

PUBLIC SCOPING INFORMATION FOR
DOI-BLM-CO-GO10-2023-0004-EA
GRAZING PERMIT TERMS AND CONDITIONS REVISIONS FOR SELECTED
ALLOTMENTS CONTAINING THREATENED AND ENDANGERED PLANTS

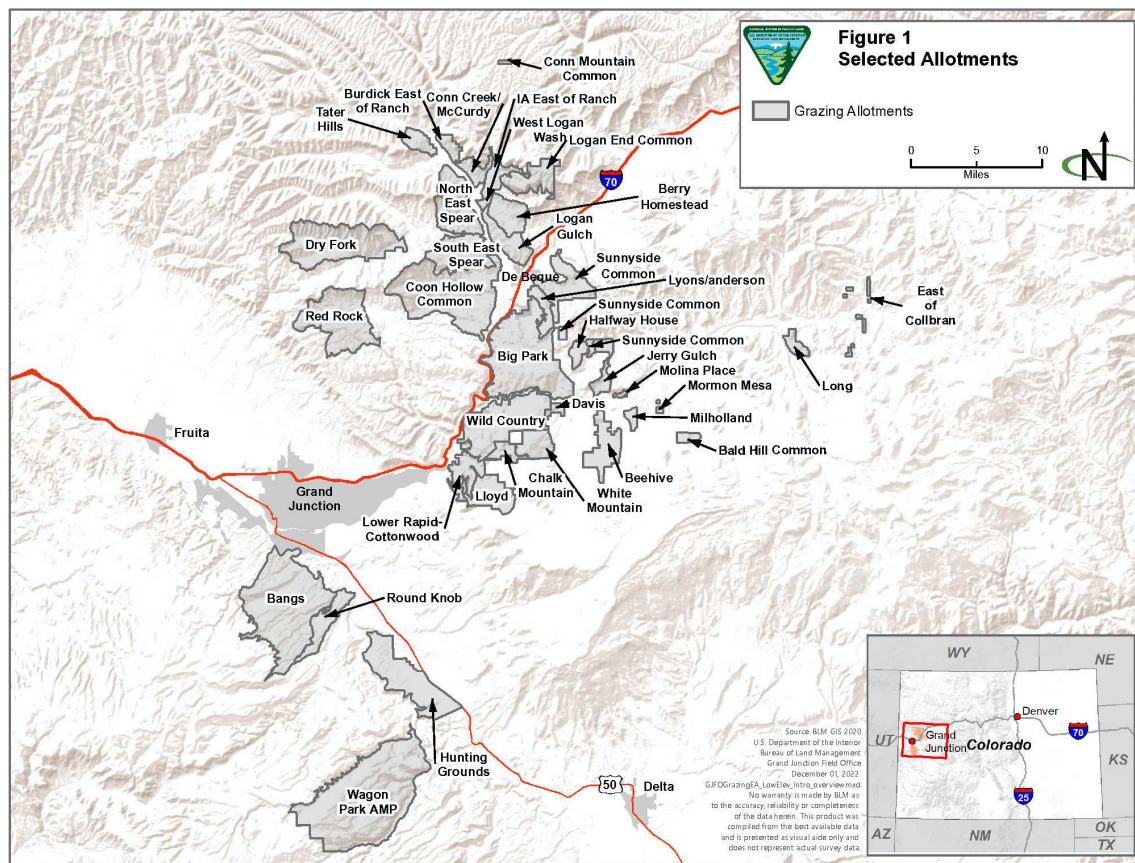
INTRODUCTION AND BACKGROUND

The United States (US) Department of the Interior, Bureau of Land Management (BLM), Grand Junction Field Office (GJFO) is proposing to authorize the continuation of existing grazing permits for qualified grazing permittees, with the addition of mandatory and other terms and conditions for grazing management. Specific terms and conditions would include conservation measures identified in a 2012 Fish and Wildlife Service Biological Opinion (BO), which would be added to the terms and conditions of grazing permits for 36 grazing allotments containing two special status species: Colorado hookless cactus (*Sclerocactus glaucus*) and DeBeque phacelia (*Phacelia submutica*).

The BLM will complete programmatic analysis of the proposed terms and conditions for all allotments in the project area, as applicable. This project does not include site-specific analysis. Upon issuing a decision record for this project, permits would be reissued with new terms and conditions, as necessary for the 24 grazing permit authorizations in the project area. During future permit renewal, NEPA analysis would not be needed for these terms and conditions. However, additional allotments where the two threatened plant species are found would have these terms and conditions applied through subsequent NEPA conformance at that time. Decisions in the EA decision record would be subject to NEPA administrative remedies, while the grazing decision pertaining to reissuance of permits would be subject to the administrative remedies process in the BLM's grazing regulations (43 CFR 4160).

