

CATEGORICAL EXCLUSION (CE)

PROJECT NAME: Transfer of Grazing Privileges – Rodger Swanson – Baldy Basin (06203) & Lower Basin Allotment (06202)

APPLICANT: Rodger Swanson

PROJECT LEAD: Mark Bonner

NEPA (CE) NUMBER: DOI-BLM-ID-1040-2013-0007- CX

PROPOSED ACTION: Transfer of grazing privileges from Mabey ranch to Clarence Swanson Estate; c/o Rodger Swanson (Baldy Basin Allotment) and Clarence Swanson Estate to Mabey ranch.

CONSULTATION and COORDINATION: Rodger Swanson

FINDING or RECOMMENDATION:

The proposed action is categorically excluded as outlined in 516 DM 11.9 D (1), which states approval of transfer of grazing preference, CFR 4110.2-3 and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply.

DECISION and RATIONALE FOR THE DECISION:

Mandatory Terms and Conditions

Lower Basin #06202	153 Cattle	05/16-06/15	91% Active	142 AUMs
	32 Cattle	06/16-09/30	91% Active	102 AUMs

Allotment Summary (AUMs)

Lower Basin #06202	242 Active	60 Suspended	302 Total AUMs
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Other Terms and Conditions:

All use for the Lower Basin Allotment will be in accordance with the annual operating plan for the Lower Basin Allotment.

This permit or lease is issued under the authority of Section 416, Public Law 111-88 and contains 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.

As provided in 43 Code of Federal Regulations (CFR) 4130.3-2 (d), you are hereby required to submit a certified actual use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or in part.

Mandatory Terms and Conditions

Baldy Basin #06203 112 Cattle 05/16 – 06/15 100% PL Active 114 AUMs
 167 Cattle 06/16 – 09/30 100% PL Active 587 AUMs

Allotment Summary (AUMs)

Baldy Basin #06203 700 Active 266 Suspended 966 Total AUMs

Other Terms and Conditions:

Use on the Baldy Basin Allotment will be limited to 1,740 AUMs.

The Baldy Seeding will not be grazed until May 23 at least every third year. The Maybe Seeding/Lower Cherry Spring pastures will not be grazed until May 23 at least every third year. At least one of these pastures will be deferred every year until May 23. Grazing use can occur in the Baldy Basin pasture until July 25 for a maximum of 20 days, or for a maximum of two weeks after July 25, for the next five grazing seasons, beginning in 2009. At the end of the fifth grazing season, monitoring will determine whether the season of use shown above may continue. The goal is to increase bank stability from 40% to 50% and number of sedge (*Carex* Spp.) dominated plots measured in the Baldy Basin key area (as measured by the multiple indicator monitoring protocol) from the current 33% to 40%. If these criteria are not met, then the following term & condition will apply: Grazing use will occur in the Baldy Basin pasture until July 15 for a maximum of 30 days, or after July 15 for a maximum of 14 days.

No grazing use is permitted in any of the enclosures on the allotment unless approved by the authorized officer.

Supplemental feeding is limited to salt, mineral, and/or energy/protein in block, granular, or liquid form. If used on public land, these supplements must be placed at least one-quarter (1/4) mile away from any riparian area, spring, stream, meadow, aspen stand, sensitive plant populations, playa, or water development located on public land unless a variance is approved by the authorized officer.

As provided in 43 Code of Federal Regulations (CFR) 4130.3-2 (d), you are hereby required to submit a certified actual use report within 15 days after completion of your annual grazing use. Failure to comply could result in the cancellation of your permit in whole or in part.

LAND USE PLAN CONFORMANCE STATEMENT:

Livestock grazing has been identified in the Lemhi Resource Management Plan (RMP), September 1987, as amended in 2001.

APPEALS INFORMATION:

Refer to 43 Code of Federal Regulations (CFR), Part 4160 for appeals information.

/s/ Mark Bonner 4/12/2013
Preparer signature and Date

/s/ A. Scott Feldhausen 4/30/2013
NEPA Reviewer signature and Date

/s/ Linda R. Price 5/2/2013
Field Manager signature and Date

Extraordinary Circumstances Requiring Preparation of an EA or EIS

(516 DM 2, Appendix 2)

The action described in categorical exclusion # DOI-BLM-ID-1040-2013-0007-CX has been reviewed to determine that none of the extraordinary circumstances listed below pertain to the proposed action.

DM #	Extraordinary Circumstance
2.1	Have significant impacts on public health or safety
2.2	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; and other ecologically significant or critical areas.
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
2.7	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.

DM #	Extraordinary Circumstance
2.8	Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.
2.9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
2.10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
2.11	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).
2.12	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).