

U.S. Department of the Interior, Bureau of Land Management
Kremmling Field Office
2103 E. Park Ave, PO Box 68, Kremmling, CO 80459

CATEGORICAL EXCLUSION
Grazing Preference Transfer - Jacques to Fosha
DOI-BLM-CO-N02-2015-0009-CX

Identifying Information

Project Title: Transfer of Grazing Preference #0504913, that authorizes grazing on allotment 07511 (Forester B) and allotment 07589 (Forester A) from Janet Jaques to Kenneth H. & Randy Sue Fosha

Legal Description:

Grand County, Colorado.

BLM Allotments #07589 (Forster A) and #07511 (Forster B) include all or part of the following:

Allotment # 07589 (Forster A)

T. 2 N., R. 77 W., 6th P.M., Sections 28 and 29

Allotment # 07511 (Forster B)

T. 2 N., R. 77 W., 6th P.M., Sections 5, 6, 7, 8, 17, 18, 19, 20, 21, 28, and 29

T. 2 N., R. 78 W., 6th P.M., Sections 12 and 13

Applicant: Kenneth H. & Randy Sue Fosha

Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock grazing pages 6 through 8, as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level of livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority.

“The enclosed permit or lease is issued under the authority of Section 411, PL 113-76 as the result of a transfer of grazing preference and contains the same terms and conditions as the previous 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.”

Proposed Action

Project Components and General Schedule

The Proposed Action would transfer BLM livestock grazing permit #0504913 including the base property and the grazing preference on allotments #07589 (Forster A) and #07511 (Forster B) from Janet Jacques to Kenneth H. & Randy Sue Fosha for a period of 10 years. The permit would be in effect from March 1, 2015 to February 28, 2025. The lease includes the BLM grazing preference which would authorize livestock grazing to the following extent:

Allotment	Livestock Number	Kind	Season of Use	Percent Public Land	*AUMs
07589 (Forster A)	5	Cattle	06/01-09/30	100	20
07511 (Forster B)	38	Cattle	06/01-09/30	100	152

*AUM (animal unit month) = the amount of forage needed to sustain one cow and calf for one month.

No changes would be made to the number or kind of livestock, season of use, or number of AUMs on allotments # 07589 (Forster A) and #07511 (Forster B) as a result of this transfer. All conditions of the permit would be transferred.

Categorical Exclusion Review

The Proposed Action qualifies as a categorical exclusion under 516 DM 11.0, D (1): “Approval of transfers of grazing preference”.

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X

Extraordinary Circumstance	YES	NO
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations.		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) 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.		X

Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 01/08/2015. A complete list of resource specialists who participated in this review is available upon request. The table below lists resource specialists who provided additional review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Bill Wyatt	Archaeologist	Cultural Resources, Native American Religious Concerns	1/22/2015
Darren Long	Wildlife Biologist	Special Status Plant and Wildlife Species	1/21/2015
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian Resources	1/14/2014
Neilie Goodwin	Rangeland Management Specialist	Project Lead	1/22/2015
Susan Valente	NEPA Coordinator	NEPA Compliance	1/22/2015

Cultural Resources: The action is not an undertaking as defined by Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108. Therefore consultation with the State Historic Preservation Officer (SHPO) is not necessary.

Native American Religious Concerns: Because this action is not an undertaking as defined by Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, tribal consultation for traditional cultural use is not necessary under Section 106.