PROJECT LOCATION

The project area consists of 36 BLM-managed grazing allotments, totaling approximately 251,500 acres located within Mesa County and identified as containing populations of Colorado hookless cactus and DeBeque phacelia. **Figure I**, below, illustrates the 36 allotments contained within the project area for this Environmental Assessment (EA).



PURPOSE AND NEED

The BLM's purpose for the action is to improve management of federally listed plants through reissuing grazing permits for existing permitted time frame(s) with updated terms and conditions that include conservation measures identified in the 2012 BO. In order to graze livestock on public land, livestock permittees must hold a valid grazing permit. The proposed action would ensure grazing is authorized by a valid grazing permit and is compatible with Standards for Public Land Health, other resource uses and objectives, and is in compliance with grazing regulations under 43 Code of Federal Regulations (CFR) §4100.

The BLM's need for action is to reissue grazing permit authorizations with new terms and conditions to protect sensitive resources on public land in accordance with the Biological Assessment, which is established by the Bureau of Land Management's (BLM) responsibility under the Federal Land Policy Management Act (FLPMA), Taylor Grazing Act, and the GJFO Resource Management Plan. The BLM also needs to ensure that livestock grazing is conducted in a manner that provides protection of federally listed species, per the reinitiated consultation with US Fish and Wildlife Service (USFWS). This EA evaluates effects from the application of conservation measures from the BO to the terms and conditions on 24 grazing permit authorizations with the associated grazing allotments.

ISSUES

The BLM-GJFO developed a list of issues to analyze in detail for this project. Key issues identified are summarized in **Table 1**. In accordance with existing Federal regulations and guidance, issues will be analyzed if: 1) an analysis of the issue is necessary to make a reasoned choice between alternatives, or 2) if the issue is associated with a significance impact, or where analysis is necessary to determine the significance of the impacts.

Table 1. Issues Carried Forward for Detailed Analysis

ISSUE #	ISSUE STATEMENT
Issue 1	How would the application of conservation measures from the BO to the terms and conditions of 24 grazing permit authorizations impact livestock grazing?
Issue 2	How would the application of conservation measures from the BO to the terms and conditions of 24 grazing permit authorization affect Public Land Health Standard 4 (Special status species)?

PROPOSED ACTION AND ALTERNATIVES

ALTERNATIVE B – Proposed Action (Continued Grazing with Stipulations)

Under Alternative B, the BLM would reissue permits to qualified grazing permittees with updated mandatory and other terms and conditions for grazing management, as described below. Second, allotments with threatened plant species, specifically Colorado hookless cactus (*Sclerocactus glaucus*) and DeBeque phacelia (*Phacelia submutica*) would have additional terms and conditions that reflect the conservation measures identified by the US Fish and Wildlife Service (USFWS) in its Biological Opinion (BO) for Livestock Grazing Program (USFWS 2012, as amended 2022). The details of these terms and conditions are further described in Table 2 below. Conservation measures are non-discretionary actions the BLM agrees to implement to further the conservation and recovery of listed species. Conservation measures are described in the 2012 Biological Opinion (USFWS 2012).

Table 2. Additional Terms and Conditions specific to livestock grazing within the known range of Colorado Hookless Cactus, De Beque phacelia, and its designated critical habitat¹

Conservation Measure 1	In areas where there is a concern that Colorado hookless cactus, and DeBeque phacelia may be present, a survey will be conducted prior to any livestock management actions such as range improvements, or maintenance, or weed management.
Conservation Measure 2	Maps will be provided to permittees that identify sensitive areas where restrictions may apply to particular grazing-related activities for the Colorado hookless cactus, and DeBeque phacelia (individual occurrences or populations plus a 200-meter [656 feet] buffer). As new information becomes available, and as necessary, maps will be updated by the BLM and provided to permittees each year if new occurrences are found. (Note: Maps provided to

