

Categorical Exclusion Review
 U.S. DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 Boise District Office
 Four Rivers Field Office
Grazing Preference Transfer and Permit Issuance
Black Canyon Allotment #00176

CE No.: DOI-BLM-ID-B010-2010-0035-CX

Lease/Serial/Case File No.: 1100256, 1103578

Purpose and Need for Action:

To address the Grazing Preference Application and Preference Transfer Application filed by Dan Hanson, in accordance with the grazing regulations (43 CFR 4130, Authorizing Grazing Use) and the National Environmental Policy Act.

Description of Proposed Action: Transfer of the active grazing preference within the Black Canyon Allotment (#00176) from W. R. Little (#1100256) to Daniel Hanson (#1103578). The mandatory and other terms and conditions, for the current authorization (#1100256) for the allotment would remain the same as those for the new operator's authorization. The current permit was analyzed under EA#IDI-30404(Packer John Land Exchange) The transfer would occur as shown below:

From: Authorization # 1100256

Allotment Name/Number	Livestock #/Kind	Grazing Begin Date	Grazing End Date	% PL	Type Use	AUMs
Black Canyon (#00176)	202 Cattle	03/01	05/15	100	Active	505
	202 Cattle	11/15	02/28	100	Active	704
	Total AUMs					1,209

To: Authorization # 1103578

Allotment Name/Number	Livestock #/Kind	Grazing Begin Date	Grazing End Date	% PL	Type Use	AUMs
Black Canyon (#00176)	202 Cattle	03/01	05/15	100	Active	505
	202 Cattle	11/15	02/28	100	Active	704
	Total AUMs					1,209

Other Terms and Conditions:

Livestock grazing within black canyon allotment will be in accordance with final decision dated April 11, 2006.

Livestock grazing in west pasture will be restricted to the use period of November 15 to February 15 only.

The allotment(s) listed on this grazing permit are subject to the requirements of 43 CFR 4180 -- fundamentals of rangeland health and guidelines for grazing administration. This permit shall be modified (if necessary) to meet these requirements upon completion of a standard and guidelines assessment and determination as scheduled by the authorized officer.

For the black canyon allotment: livestock will be removed from the allotment within three days of notification if the following conditions occur; if the ground becomes soft and/or muddy, and if continued livestock use would result in the shearing or other physical damage to the vegetation or compaction of the soils.

Pursuant to 43 CFR10.4(b), the permittee must notify the blm field manager, by telephone with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred object, or objects of cultural patrimony on federal land. Pursuant to 43 CFR the permittee must immediately stop any ongoing activities connected with the discovery and make a reasonable effort of protect the discovered remains or objects.

Your certified actual use report is due within 15 days of completing your authorized annual grazing use.

Salt and/or supplement shall not be placed within one quarter (1/4) mile of springs, streams, meadows, aspen stands, playas or water developments.

Changes to the scheduled use requires prior approval.

Trailing activities must be coordinated with the BLM prior to initiation. A trailing permit or similar authorization may be required prior to crossing public lands.

Livestock exclosures located within your grazing allotment(s) are closed to all domestic grazing use.

Range improvements must be maintained in accordance with the cooperative agreements and range improvements permits in which you are a signator or assignee. All maintenance of range improvements within a wilderness study area requires prior consultation with the authorize officer.

All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turn-out.

Within west pasture- permittee shall place salt/supplement to minimize trampling of LEPA and of slickspots, respectively. Supplements will be placed at least 1/2 mile, preferably 3/4 mile if practicable from occurrences. Supplements that are attractants should be placed so that cattle will not trail though and element occurrence to the supplement. Attractants should be placed so that cattle are drawn away from the area of the element occurrence.

No trailing of livestock through element occurrence, or known populations, in the management area when soils are saturated. These populations have been marked with carsonite posts. Permittee will move cattle away from vicinity of EOs when soils become saturated.

Within west pasture - when soils become moist the livestock will be moved, before the soils become saturated, to a fenced pasture east of the element occurrence, or of known populations.

The Following Standard Terms and Conditions would also carry forward to the new permit:

1. 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.
2. They are subject to cancellation, in whole or in part, at any time because of:
 - 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(s) described.
 - e. Repeated willful unauthorized grazing use.
 - f. Loss of qualifications to hold a permit or lease.
3. 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 or leases when completed.
4. Those holding permits or leases **MUST** own or control and be responsible for the management of livestock authorized to graze.
5. The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
6. The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
7. 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.
8. 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 use can be made.
9. 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.
10. 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. 11. No Member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or 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.

This grazing permit: 1. conveys no right, title or interest held by the united states in any lands or resources 2. is subject to (a) modification, suspension or cancellation as required by land plans and applicable law; (b) annual review and modification of terms and conditions as appropriate; and (c) the Taylor Grazing Act, as amended, the federal land policy and management act, as amended, the public rangelands improvement act, and the rules and regulations now or hereafter promulgated thereunder by the secretary of the interior.

