

Categorical Exclusion Review
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Boise District Office
Bruneau Field Office

**Transfer of Grazing Preference from Owyhee Calcium Products
(GRN#1101614) to Owyhee Calcium Products (GRN#1102996)**

CE No.: DOI-BLM-ID-B020-2010-0004-CE	Lease/Serial/Case File No.: GRN #s 1101614, 1100265, 1102996
<p>Purpose and Need for Action: Owyhee Calcium Products (OCP) has submitted a Grazing Preference Application for permitted use attached to his current Rock House Ranch base property after expiration of his lease with John Anchustegui and also the subsequent sale of portions of the former Rock House Ranch base property.</p> <p>Owyhee Calcium Products would receive the 67 AUMs of permitted winter use in the Battle Creek Allotment that was originally issued under their September 27, 1999 Final Decision and analyzed in EA #ID-120-99-045. That use was reevaluated in the June 8, 2007 Battle Creek Evaluation and Determination and found current livestock grazing not to be a significant factor in not meeting Standards in portions of Pasture 8 where grazing is currently permitted. Owyhee Calcium Products would also receive the 278 AUMs of permitted winter use in the East Castle Creek Allotment that was reissued by their February 20, 2009 Final Decision and analyzed in Final EA #ID-120-2008-EA45. That use was evaluated in the May 21, 2008 East Castle Creek Evaluation and Determination and current livestock grazing was also found not to be a significant factor in not meeting Standards in Pasture 5B.</p> <p>OCP's permit and preference AUMS would now be attached to the remaining portion of Owyhee Calcium Products' Rock House property lying south and east of the Mud Flat and Shoofly Cutoff Roads. The permit would be run in common with those of two other permittees in winter Pasture 5B. OCP has had a satisfactory record of performance. Transfers are normally approved by BLM's authorized officer if these conditions are met in accordance with the grazing regulations (43 CFR 4130, Authorizing Grazing Use) and the National Environmental Policy Act.</p>	
<p>Description of Proposed Action: The Proposed Action is to modify the base property attachment for OCP's grazing permit through a base property transfer.</p>	
<p>Project Location: The Proposed Action involves the Battle Creek and East Castle Creek allotments, located near Grand View, Idaho, 50 miles south of Boise.</p>	
<p>Applicant (if any): Owyhee Calcium Products</p>	
<p>Part I – Plan Conformance Review</p> <p>This proposed Action is subject to the following land use plan: Bruneau MFP Date Plan Approved: June, 1983</p> <p>The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): RM-1.1, RM-1.3, RM-1.4, RM-3.1, RM-5.1, WS-1, WL-2.2, WL-3.3</p>	

Part II – NEPA Review

A. **Categorical Exclusion Review:** This proposed action qualifies as a categorical exclusion under 516 DM 11.5 D. (1). Category description: Approval of transfers of grazing preference

B. **Exceptions Review (Departmental List of Extraordinary Circumstances Review):** Review the 12 exceptions which apply to individual actions within categorical exclusion. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents **MUST BE PREPARED** for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

List of Exceptions

1. Have significant impacts on public health or safety.

Yes No Specialist Signature/Date: Michael Boltz 10/22/09

Comments/Explanation:

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; or ecologically significant or critical areas, or is not in compliance with the Fish and Wildlife Coordination Act.

Yes No Specialist Signature/Date: Michael Boltz 10/22/09

Comments/Explanation: Permitted winter use has been found to be compatible with these natural resources. The largest concentration of sensitive plants is now within an enclosure, which is also an ACEC. There are no natural water sources or wetlands within pastures where use would be permitted under this action. None of these other designations occur within the affected pastures.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

Yes No Specialist Signature/Date: Michael Boltz 10/22/09

Comments/Explanation: These areas have been grazed by domestic livestock since the 1840's, and use has been regulated and modified to maintain public values in successive actions since the Taylor Grazing Act in 1934.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes No Specialist Signature/Date: Michael Boltz 10/22/09

Comments/Explanation: Livestock use has occurred under BLM permits for over 70 years, and impacts have been documented and evaluated in several successive efforts for both allotments where transfer of the permit would occur. These are supplemented by a large body of scientific literature.

5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

Yes No Specialist Signature/Date: Michael Boltz 10/22/09

Comments/Explanation:

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.

Yes No Specialist Signature/Date: Michael Boltz 10/22/09

<i>Comments/Explanation:</i> Permitted winter grazing in these allotments and pastures has been found compatible with MFP objectives. Spring use in the Battle Creek winter pasture has recently been modified to conform to Idaho Guidelines for Livestock Grazing Management.		
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Lois Palmgren 11/23/09
<i>Comments/Explanation:</i>		
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or on designated Critical Habitat for these species.		
		Specialist Signature/Date for Plants: Holly Beck 11/23/09
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date for Wildlife: Bruce C. Schoeberl 11/24/09
		Specialist Signature/Date for Aquatics: Pam Druliner 11/24/09
Plants <i>Comments/Explanation:</i> The water haul site in East Castle Creek Pasture 5B has been moved to address sensitive plant impacts.		
Wildlife <i>Comments/Explanation:</i>		
Aquatics <i>Comments/Explanation:</i>		
9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 10/22/09
<i>Comments/Explanation:</i>		
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 10/22/09
<i>Comments/Explanation:</i>		
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 11/30/09
<i>Comments/Explanation:</i> Transfer of this permit does not authorize any surface occupancy, any transfer of surface management or ownership, or any change in surface access or surface impacts.		
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 11/30/09
<i>Comments/Explanation:</i> Cheatgrass is a well-documented long-term vegetation component within areas affected by this transfer. Other noxious weeds or invasive species are subject to ongoing cooperative weed control measures.		

I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part II (516 DM 2, Appendix 2) apply to this action; therefore, this categorical exclusion is appropriate for this situation.
Remarks:

Authorizing Official:  Date: 9/16/10

Name: Arnold L. Pike
Title: Bruneau Field Manager

Part III – Decision

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the proposed action, as described, with the mitigation measures either identified below or with the stipulation(s) described above.

Authorizing Official:  Date: 9/16/10

Name: Arnold L. Pike
Title: Bruneau Field Manager