/A	Trail	2.2	79.5	General, Cultural
55	200	200	1	N/A	Drainage	0.6	20.4	General, Cultural, Surface waters
56	500	150*2, 100*2	4	N/A	County Road	0.9	10.7	General, Cultural
57	210	155*2	2	N/A	BLM Road	0.8	9.8	General, Cultural
59	400	400	1	N/A	Drainage	2.3	84.6	General, Cultural, Soils, surface waters
60	800	400*2	2	N/A	Drainage	0.6	22.3	General, Cultural, Soils, Surface waters
61	400	400	1	N/A	Trail	4.2	150.8	General, Cultural, Soils, Surface waters
63	200	100*2	2	N/A	County Road	1.8	21.6	General, Cultural
64	200	100*2	2	N/A	County Road	0.3	4.2	General, Cultural

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Route ID	Total Livestock/ Year	Event Breakdown (number of livestock for individual crossing events multiplied by number of crossing events per year)	Total Times Used/ Year	Overnight Location	Type of Trail*	Miles	Acre	Permit Stipulations
66	100	50*2	2	N/A	County Road	2.2	26.5	General, Cultural
67	1240	120*2, 500*2	4	N/A	County Road	2.1	25.3	General, Cultural
69	1000	100*2, 400*2	4	N/A	County Road	1.5	17.4	General, Cultural
70	360	180*2	2	N/A	County Road	2.5	30.8	General, Cultural
71	360	180*2	2	N/A	County Road	1.6	19.6	General, Cultural
72	360	180*2	2	N/A	County Road	4.6	55.7	General, Cultural
73	200	100*2	2	N/A	County Road	1.2	14.1	General, Cultural
74	360	180*2	2	N/A	County Road	1.2	14.2	General, Cultural
78	1500	100*2, 150*2, 200*5	9	N/A	County Road	4.4	53.9	General, Cultural
79	1150	575*2	2	N/A	County Road	2.0	24.4	General, Cultural
81	2289	569*2, 360*2, 220*2	6	N/A	County Road	0.8	9.7	General, Cultural
85	400	400	1	N/A	Drainage	0.2	5.9	General, Cultural, Surface waters
86	2820	180*2, 55*2, 575*2, 200*2, 400*2	10	High Mesa Trap	County Road	1.1	11.8	General, Cultural
87	809	569	1	N/A	County Road	2.2	26.6	General, Cultural
88	575	575	1	N/A	BLM Road	4.0	48.6	General, Cultural
89	575	575	1	N/A	Trail	1.3	45.8	General, Cultural
90	2940	575*2, 400*3, 110*2, 170*2, 30*2	11	N/A	County Road	0.2	1.9	General, Cultural
91	1000	500*2	2	N/A	County Road	0.1	1.5	General, Cultural
92	3540	220*2, 500*2, 150*2, 200*6, 300*2	14	N/A	County Road	0.7	8.5	General, Cultural
93	60	30*2	2	N/A	County Road	3.8	46.3	General, Cultural
94	60	30*2	2	N/A	Drainage	3.9	141.3	General, Cultural, Surface waters, WSR

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Route ID	Total Livestock/ Year	Event Breakdown (number of livestock for individual crossing events multiplied by number of crossing events per year)	Total Times Used/ Year	Overnight Location	Type of Trail*	Miles	Acre	Permit Stipulations
95	1220	200*3, 20	4	N/A	BLM Road	0.4	4.2	General, Cultural
96	1620	220, 100*2, 200*3	6	FS Community Corrals	County Road	0.3	3.2	General, Cultural
97	575	575	1	N/A	County Road	0.0	0.6	General, Cultural
					TOTAL	131.8	2,323	

\* County or State Roads and their right of ways do not require a crossing authorization from BLM