	<p>permittees will include sufficient buffers and randomized perimeters to avoid disclosing exact species locations.)</p>
Conservation Measure 3	<p>The permittee is required to notify the BLM Rangeland Management Specialist prior to any surface disturbing range project maintenance activity (fences, stock ponds, spring developments, etc.) in any allotment (standard condition for all BLM allotments). Surveys and avoidance measures will be required where effects to listed plants may occur. Construction of new range developments (e.g., fences, ponds, water troughs) would be designed to avoid impacts to listed species whenever feasible. New range developments that may affect listed species would not be permitted until completion of an additional tiered consultation.</p>
Conservation Measure 4	<p>If a permittee wishes to apply an herbicide treatment, they must obtain prior approval from the BLM. Appropriate applicator licenses must be obtained, copies of the appropriate Pesticide Use Proposal must be obtained from the BLM, and a Pesticide Application Record must be completed and returned to BLM no later than 10 days after herbicide application (standard condition for all BLM allotments).</p> <p>The permittee must consult with the BLM Rangeland Management Specialist and Biologist/Ecologist prior to applying herbicides or pesticides within 200 meters (656 feet) of individual plants or populations. Such treatments may be restricted or modified to avoid effects to the three listed species. Depending on the Field Office and weed program restrictions (see following point), additional section 7 consultation may be required prior to applying herbicides. All treatments will comply with the approved GJFO Integrated Weed Management Plan (IWMP) and section 7 consultation.</p>
Conservation Measure 5	<p>Within 200 meters (656 feet) of listed plants, motorized access for livestock grazing operations will be limited to existing designated roads and routes. Any additional access proposed for grazing operations would require additional surveys and section 7 consultation.</p>
Conservation Measure 6	<p>As a standard permit term and condition within occupied habitat for listed plants, seasonal utilization levels on palatable perennial forage will be limited to 40 percent to the extent possible, and average utilization will not exceed 50 percent (currently the approximate level of forage utilization in most areas on public lands).</p>

<p>Conservation Measure 8</p>	<p>No concentrations of livestock activities including but not limited to herding, routine trailing, bedding, salt or supplement, portable watering, and new stock ponds will be allowed within 200 meters (656 feet) of individual listed plants or populations, except as provided below:</p> <ul style="list-style-type: none"> - Concentration may be allowed where separated by a fence or topographic feature (cliff) that will render the impacts to listed plants insignificant, discountable, or if impacts are wholly beneficial (distribute livestock away from listed plants). - The BLM Rangeland Management Specialist will collaborate with the permittee to develop and employ appropriate grazing strategies for the allotment pastures and use areas to meet Colorado Public Land Health Standards, specifically standard 3 for upland plant communities and standard 4 for Threatened, Endangered Species (TES) species. - Where possible, grazing should be limited to 15 days or less in each pasture or use area during the germination, flowering, and fruiting period for the three focus species to ensure reproduction and recruitment.
<p>Conservation Measure 9</p>	<p>If monitoring/LHAs [land health assessments] conclude that an allotment with occupied habitat is not meeting the standards for special status plants, vegetation, or soils, and livestock grazing is identified as a significant causal factor in not meeting those standards, grazing permit modifications, mitigation, or other prescriptive measures will be required by BLM, such as:</p> <ul style="list-style-type: none"> - The BLM Rangeland Management Specialist will work with the permittee to pursue opportunities to allow portions of the allotment(s) to receive yearlong rest or deferment in order to increase plant vigor. - Exclosures or drift fences may be considered in certain areas where individual plants or populations require special protections from livestock grazing or associated activities, as determined by the BLM. - Permit terms and conditions may be modified to minimize impacts to listed plants (e.g., improved distribution, changes in season of use/class of livestock). Additional Standard Terms and Conditions can be found on the signature page of the Grazing Permit.

