

CATEGORICAL EXCLUSION DOCUMENTATION

CX No. DOI-BLM-ID-B010-2013-0032-CX

A. BACKGROUND

BLM Office: Four Rivers Field Office, Boise District

Lease/Serial/Case File No.: 1102835 and 1101678

Proposed Action Title/Type: Sunnyside Spring/Fall (00825), Sunnyside Winter (00826), and Big Foot Butte (01341) Allotments Grazing Preference Transfer

Location of Proposed Action: The approximate center points of the Sunnyside Spring/Fall (00825), Sunnyside Winter (00826), and Big Foot Butte (01341) allotments, respectively, are located 15, 30, and 26 miles south of Boise, Idaho (Map 1).

Description of Proposed Action: Transfer of 5,198 AUMs of active grazing preference for the Sunnyside Spring/Fall Allotment, 3,484 AUMs of active grazing preference for the Sunnyside Winter Allotment, and 265 AUMs of active grazing preference for the Big Foot Butte Allotment from Thomas T. Nicholson (Operator #: 1102835) to TFI, LP (Operator #: 1101678). The Terms and Conditions of the new permit would be consistent with the previous permit. Thomas T. Nicholson and Diana R. Nicholson have, through Warranty Deed, transferred legal title and control of the base properties to which the grazing preference in the allotments are currently attached. Per CFR 4110.2-3, TFI, LP. has paid the appropriate fee, and submitted an application for the grazing privileges in the allotments.

B. LAND USE PLAN CONFORMANCE

Land Use Plan Name: Snake River Birds of Prey National Conservation Area Resource Management Plan and Record of Decision (RMP) for the Sunnyside Winter, Bigfoot Butte, and a portion of the Sunnyside Spring/Fall allotments and Kuna Management Framework Plan (MFP) for the northern portion of the Sunnyside Spring/Fall Allotment.

Date Approved or Amended: September 30, 2008 (RMP) and March 30, 1983 (MFP)

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 Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the Livestock Grazing Objective in the RMP which provides that "Livestock grazing would be managed to maintain or enhance prey habitat and reduce competition for forage in perennial pastures between livestock and Piute ground squirrels." Range Management objectives 1 and 2 in the MFP recognize livestock grazing as a permitted use in the planning area.

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. Rangeland Management

Category Description: D. Rangeland Management, 1) Approval of transfers of grazing preference.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances that would introduce potential effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM6 apply.

The following list of Extraordinary Circumstances (516 DM 2, Appendix 2) was considered:

1. Have significant impacts on public health or safety.

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 RMP and MFP.

Specialist Signature/Date /s/ Mike Barnum, Rangeland Mgmt. Spec. 11/15/13

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.

Comments/Explanation: The three allotments are in the Morley Nelson Snake River Birds of Prey National Conservation Area (NCA). The RMP determined that livestock grazing is a compatible use with the primary objectives of maintaining or enhancing raptor populations and prey habitat. The Sunnyside Spring/Fall and Sunnyside Winter allotments provide habitat for slickspot peppergrass (proposed critical, occupied, and slickspot peppergrass habitats), a species proposed for listing under the Endangered Species Act (ESA). The current permits have terms and conditions that specifically address livestock management in occupied slickspot peppergrass habitat. This administrative action would not alter currently permitted grazing that adequately addresses these resource concerns. No other unique or important resources are present in the allotments.

Specialist Signature/Date: /s/ J. Allen Zarter, Natural Resources Specialist, 1/13/14

Specialist Signature/Date: /s/ Jill C. Holderman, Wildlife Biologist, 1/13/14

Specialist Signature/Date: /s/ Mark Steiger, Botanist, 1/13/14

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

Comments/Explanation: Alternative uses of available resources are set forth in the RMP. There would be no known unresolved conflicts as a result of the transfer of the grazing preference.

Specialist Signature/Date /s/ Mike Barnum, Rangeland Mgmt. Spec. 11/15/13

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

Comments/Explanation: 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 land use plans.

Specialist Signature/Date: /s/ Mike Barnum, Rangeland Mgmt. Spec. 11/15/13

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

Comments/Explanation: Livestock grazing under the current terms and conditions (kind, dates, AUMs) has been fully analyzed in the land use plans. A grazing preference transfer, without changes to the permits, is considered an administrative action. Further, the conditions for transfer of the current grazing preference are in conformance with CFR 4110.1, 4110.2, 4110.2-3 and 4120.

