

Categorical Exclusion Review

U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

Boise District Office
Four Rivers Field Office

Grazing Preference Transfer Dry Ridge Allotment (#00103)

CE No.: ID-110-2009-CE-3906	Lease/Serial/Case File Number: 1101088 (Gary Farrens) 1103449 (Philip & Heidi Farrens)																									
Purpose and Need for Action: To address the Grazing Preference Application and Preference Transfer Application filed by Philip and Heidi Farrens in accordance with the grazing regulations (43 Code of Federal Regulations (CFR) 4130, Authorizing Grazing Use) and the National Environmental Policy Act (NEPA).																										
Description of Proposed Action: Transfer the grazing preference of 8 active AUMs on the Dry Ridge Allotment (#00103) from Gary Farrens to Philip and Heidi Farrens, due to a base property purchase. Terms and conditions of the new permit (authorization: 1103449) would be consistent with the previous permit that was issued on November 27, 2006 (authorization: 1101088), and are identified below. Issuance of a grazing permit is a separate action and is addressed in the Determination of Land Use Plan Conformance and NEPA Adequacy (DNA) # ID-110-2009-DNA-3907; in accordance with 43 CFR 4130.2 and 4160.1.																										
<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th rowspan="2">Permittee</th> <th rowspan="2">Allotment</th> <th rowspan="2">Livestock</th> <th rowspan="2">Season of Use</th> <th rowspan="2">Percent Public Lands</th> <th colspan="3">Grazing Preference AUMs</th> </tr> <tr> <th>Active</th> <th>Suspended</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Philip & Heidi Farrens</td> <td>Dry Ridge (#00103)</td> <td>20 Cattle</td> <td>04/15-06/15</td> <td>32</td> <td>8</td> <td>0</td> <td>8</td> </tr> </tbody> </table>								Permittee	Allotment	Livestock	Season of Use	Percent Public Lands	Grazing Preference AUMs			Active	Suspended	Total	Philip & Heidi Farrens	Dry Ridge (#00103)	20 Cattle	04/15-06/15	32	8	0	8
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Philip & Heidi Farrens	Dry Ridge (#00103)	20 Cattle	04/15-06/15	32	8	0	8																			
<ol style="list-style-type: none"> 1. Livestock grazing for the Dry Ridge Allotment will comply with the Field Manager's Decision. 2. Authorized AUMs will not be exceeded on public lands. Livestock numbers and season of use, as shown above, indicate the maximum that will be allowed under this permit. The permittee has discretion to manage within these numbers, provided overuse does not occur on the public land. 3. Scheduled use changes require prior approval on an annual basis. From information provided in the annual application, a grazing bill will be prepared indicating authorized use for that year. 4. The annual actual use report is due within 15 days of completing your authorized annual grazing use. 5. The annual maintenance of range improvements will be completed prior to livestock entry of the allotment. 6. Turn-out date will be subject to range readiness. Range readiness occurs once the soils have firmed after the spring thaw, and the physiological requirements of the plants have been met. 7. Pursuant to 43 CFR 10.4(B), the permittee must notify the BLM Field Manager, by telephone followed with written confirmation, immediately upon the discovery of human remains, funerary objects, or objects of cultural patrimony on federal land. Pursuant to 43 CFR 10.4(c), the permittee must immediately stop any ongoing activities connected with the discovery and make a reasonable effort to protect the discovered remains or object. 8. Salt and/or mineral blocks shall not be placed on public lands within one quarter (1/4) mile of springs, streams, meadows, riparian habitats or aspen stands. 9. Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior. 10. They are subject to cancellation, in whole or in part, at any time because of: <ol style="list-style-type: none"> a. Noncompliance by the permittee/lessee with rules and regulations. b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based. 																										

- c. A transfer of grazing preference by the permittee/lessee to another party.
 - d. A decrease in the lands administered by the Bureau of Land Management within the allotment described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
11. They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits of leases when completed.
 12. Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
 13. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
 14. The permittee's/lessess's grazing case file is available for public inspection as required by the Freedom of Information Act.
 15. Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
 16. Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing can be made.
 17. Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.
 18. Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
 19. No Member of, or Delegate to, congress or Resident Commissioner, after his/her election of appointment, of either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of the Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App.1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom: and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

Project Location: The Dry Ridge Allotment (#00103) is located approximately 4 miles north of Cambridge, Idaho. Public land is found in T. 15 N., R. 3 W., Section 15

Applicant (if any): Philip & Heidi Farrens of, Cambridge, Idaho

Part I – Plan Conformance Review

This proposed Action is subject to the following land use plan: Cascade Resource Management Plan (RMP)

Date Plan Approved: July 1, 1988

Remarks: The proposed action is in conformance with the LUP, because it is clearly consistent with the Range Program Objectives and Recommendations within the Range Management Section of the Cascade RMP.