Project Location: T.6N R.4W Sec. 1 & 12; T.7N R.3W Sec.4-9, 16,17,20,21,28,29 (See Attachment 1 Map of Black Canyon Allotment #00176)

Applicant: #1103578

Part I – Plan Conformance Review

This Proposed Action is subject to the following land use plan: Cascade Resource Management Plan (CRMP)
Date Plan Approved: July 1, 1988

Remarks: The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, 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 (Rangeland Management) (1) approval of transfers of grazing preference. Category description: D. Range (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 applies 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: /s/ *Martin M. Espil* 3/24/2010

Comments/Explanation: This administrative transfer would not have any significant impacts on public health or safety. Livestock grazing is a recognized and authorized use, as identified in the Cascade Resource Management Plan (CRMP).

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: /s/ *Martin M. Espil* 3/18/2010

Comments/Explanation: This administrative action would not 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. The Long-billed Curlew Habitat ACEC is located throughout the Allotment. The CRMP identifies intensive livestock grazing as a management action to improve curlew habitat where vegetation is too high and too dense. This management action would not have significant impacts beyond those identified in the CRMP. A portion of Black Canyon Allotment (00176) occurs in LEPA (slickspot peppergrass) Management Area 1. Grazing in this pasture is restricted to November 15 to February 15 to minimize potential trampling impacts to slickspots.		
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>Martin M. Espil</i> 3/18/2010
<i>Comments/Explanation:</i> This administrative action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)]. All known conflicts and controversial effects (such as climate change and OHV/livestock grazing) are managed under the CRMP and the grazing permit's terms and conditions.		
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>Martin M. Espil</i> 3/18/2010
<i>Comments/Explanation:</i> This administrative action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. Environmental effects such as climate change, and potential listing of candidate species, would be addressed in future documents as scientific literature and studies indicate, and would be implemented specific to the actions being proposed. An administrative action to continue an existing, managed action under identical terms and conditions would not change or increase existing effects or risks identified in the existing CRMP.		
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>Martin M. Espil</i> 3/18/2010
<i>Comments/Explanation:</i> This administrative action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects. The proposed action would allow for the continued use as identified in the CRMP, and the existing permit's terms and conditions. The transfer would be implemented as authorized by currently existing Federal Regulations, for livestock grazing/management. Future actions would not be affected or set by this action, as it is already in place and no changes to current actions are being proposed or implemented.		
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>Martin M. Espil</i> 3/18/2010
<i>Comments/Explanation:</i> This administrative action does not have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects. The impacts of livestock grazing in conjunction or cumulatively with other on-the ground activities are already occurring, and would continue at the current rate and intensity as the existing permitted actions.		
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> 3/26/2010
<i>Comments/Explanation:</i> This administrative action would not 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.		
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. Steigen</i> 4/14/2010 Specialist Signature/Date for Wildlife:/s/ <i>Helen Umschneider</i> 3/16/2010 Specialist Signature/Date for Aquatics:/s/ <i>J. Allen Tarter</i> 4/13/2010
<i>Plants Comments/Explanation:</i> Livestock management under the existing permit provides adequate protection to slickspot peppergrass and potential slickspot peppergrass habitat. Current management would not change with the implementation of the grazing permit transfer.		

Wildlife <i>Comments/Explanation</i> : The Long-billed Curlew Habitat ACEC is located throughout the Allotment. The CRMP identifies intensive livestock grazing as a management action to improve curlew habitat where vegetation is too high and too dense. Other special status wildlife species like the ferruginous hawk are also likely to occur in the allotment. However, this grazing preference transfer application would not have significant impacts to long-billed curlews (type 5 watch species) or any other special status species that could occur within the allotment.		
Aquatics <i>Comments/Explanation</i> : No aquatic resources are present in this allotment.		
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> 3/26/2010
<i>Comments/Explanation</i> : This administrative action would not violate a Federal, State, local, or tribal law or requirement imposed for the 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>Martin M. Espil</i> 3/18/2010
<i>Comments/Explanation</i> : This administrative action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). There are no low income or minority populations living in the allotment. Low income or minority visitors to the area would not be affected any differently by the proposed activity than any other visitor.		
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> 3/26/2010
<i>Comments/Explanation</i> : This administrative action would not 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).		
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>Lannie Huten</i> 3/18/2010
<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 would allow for continued management of an existing allotment, with no changes to the previous grazing authorization, terms and conditions, preference, or to on-the-ground management. Issuance of a grazing permit to Dan Hanson would be compliant with 43 CFR 4130.1-1(2).		
Authorizing Official:		Date: <i>8/4/2010</i>
Name: <i>Terry Humphrey</i>		
Title: Four Rivers Field Office 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 Dan Hanson (#1103578). This permit or lease is issued under the authority of Section 416, Public Law 111-88 and contains the same mandatory terms and conditions as the expired or transferred permit or lease. This permit or lease may be canceled, suspended, or modified, in whole or in part to meet the requirements of applicable laws and regulations.