Specialist Signature/Date: /s/ Mike Barnum, Rangeland Mgmt. Spec. 11/15/13

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

Comments/Explanation: A grazing preference transfer would neither add to nor detract from current grazing practices in the allotments or adjacent areas. Therefore, cumulative impacts to the area would remain unchanged.

Specialist Signature/Date: /s/ Mike Barnum, Rangeland Mgmt. Spec. 11/15/13

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.

Comments/Explanation: This administrative action would not impact any listed or eligible sites.

Specialist Signature/Date: /s/ Dean C. Shaw, Archaeologist, 1/13/2014

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.

Comments/Explanation: Slickspot peppergrass (Type 1), Davis' peppergrass (Type 3), and woven-spore lichen (Type 2) are present in the allotment. This administrative action would not affect special status plant species.

Plants Specialist Signature/Date: /s/ Mark E. Steiger, Botanist, 1/13/14

Comments/Explanation: No known federally listed, proposed or candidate wildlife species are known to be present. The yellow billed cuckoo (proposed for listing under the ESA) is not known to occur along the stretch of the Snake River the Sunnyside Winter Allotment encompasses. However, because livestock grazing is not permitted along the riverfront portions of the allotment, it is not likely that the species would be adversely affected by the proposed action. Greater sage-grouse (candidate species) does not occur within or adjacent to the allotments.

Other BLM special status wildlife species and migratory birds (e.g., golden eagle, bald eagle, and ferruginous hawk) occur within the affected area and are protected under *Special Status Species Management Manual for the Bureau of Land Management* (BLM Manual 6840); the *Migratory Bird Treaty Act, Executive Order 13186*; *BLM Memorandum of Understanding WO-230-2010-04* (between BLM and US Fish and Wildlife Service); and the *Bald and Golden Eagle Protection Act of 1940 as amended* (16 USC 668-668d). The proposed transfer would not be expected to result in adverse impacts because it would not change current livestock grazing management.

Wildlife Specialist Signature/Date: /s/ Jill C. Holderman, Wildlife Biologist, 1/13/14

Comments/Explanation: The Snake River physa snail (an endangered species) is known to occur within portions of the Snake River between Minidoka Dam at Declo, Idaho and Ontario, Oregon. However, because livestock grazing is not permitted along the riverfront portions of the Sunnyside Winter Allotment, the species would not be adversely affected by the proposed action. No other federally listed, candidate, or BLM special status aquatic species occur within the allotments.

Aquatics Specialist Signature/Date: /s/ J. Allen Tarter, Natural Resources Specialist 1/13/14

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

Comments/Explanation: This administrative action would be consistent and compatible with all known Federal, State, local and Tribal laws or requirements imposed for protection of the environment.

Specialist Signature/Date: /s/ Dean C. Shaw, Archaeologist, 1/13/14

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

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 preference would not be expected to have a disproportionately high or adverse effect on these populations.

Specialist Signature/Date: /s/ Mike Barnum, Rangeland Mgmt. Spec. 11/15/13

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).

Comments/Explanation: This grazing transfer would not limit access to, or ceremonial use of Indian sacred sites on Federal lands, or adversely affect the physical integrity of such sites.

Specialist Signature/Date: /s/ Dean C. Shaw, Archaeologist, 1/13/14

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).

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

Specialist Signature/Date: /s/ Louie R. Huter, Weed Mgmt. Spec. 1/13/14

D: SIGNATURE

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.

