

CATEGORICAL EXCLUSION (CE)

PROJECT NAME: Transfer of Grazing Privileges – Elizabeth Hutchinson Estate to Barbara and Gary Mayberry; c/o Troy Olson - Poison Creek Allotment (14406)

APPLICANT: Gary and Barbara Mayberry

PROJECT LEAD: Mark Bonner

NEPA (CE) NUMBER: DOI-BLM-ID-I040-2014-0002-CX

PROPOSED ACTION: Transfer of grazing privileges to Barbara and Gary Mayberry, c/o Troy Olson from Elizabeth Hutchinson Estate; due to deed of distribution by personal representative and transfer of base property.

CONSULTATION and COORDINATION: Barbara and Gary Mayberry; Troy Olson

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

14406 Poison Creek	165 Cattle	04/27 to 06/15	100%	Active	271 AUMs
	165 Cattle	10/24 to 11/11	100%	Active	103 AUMs

Allotment Summary (AUMs)

Poison Creek #14406 367 Active 0 Suspended 367 Total AUMs

Other Terms and Conditions

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

This permit or lease is issued under the authority of Public Law 112-74, as extended in Sections 101 and 103 of Public Law 113-46, Continuing Appropriations Act, 2014. This permit or lease contains the same 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 part.

LAND USE PLAN CONFORMANCE STATEMENT:

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

APPEALS INFORMATION:

Refer to 43 Code of Federal Regulations (CFR), Part 4 for appeals information

/s/ Mark Bonner, Preparer

Date: 12/17/2013

/s/ A. Scott Feldhausen, NEPA Reviewer

Date: 1/09/2014

/s/ Linda R. Price, Field Manager

Date: 1/10/2014

Extraordinary Circumstances Requiring Preparation of an EA or EIS

The action described in categorical exclusion DOI-BLM-ID-I040-2014-0002-CX has been reviewed to determine if any of the following extraordinary circumstances listed below apply, as listed in the Departmental NEPA regulations (43 CFR 46.215).

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.
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).