Mitigation Measures/Other Remarks: None

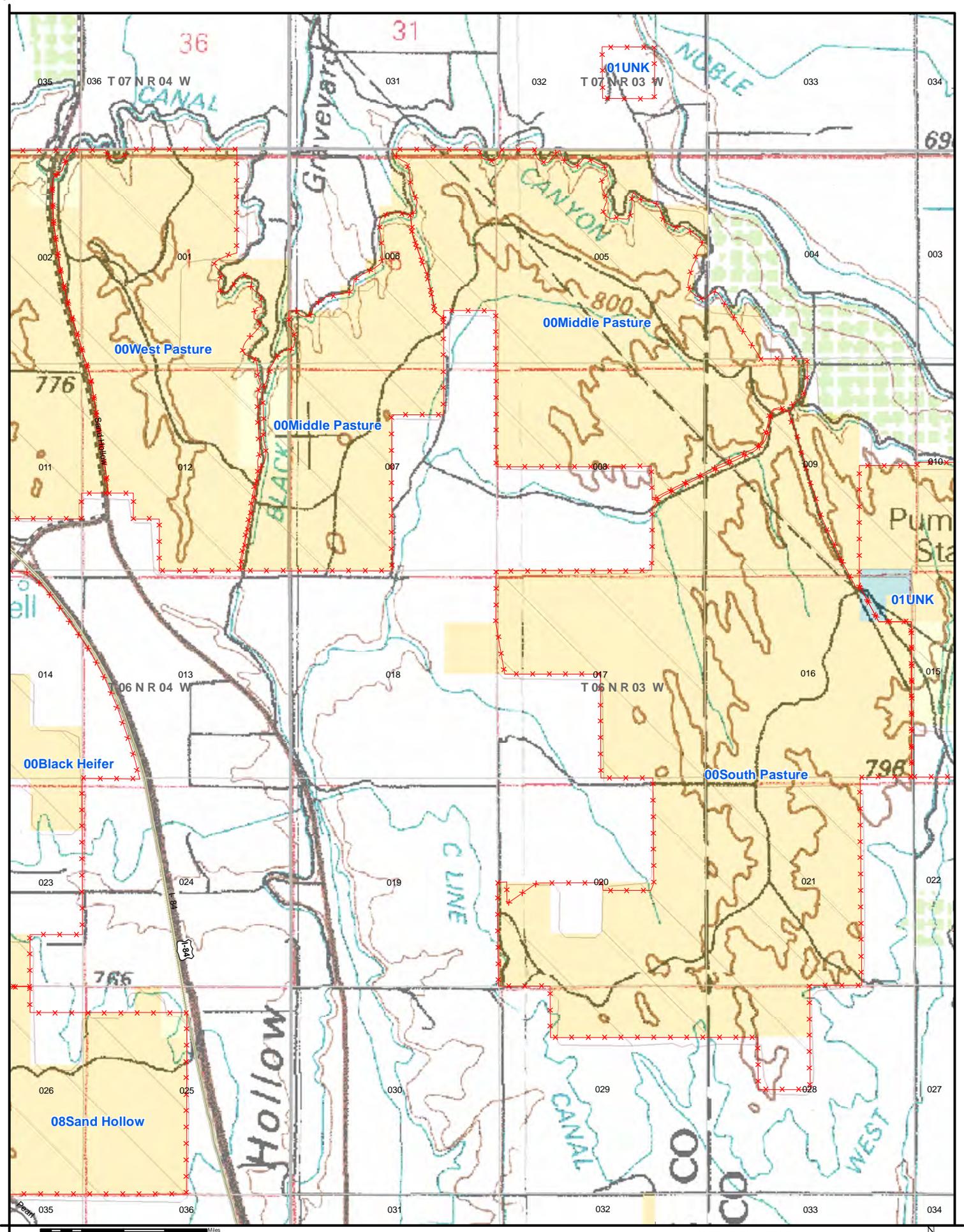
Remarks: None

Authorizing Official:

Date: *8/4/2010*

Name: *Terry Humphrey*

Title: Four Rivers Field Office Manager



Map Legend

	000 Allotment		BLM		NWR		STATEFG
	000 Private Land		BLM		PRIVATE		STATE
	ML		STATEFG		TOWNSHIP_BOUNDARY		SECTION_BOUNDARY
	WATER		WATER		WATER		WATER



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