

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DETERMINATION OF NEPA ADEQUACY (DNA)

NUMBER: DOI-BLM-CO-110-2011-0074-DNA

CASEFILE/PROJECT NUMBER: Grazing Lease #0501524

PROJECT NAME: West Amick and LO7 Hill Allotment Updated Class of Livestock

LEGAL DESCRIPTION: West Amick: T1S, R93W, Section 7
T1S, R94W, Sections 12 and 13;
LO7 Hill: T1S, R93W, Section 30
T1S, R94W, Sections 13 – 15, 22 – 27, 35 and 36

APPLICANT: Stout Ranch, LLC

ISSUES AND CONCERNS: Gate issues/public access

DESCRIPTION OF PROPOSED ACTION:

The proposed action is to allow the Stout Ranch, LLC to graze the various classes of cattle (cow/calf pairs, bulls, and yearling cattle) either separately or in combination as long as the permittee grazes within the allowed timeframes (by pasture) and animal unit months (AUMs) as calculated for the current grazing schedule.

Any potential problems with gates being left open during the grazing season will be addressed by the BLM and/or the permittee to the best of their abilities upon discovery. Past history is that a common factor in the grazing of these allotments includes gates being left open by the public due to the easy access and close proximity to the town of Meeker to utilize the public lands in the area(s).

The AUM calculations will be done as follows: cow/calf pairs are at 1.0 AUM (until calves reach 6 months of age), bulls are at also at 1.0 AUM, and yearling cattle are at 0.75 AUM.

The grazing schedules for the two allotments are shown in the tables below.

Table 1. West Amick Allotment Grazing Schedule

| Pasture Name | Livestock Number | Kind | Date On | Date Off | % BLM | BLM AUMs |
|-----------------------|------------------|-----------------|---------|----------|--------------|------------|
| Copley Place | 82 | Yearling Cattle | 1-May | 1-Jun | 20 | 12 |
| Copley Place/Trailing | 72 | Yearling Cattle | 16-Sep | 30-Sep | 20 Trailing | 5 |
| West Pasture | 81 | Yearling Cattle | 1-May | 1-Jun | 100 | 61 |
| West Pasture/Trailing | 72 | Yearling Cattle | 16-Sep | 30-Sep | 100 Trailing | 25 |
| Total | | | | | | 103 |

Table 2. LO7 Hill Allotment Grazing Schedule

| Pasture Name | Livestock Number | Kind+ | Date On | Date Off | % BLM | BLM AUMs |
|-----------------------|------------------|-----------------|------------------|------------------|-------------|------------|
| Lower Dewey | 163 | Yearling Cattle | 1-Jun | 5-Jul | 39 | 51 |
| Lower Dewey/Trailing | 91 | Yearling Cattle | 16-Sep | 30-Sep | 39 Trailing | 13 |
| Green Sign | 163 | Yearling Cattle | 5-Jul | 24-Jul | 38 | 28 |
| Green Sign/Trailing | 91 | Yearling Cattle | 16-Sep | 30-Sep | 38 Trailing | 13 |
| Upper Dewey | 163 | Yearling Cattle | 24-Jul | 15-Sep | 72 | 146 |
| Red Canyon - Trailing | 100 | Cattle | 20-May 15-Sep | 15-Jun 15-Oct | 13 Trailing | 12 13 |
| Total | | | | | | 276 |

Because each grazing year is different, some flexibility is allowed for turn on dates. In general, BLM would estimate that the adjustment for the West Amick allotment would be a seven day delay and that there would be no adjustment for the LO7 allotment.

LAND USE PLAN (LUP) CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision:

Decision Language: "*With minor exceptions, livestock grazing will be managed as described in the 1981 Rangeland Program Summary (RPS), Record of Decision for the 1981 White River Resource Area Management Final Environmental Impact Statement.*"

Page Number: 2-23

REVIEW OF EXISTING NEPA DOCUMENTS:

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

Name of Document: Grazing Lease Renewal for the LO7 Hill Allotment, #06804 and the West Amick Allotment, #02936
CO-110-2008-251-EA

Date Approved: November 12, 2009

West Amick Allotment
New Proposed Grazing Schedule
DOI-BLM-CO-110-2010-0060-DNA

Date Approved: November 29, 2010

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?

Documentation of answer and explanation: The proposed action is the same grazing dates and livestock AUMs as previously analyzed, within the same location and pastures, none of the boundary lines were changed, the livestock kind is still cattle, and the

allotment is still ranked as a custodial allotment with no known issues added or deleted from consideration.

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?

Documentation of answer and explanation: Three alternatives (proposed action, current management, and the no grazing alternative), covering a reasonable range of alternatives to the proposed action was analyzed in CO-110-2008-251-EA. No reasons were identified to analyze additional alternatives to the proposed action were presented or raised, and these alternatives are considered to be adequate and valid for the proposed action.

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?