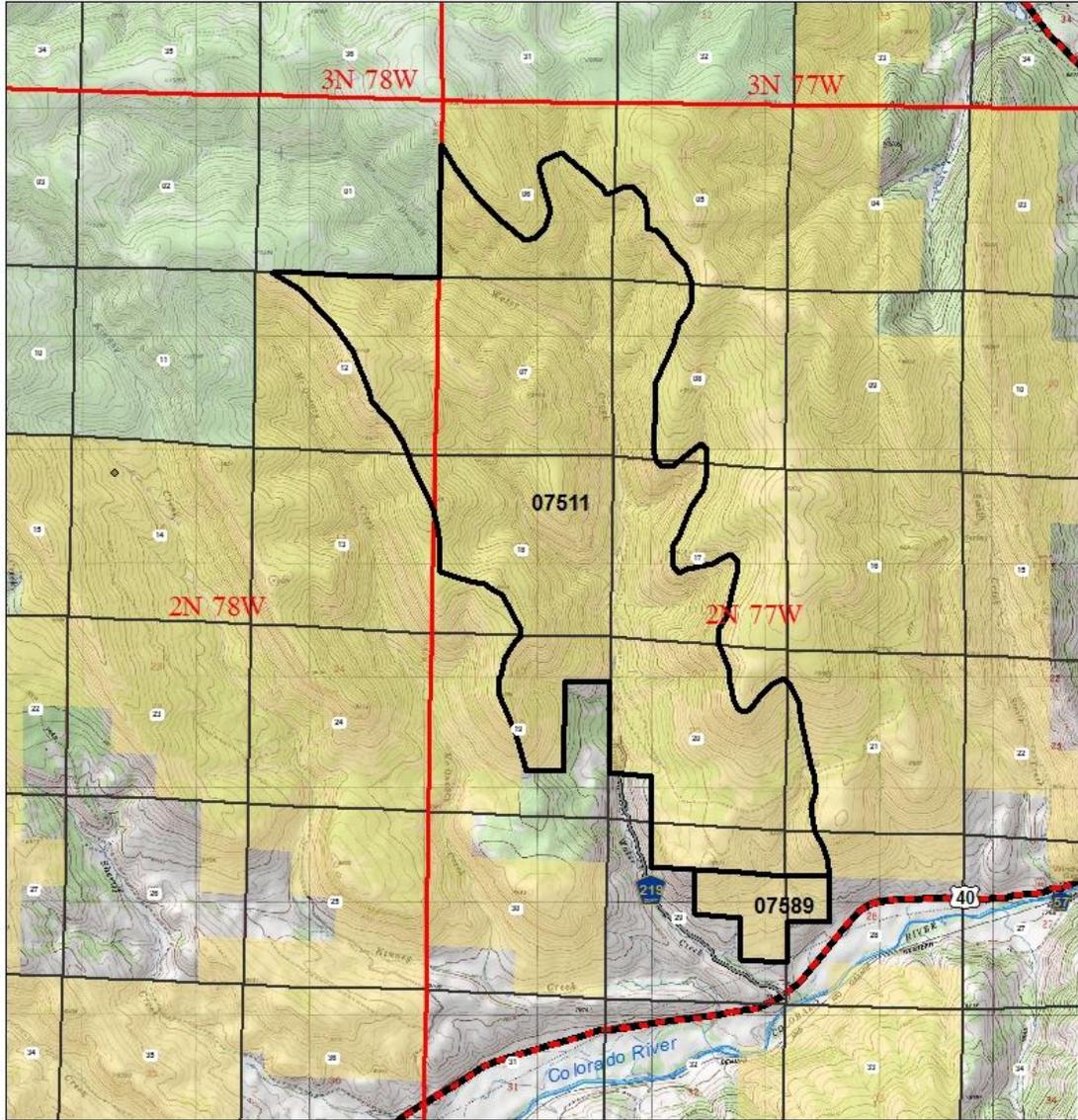
Special Status Species: This is a paperwork exercise and would not affect any special status species. This action would be assessed for impacts once a change or permit renewal is conducted.

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, D(1). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances

Appendix A. Figures

Figure 1. Map of Allotments 07511 and 07589



BLM, Kremmling FO 2010
Red box shows map location.

- Legend**
- Grazing Allotments selection 2
 - Highway Labels
- State Highways Legend**
- U.S./State
 - ROUTE SIGN
 - Interstate

1 Miles



1:44,860

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data. Last edited by cl.

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**Decision Record
Grazing Preference Transfer - Jacquez to Fosha
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Decision

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N02-2015-0009-CX, authorizing the transfer of Grazing Preference #0504913, authorizing grazing on allotment 07511 (Forester B) and allotment 07589 (Forester A) from Janet Jaques to Kenneth H & Randy Sue Fosha.

Compliance with Laws & Conformance with the Land Use Plan

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

Public Involvement

This project will be posted on the BLM online National Environmental Policy Act (NEPA) register after its completion.

- https://www.blm.gov/epl-front-office/eplanning/lup/lup_register.do

Rationale

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11, D(1). 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.

Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on the BLM's online NEPA register.

Signature of Authorized Official

_____/s/ Stephanie Odell_____

Field Manager

_____/1/23/2015_____

Date