

Categorical Exclusion Review
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Boise District Office
Owyhee Field Office

Grazing Preference Transfer – Palmer Allotment #00507

CE No.: DOI-BLM-ID-B030-2010-0011-CX	Lease/Serial/Case File No.:
Purpose and Need for Action: To address the Grazing Preference Application and Preference Transfer Application filed by James V. Kershner, in accordance with the grazing regulations (43 CFR 4110.2-3) and the National Environmental Policy Act.	
Description of Proposed Action: Transfer of grazing preference of 439 AUMs (439 Active AUMs, 0 Suspended AUMs) for the Palmer (#00507) Allotment from James Hayhurst to James V. Kershner. The owned base property of James Hayhurst has been leased to James V. Kershner from 2010 through 2020. The Palmer Allotment consists of 1,744 public land acres. A Rangeland Health Standards and Guidelines Assessment, Evaluation, and Determination for the Palmer Allotment were completed on September 26, 2006, and an Environmental Assessment was completed on May 21, 2008. There will be no changes in the permit terms and conditions as previously authorized through grazing permit # 1102932, which was renewed in accordance with the Owyhee Field Manager's Final Decision dated July 7, 2008. The term of the permit will be from March 1, 2010 through February 28, 2020 (ten grazing seasons) and the permit will be issued under a separate action in accordance with 43 C.F.R. 4160. Grazing preference will revert back to James Hayhurst upon termination of the base property lease to James V. Kershner.	
Project Location: The Palmer Allotment (#00278) is located west of Highway 95, approximately 5 miles northeast of Jordan Valley, Oregon in Owyhee County, Idaho.	
Applicant (if any): James V. Kershner	
Part I – Plan Conformance Review	
This proposed Action is subject to the following land use plan: Owyhee Resource Management Plan (ORMP). Date Plan Approved: December 30, 1999	
The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): LVST 1, Pg. 23, "Provide for a sustained level of livestock use compatible with meeting other resource objectives."	
Remarks: The Proposed Action has been reviewed for conformance with the plan (43 CFR 1610.5, BLM MS 1617.3).	
Part II – NEPA Review	
A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 11.9(D)1. Category description: "Approval of transfers of grazing preference." See Part I – Plan Conformance Review – Remarks.	
B. Exceptions Review (Departmental List of Extraordinary Circumstances Review): Review the 12 exceptions which apply to individual actions within categorical exclusion. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents MUST BE PREPARED for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)	

List of Exceptions		
1. Have significant impacts on public health or safety.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Chris Robbins, 5/4/10
<i>Comments/Explanation:</i> 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 <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Ryan Homan, 5/5/10
<i>Comments/Explanation:</i> The allotment contains no unique natural or cultural features that would be affected by this transfer, and no ecologically significant or critical areas occur in the general area of the allotment.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Chris Robbins, 5/4/10
<i>Comments/Explanation:</i> The proposed transfer of grazing privileges would result in no changes to current livestock grazing management.		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Chris Robbins, 5/4/10
<i>Comments/Explanation:</i> 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 <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Chris Robbins, 5/4/10
<i>Comments/Explanation:</i> Transfer of grazing preference is a routine administrative procedure that will 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. A Rangeland Health Assessment, evaluation and determination of conformance with Idaho's Standards for Rangeland Health and Guidelines for Livestock Grazing Management, and NEPA assessment for grazing permit renewal was completed in 2008. (EA # ID-130-2007-EA-3339)		
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Chris Robbins, 5/4/10
<i>Comments/Explanation:</i> Transferring existing grazing preference is neither individually nor cumulatively significant. (EA # ID-130-2007-EA-3339)		
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 <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Brian McCabe, 5/4/10
<i>Comments/Explanation:</i> The affected grazing allotment contains no known properties listed, or eligible for listing, on the National Register of Historic Places.		
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 <input checked="" type="checkbox"/>	Specialist Signature/Date for Plants: /s/ Beth Corbin, 5/3/10 Specialist Signature/Date for Wildlife: /s/ Jason Sutter, 5/3/10 Specialist Signature/Date for Aquatics: /s/ Rich Jackson, 5/3/10
<i>Plants Comments/Explanation:</i> No known federally listed, candidate, or BLM special status plant species occur within the area of the proposed action.		
<i>Wildlife Comments/Explanation:</i> No known federally listed, candidate, or BLM special status wildlife species are significantly impacted from the current livestock management (EA # ID-130-2007-EA-3339) or the Proposed Action.		
<i>Aquatics Comments/Explanation:</i> No known federally listed, candidate, or BLM special status aquatic species		

occur within the area of the proposed action.		
9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.		
Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Chris Robbins, 5/4/10
<i>Comments/Explanation:</i> 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 <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Chris Robbins, 5/4/10
<i>Comments/Explanation:</i> 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 <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Brian McCabe, 5/4/10
<i>Comments/Explanation:</i> 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 <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ Beth Corbin, 5/3/10
<i>Comments/Explanation:</i> Transferring grazing privileges, for the continuation of current authorized grazing, would not cause additional influences to existing noxious weeds or non-native invasive species.		
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.		
Remarks: None		
Authorizing Official: /s/ Buddy W. Green		Date: /s/ 5/10/10
Name: Buddy W. Green Title: Field Office Manager, Owyhee Field Office		
Part III – Decision		
I have reviewed this categorical exclusion (NEPA) review and have determined that this action is in conformance with the 1999 Owyhee Resource Management Plan (ORMP), and categorical exclusions (CXs) pursuant to 516 DM 11.9, Appendix 4 (D)(1), and have concluded that no further environmental analysis is required. Therefore, after concluding that none of the extraordinary circumstances in this CER apply to this action, it is my decision to implement the proposed action as described in this categorical exclusion review.		
Mitigation Measures/Other Remarks: None		
Authorizing Official: /s/ Buddy W. Green		Date: /s/ 5/10/10
Name: Buddy W. Green Title: Field Office Manager, Owyhee Field Office		