Authorizing Officials:

/s/ Patricia Roller
Name

1/13/2014
Date

Patricia Roller
NCA Manager
Morley Nelson Snake River Birds of Prey NCA

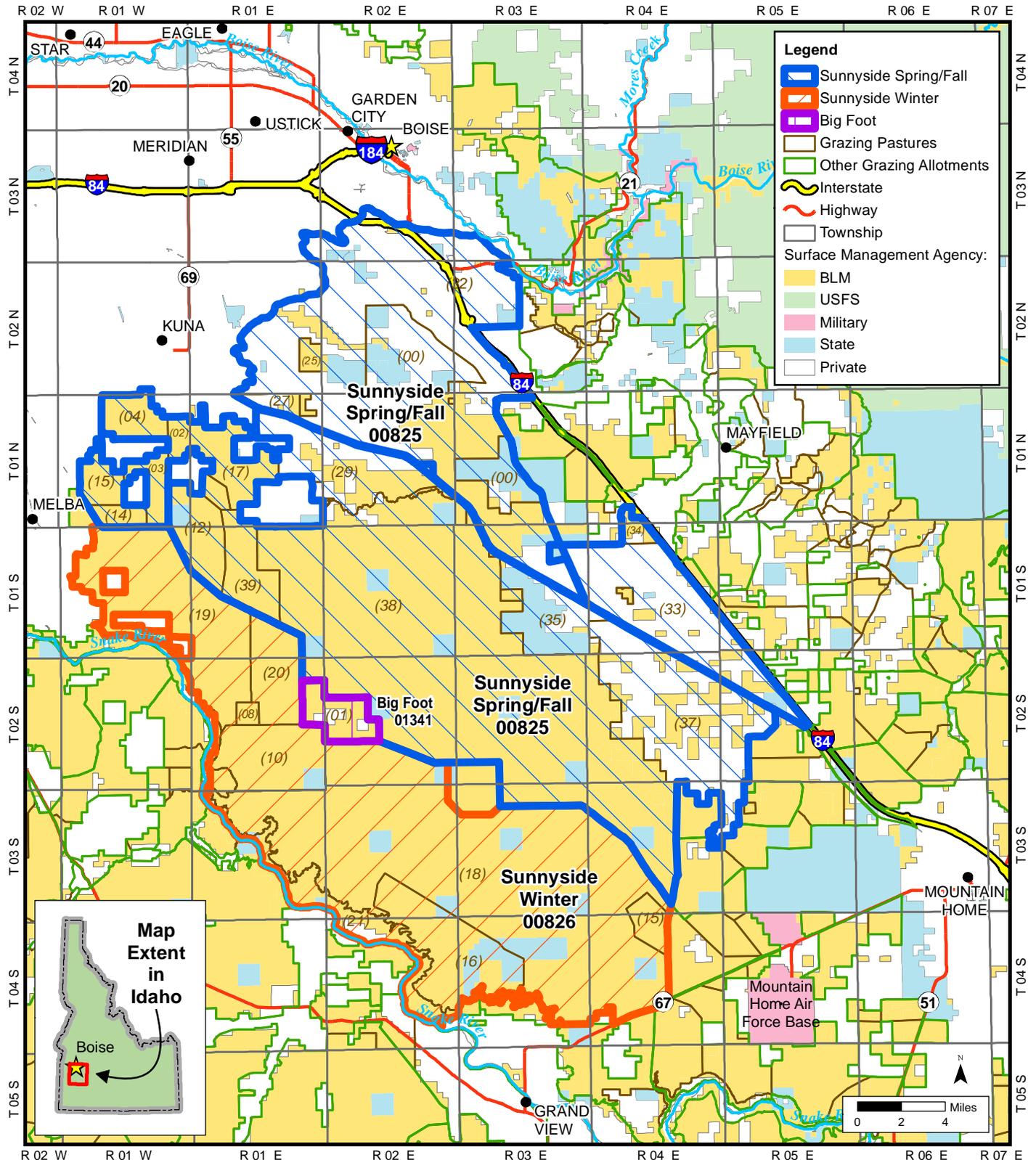
/s/ Matthew McCoy
Name

1/15/2014
Date

Matthew McCoy
Assistant Field Manager
Four Rivers Field Office

Prepared By/Contact Person: J.M. Mike Barnum – 208-384-3218

Sunnyside Spring/Fall (00825), Sunnyside Winter (00826), & Big Foot Butte (01341) Allotments Grazing Preference Transfer: T. Nicholson to TFI, LP.





U.S. Department of the Interior
Bureau of Land Management, Idaho
Boise District, Four Rivers Field Office
Map date: December 23, 2013



No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed. This map cannot be made Section 508 compliant. For help with its data or information, please contact the BLM Idaho State Office webmaster at (208) 373-4000.