Documentation of answer and explanation: The analysis contained in CO-110-2008-251-EA and DOI-BLM-CO-110-2010-0060-DNA adequately analyzed the livestock grazing timeframes, kind, and numbers. No pertinent, additional information has become available. There is no new information or new circumstances to indicate the need for additional 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?

Documentation of answer and explanation: Yes. Direct and indirect impacts are thoroughly identified and discussed in CO-110-2008-251-EA and DOI-BLM-CO-110-2010-0060-DNA. The listed document recognizes and analyzes site-specific impacts relating to the proposed action.

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

Documentation of answer and explanation: Yes. The public, various organizations including state organizations and agencies, and groups were able to check the available listing of NEPA and Planning documents for the WRFO's on the internet. The document identified was available to any whom ever made a request for such due to an interest in the management of the public lands; however, no requests were made.

INTERDISCIPLINARY REVIEW: The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on March 15, 2011. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

Cultural Resources: The potential impacts to cultural resources were adequately covered in the CO-110-2008-251-EA NEPA document. (KB 3/22/2011)

Native American Religious Concerns: There are no known Native American religious concerns associated with the proposed action. Should future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (KB 3/22/2011)

Threatened and Endangered Wildlife Species: The proposed action does not deviate substantially from the original proposal. Those wildlife-related issues and analysis presented in the original NEPA document remain valid and would not measurably change under this revised proposal. (EH 3/22/2011)

Threatened and Endangered Plant Species: No known concerns. (MJK 04/12/11)

Lands with Wilderness Characteristics: No issues related to Lands with Wilderness Characteristics have been identified. (CAS 04/14/2011)

MITIGATION:

1. If the permittee suspects the release of any chemical, oil, solid waste, petroleum product, or sewage within the allotment, please contact the BLM – WRFO Hazardous Materials Coordinator at (970) 878-3800 and/or the Colorado Department of Public Health and Environment (CDPHE) through the 24-hour spill reporting line at 1(877)518-5608.
2. As part of the maintenance of range improvement projects, the Seely Spring Development (project 1838 in Township 1 South, Range 94 West, Section 26, NENW) will be evaluated by the WRFO hydrologist and the Range Specialist and if the project is in poor maintenance and it is deemed to be valuable for improving grazing use, it will be fixed or maintained. If the development is not necessary to improve grazing use the equipment will be removed and site rehabilitated as necessary. This inventory should be completed by the year 2011 and the spring development will be removed and/or maintained as funding is available by the BLM or by the permittee or both as soon as practical.
3. Work will be necessary to the previously identified spring so that drainage into the catchment would maximize capture of the water while allowing for continued use by livestock and wildlife. The BLM will aid the permittee in the capture of the water, plastic piping of the water from the spring across a two track road where the water will dump into the existing

catchment pond. The pond may require some additional bentonite work in order to retain the water.

4. On public lands, application of herbicides must be under field supervision of a certified pesticide applicator. Herbicides must be registered by the EPA and application proposals must be approved by the BLM prior to application. If noxious weeds are identified on BLM administered lands, within either the West Amick or LO7 Hill allotments, they will be treated by a certified pesticide applicator (either by the BLM or permittee). If livestock grazing practices have resulted in the establishment of noxious weeds, the permittee will be responsible for the eradication of these weeds as directed by the BLM
5. The operator is responsible for informing all persons who are associated with the allotment activities that they will be subject to prosecution for knowingly disturbing archaeological sites, or for collecting artifacts on public lands. If artifacts are discovered during Allotment activities, the operator is to immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating archaeological site damage.
6. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If paleontological materials (fossils) are discovered during allotment activities, the operator should immediately stop activities that might further disturb such materials, and contact the authorized officer (AO). The operator and the authorized officer will consult and determine the best option for avoiding or mitigating paleontological site damage.
7. The BLM will monitor the public use and place signs on the gates to remind the public to close the gates immediately upon opening them. If monitoring determines that additional measures may be necessary to alleviate any gate problems those options will be discussed further at a later date and those decisions will be forthcoming when finalized.
8. The BLM will continue to make allotment inspections, as deemed necessary, to monitor cattle use to determine any potential adverse impacts to other resource values. If any concerns arise from cattle use, BLM and the permittee will implement appropriate mitigation measures to ensure future rangeland health standards and guidelines are continued to be met. Land Health Assessments, utilization data, and actual use data will be used in the future to determine the need to or ability to adjust livestock numbers or season of use.

COMPLIANCE PLAN (optional): On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The permittee will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Melissa J. Kindall

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DATE: 4/20/2011

ATTACHMENTS: Map

CONCLUSION

DOI-BLM-CO-110-2011-0074-DNA

Based on the review documented above, I conclude that this proposal in consort with the applied mitigation conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL:


Field Manager

DATE SIGNED:

4/25/2011

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.

Amick West and LO7 Hill Allotments