Part II – NEPA Review

- A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 11.9 D (Rangeland Management) for the (1) 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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Christina Handy</i> 10/21/2009
<i>Comments/Explanation:</i> The transfer of existing grazing privileges with no additional use(s) authorized is an administrative function with no effects to public health or safety.		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Mark E. Steiger</i> 10/21/2009
<i>Comments/Explanation:</i> The allotment contains no unique natural or cultural features that would be affected by this transfer, and no ecologically significant or critical areas occur in the general area of the allotment.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Christina Handy</i> 10/21/2009
<i>Comments/Explanation:</i> The proposed transfer of grazing privileges would result in no changes to current livestock grazing management; this is a routine administrative procedure. (EA#ID-2005-EA-010)		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Christina Handy</i> 10/21/2009
<i>Comments/Explanation:</i> Livestock grazing is an ongoing activity, the continuation of which poses no unique or unknown environmental risks. (EA#ID-2005-EA-010 pp 11-30., Appendix A7 pp. 3-4)		
5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Christina Handy</i> 10/21/2009
<i>Comments/Explanation:</i> Transfer of grazing preference without changes from the previous permit, is a routine administrative procedure. This action neither establishes a precedent for future actions nor represents a decision in principle about future actions with potentially significant environmental effects. A Rangeland Health Assessment, Evaluation and Determination of conformance with Idaho's Standards for Rangeland Health and Guidelines for Livestock Grazing Management and NEPA Assessment (EA#ID-2005-EA-010) for grazing permit renewal were completed on August 2006, and a DNA#ID-110-2009-DNA-3907 for issuance of the grazing permit will be completed (October 2009).		
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Christina Handy</i> 10/21/2009
<i>Comments/Explanation:</i> Transferring existing grazing preference with no changes from the current authorization is neither individually nor cumulatively significant. (EA#ID-2005-EA-010 pp.27-30)		
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: /s/ <i>Dean C. Shaw</i> 10/21/2009
<i>Comments/Explanation:</i> The affected grazing allotment contains no known properties listed, or eligible for listing, on the National Register of Historic Places.		
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.		

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date for Plants: /s/ <i>Mark E. Steiger</i> 10/21/2009 Specialist Signature/Date for Wildlife: /s/ <i>Helen Ulmschneider</i> 10/20/2009 Specialist Signature/Date for Aquatics: /s/ <i>Allen Tarter</i> 10/21/2009
Plants <i>Comments/Explanation:</i> No known federally listed, candidate, or BLM special status plant species occur within the area of the proposed action.		
Wildlife <i>Comments/Explanation:</i> No known federally listed or candidate wildlife species are known to be present. BLM special status wildlife species may occur within the affected area; however, the proposed transfer would not be expected to result in adverse impact because the proposed transfer of grazing privileges would result in no changes to current livestock grazing management. (EA #ID-110-2005-EA-010 p. 28)		
Aquatics <i>Comments/Explanation:</i> No known federally listed, candidate, or BLM special status aquatic species occur within the area of the proposed action.		
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: /s/ <i>Dean C. Shaw</i> 10/21/2009
<i>Comments/Explanation:</i> This routine administrative procedure is consistent and compatible with all known Federal, State, local and Tribal laws or requirements imposed for protection of the environment.		
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: /s/ <i>Christina Handy</i> 10/21/2009
<i>Comments/Explanation:</i> There are no known low income or minority populations in the area of the proposed action. However, if low income or minority populations do exist, the transfer of existing grazing privileges would not be expected to have a disproportionately high or adverse effect on these populations.		
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: /s/ <i>Dean C. Shaw</i> 10/21/2009
<i>Comments/Explanation:</i> There are no known ceremonial and/or sacred sites on public land in this allotment. However if sites were to be discovered in the future, the continuation of an ongoing activity would not limit access for ceremonial use of Indian sacred sites by Indian religious practitioners; nor would there be adverse affects to the physical integrity of sacred sites.		
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: /s/ <i>Lonnie Huter</i> 10/21/2009
<i>Comments/Explanation:</i> Transferring grazing privileges, for the continuation of current authorized grazing, would not cause additional influences to existing noxious weeds or non-native invasive species.		
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: The transfer of grazing privileges will allow for continued management of an existing allotment, with no changes to the previous grazing authorization or to on-the-ground management. Issuance of a grazing permit to Phillip and Heidi Farrens would be under a separate action and is addressed in DNA#ID-2009-DNA-3907; in accordance with 43 CFR 4130.2 and 4160.1.		
Authorizing Official: /s/ <i>Michael O'Donnell</i>		Date: 10/21/2009
Name: Michael O'Donnell Title: Acting Four Rivers Field Manager		

Part III – Decision

I have reviewed this plan conformance and NEPA compliance record statements above and have determined 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 approve the Grazing Preference Application and Preference Transfer Application submitted by Philip and Heidi Farrens.

Authorizing Official: /s/ *Michael O'Donnell*

Date: 10/21/2009

Name: Michael O'Donnell

Title: Acting Four Rivers Field Manager