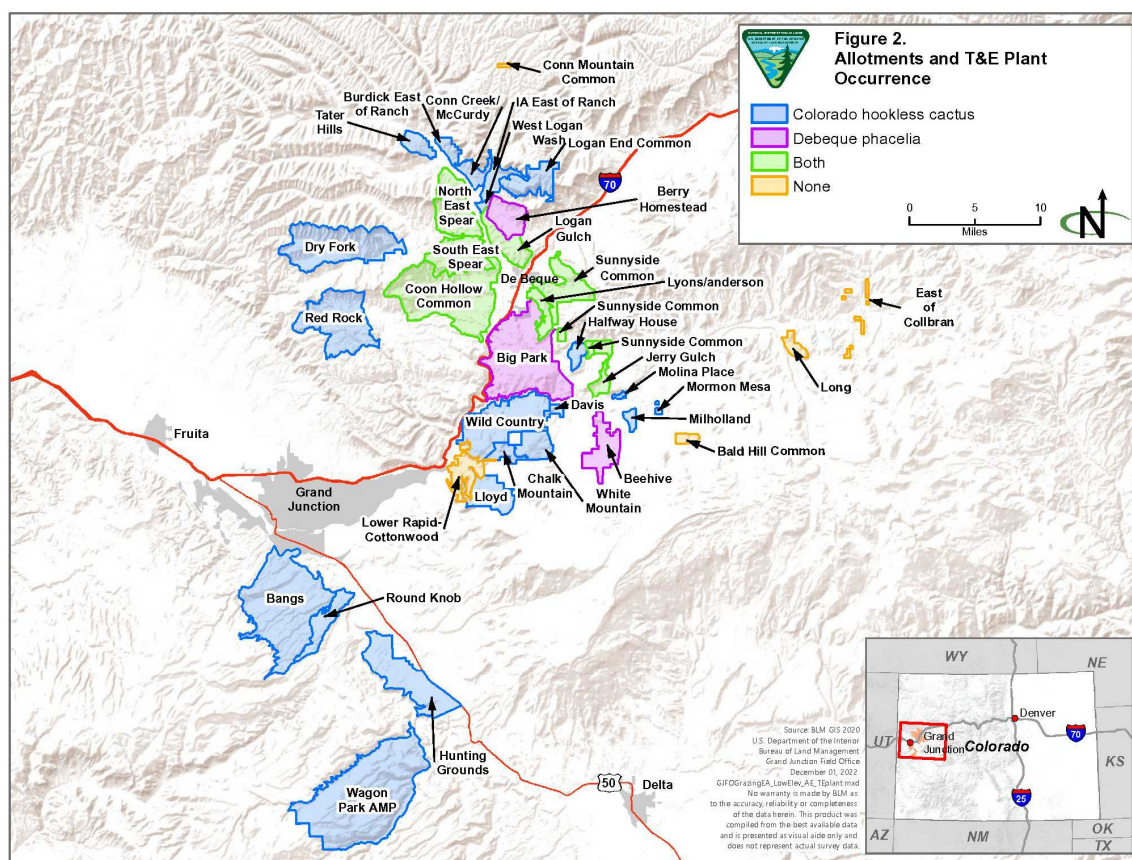
¹ Adapted from conservation measures in "Biological Opinion for Livestock Grazing Program Effects on Three Listed Plants in the Bureau of Land Management Grand Junction, Colorado River Valley, and Uncompahgre Field Offices".

Requirements for Listed Plants

Specific requirements pertaining to threatened and endangered plant species are those identified in the 2012 Biological Opinion for Livestock Grazing Program effects on Three Listed Plants (FWS 2012). These plants are:

- the federally threatened *Sclerocactus glaucus* (Colorado hookless cactus),
- the federally endangered *Eriogonum pelinophilum* (clay-loving wild buckwheat)
- the federally threatened *Phacelia submutica* (DeBeque phacelia)

The 2012 Biological Opinion identified a total of 49 allotments within the Project Area that contain Colorado hookless cactus, 12 of which also contained DeBeque phacelia. There are no allotments within the GJFO identified the 2012 Biological Opinion that were found to contain clay-loving wild buckwheat, and, therefore, therefore this species is not included in this proposal. Under the Proposed Action, the following conservation measures, as detailed in the 2012 Biological Opinion, would be included as additional terms and conditions to applicable allotments in the Project Area. The allotments containing Colorado hookless cactus or DeBeque phacelia are depicted in **Figure 2** and listed below.



ALTERNATIVE A – No Action (Current Management)

The No Action alternative represents the current management and conditions, which would persist if the proposed permit reissuance under new terms and conditions was not approved. Under this alternative, the permits would remain authorized under and, subject to the Federal Land Policy Management Act (FLPMA), as amended, with existing terms and conditions that do not contain current terms and conditions as outlined in the 2012 Biological Opinion. Permittees would be allowed to continue grazing as authorized under the terms and conditions currently in place per existing permits until the existing permits expire. Permit renewals would continue to occur on a case-by-case basis depending on condition of improvements and conformance with goals and objectives of allotment management as it relates to standards and guidelines for rangeland health.

ALTERNATIVE C – No Grazing Alternative

Under the No Grazing alternative, the public land acreage within the allotments would be devoted to a public purpose which precludes livestock grazing. The grazing permits would be canceled on all 36 allotments currently under consideration for permit reissuance under new terms and conditions, and use of the allotments by livestock would be discontinued. The permittee would be given 2 years' prior notification before their grazing permit and grazing preference would be canceled as provided for in 43 CFR 41.10.4-2.

No livestock grazing would be authorized after the termination date unless a new environmental analysis is completed which determines that livestock grazing could be authorized on all or some portion of the area. Any private acreage within the allotments or private lands in close proximity to the allotments could continue to be grazed at landowners' discretion; however, landowners would be required to keep their livestock off BLM-administered public lands, and additional fencing may be needed for landowners to prevent livestock from trespassing on BLM-administered lands. Livestock-related range improvements on public land would be abandoned and/or removed and reclaimed where there is no clear benefit to other programs.