

**Categorical Exclusion Review**  
UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Twin Falls District  
Jarbidge Field Office  
2536 Kimberly Road  
Twin Falls, ID 83301

**Grazing Preference Transfer for the Juniper Butte (#01119) Allotment**

**NEPA No. DOI-BLM-ID-T010-2013-0005-CX**

**A. Background**

**BLM Office:** Jarbidge Field Office

**Lease/Serial/Case File No.:** 1100356

**Proposed Action Title/Type:** Grazing Preference Transfer for the Juniper Butte (#01119) Allotment.

**Location of Proposed Action:** The Juniper Butte (#01119) Allotment is located in Owyhee County, Idaho approximately 9 miles Northwest of Three Creek, Idaho.

**Legal Description:** T. 13 S, R. 9 E, Sections Multiple  
T. 14 S, R. 9 E, Sections Multiple  
T. 13 S, R. 10 E, Sections Multiple  
T. 14 S, R. 9 E, Sections Multiple

**BLM Acres:** 18,178

**Description of Proposed Action:** Transfer the grazing preference on for the Juniper Butte (#01119) Allotment from Brackett Ranches, LTD to Cherry Creek Ranch LLC.

| Allotment Name | Allotment # | Active AUMs | Suspended AUMs | Permitted AUMs |
|----------------|-------------|-------------|----------------|----------------|
| Juniper Butte  | 01119       | 3528        | 0              | 3528           |

Cherry Creek Ranch, LLC has applied to transfer grazing preference from Brackett Ranches, LTD on the Juniper Butte (#01119) Allotment. Brackett Ranches, LTD have transferred the base property attached to this permit to Cherry Creek Ranch, LLC.

Therefore, in accordance with 43 CFR 4110.2-3, the Proposed Action is to approve the transfer of grazing preference from Brackett Ranches, LTD to Cherry Creek Ranch, LLC as applied. No changes to current livestock grazing management and terms and conditions were requested by the applicant. All terms and conditions would be exactly as identified on the previous grazing permit #110356.

As a result of a Memorandum Decision and Order by Chief Judge Winmill dated July 22, 2011, the Juniper Butte (#1119) Allotment is managed under the Interim Grazing Management Plan

(IGMP) (dated March 2012) until their grazing permit renewal decision is final. Livestock must also be managed pursuant to an Annual Grazing Plan (AGP) implemented at the beginning of each grazing year (March 1). The IGMP provides that the Active Use be limited to 2300 Animal Unit Months (AUMs).

Terms and Conditions of the transferred permit would remain exactly as identified on the existing permit. The Mandatory Terms and Conditions are as follows:

| Allotment Name | Allotment # | Number and Kind of Livestock | Begin Date | End Date | % PL | Type Use | AUMs |
|----------------|-------------|------------------------------|------------|----------|------|----------|------|
| Juniper Butte  | 01119       | 294 Cattle                   | 03/01      | 02/28    | 100  | Active   | 3528 |

## B. Land Use Plan Conformance

**Land Use Plan Name:** Jarbidge Resource Management Plan.

**Date Approved/Amended:** March 23, 1987.

The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): The overall objective of the range program is to maintain or improve the soil, vegetation and watershed conditions within the resource area and to provide forage for livestock, wildlife, and wild horses. Furthermore, the proposed stocking rates are designed to provide adequate forage for watershed protection, plant requirements, wildlife, livestock and other resource uses.

The Proposed Action has been reviewed for conformance with the plan (43 CFR 1610.5, BLM MS 1617.3)

## C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (D)1. Category description: "Approval of transfers of grazing preference."

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply. The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents must be prepared for actions which may:

1. Have significant impacts on public health or safety.

Yes  No

*Comments/Explanation:* 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  No

*Comments/Explanation:* The transfer of grazing preference would not have significant impacts beyond those identified in the Jarbidge Resource Management Plan.

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

Yes  No

*Comments/Explanation:* The proposed transfer of grazing privileges is a routine administrative procedure that would not change the grazing management on the allotment. Grazing management would remain in compliance with the Jarbidge Resource Management Plan.

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

Yes  No

*Comments/Explanation:* Livestock grazing is an ongoing activity, the continuation of which poses no unique or unknown environmental risks.

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

Yes  No

*Comments/Explanation:* Transfer of grazing preference is a routine administrative procedure that would not change the grazing management on the allotment. This action neither establishes a precedent for future actions nor represents a decision in principle about future actions with potentially significant environmental effects.

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

Yes  No

*Comments/Explanation:* Due to its administrative nature, transferring existing grazing preference would be neither individually nor cumulatively significant.

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  No

*Comments/Explanation:* No known listed or eligible National Register properties are being significantly affected by livestock or livestock operations within the allotment.

**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  No

Plants - *Comments/Explanation:* No known federally listed, candidate, or BLM special status plant species would be significantly impacted by the Proposed Action.

Wildlife - *Comments/Explanation:* No known federally listed, candidate, or BLM special status wildlife species would be significantly impacted by the Proposed Action.

Aquatics - *Comments/Explanation:* No known federally listed, candidate, or BLM special status aquatic species would be significantly impacted by the Proposed Action.

**9.** Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.

Yes  No

*Comments/Explanation:* 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  No

*Comments/Explanation:* 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  No

*Comments/Explanation:* 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  No

*Comments/Explanation:* Transferring grazing privileges, for the continuation of current authorized grazing, would not cause additional influences to existing noxious weeds or non-native invasive species.

BLM Interdisciplinary Team Authors and Reviewers are as follows:

| Name            | Title                                       | Area(s) of Participation                            | Initials |
|-----------------|---|---|----------|
| Krystle Pehrson | Wild Horse & Burro Specialist               | Project Lead, Range Management                      | KAP      |
| Ken Crane       | Supervisory Rangeland Management Specialist | Range Management                                    | KJC      |
| Jeff Ross       | Archaeologist                               | Cultural Resources                                  | JR       |
| Thomas Stewart  | Botanist                                    | Vegetation, Soils, Invasive Species                 | TES      |
| Michael Haney   | Wildlife Biologist                          | Wildlife  | MH       |
| Darek Elverud   | Fisheries Biologist                         | Aquatics, Wetlands, Riparian                        | DE       |
| Max Yingst      | Outdoor Recreation Planner                  | Recreation, Wilderness, Wild and Scenic Rivers, VRM | MY       |

#### D. Signature

I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part C apply to this action; therefore, this categorical exclusion is appropriate for this situation.

Authorizing Official:     /s/ Brian W. Davis     Date:     02/05/2013    

Name: Brian W. Davis

Title: Jarbidge Field Manager

#### Contact Person

For additional information concerning this CX review, contact Krystle Pehrson, Wild Horse and Burro Specialist, (208)736-2363, Bureau of Land Management, 2536 Kimberly Road, Twin Falls, ID 83301.