

**United States Department of the Interior  
Bureau of Land Management**

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**Categorical Exclusion Not Established By Statute  
DOI-BLM-UT-C020-2016-0004-CX**

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**April 11, 2016**

**State of Utah  
Terry Albrecht to Rees Potter Transfer of Grazing Preference on  
the Sewing Machine Allotment**

**Locations:** 1) Sewing Machine Grazing Allotment  
Salt Lake Meridian, Utah, Garfield County

*For more information please see A. Background and Appendix C.*

**Applicant/Address:** Rees Potter  
810 M.8 Road  
Mack, Colorado 81525

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Bureau of Land Management  
Henry Mountains Field Station  
380 South 100 West  
PO Box 99  
Hanksville, Utah 84734  
Phone: (435) 542-3461  
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**A. Background**

**BLM Office:** Henry Mountains Field Station

**Lease/Serial/Case File No:** N/A

**Proposed Action Title/Type:** Terry Albrecht to Rees Potter Transfer of Grazing Preference on the Sewing Machine Allotment

**Location of Proposed Action:** Garfield County, Utah; Sewing Machine Allotment

**1) Sewing Machine Grazing Allotment, Salt Lake Meridian, Utah, Garfield County.** The Sewing Machine Allotment includes lands within the Glen Canyon National Recreation Area (GCNRA).

- ♦ T31S, R13E, Sec 30 & 31.
- ♦ T31S, R14E, Sec 12-15 & 21-36.
- ♦ T31S, R15E, Sec 7-9 & 11-36.
- ♦ T31S, R16E, Sec 7, 8, 11-36.
- ♦ T31S, R17E, Sec 19-22 & 27-32.
- ♦ T32S, R14E, Sec 1, 4-17, 20-29 & 32-36.
- ♦ T32S, R15E, Sec 1-36.
- ♦ T32S, R16E, Sec 1-12, 15-22 & 28-32.
- ♦ T32S, R17E, Sec 5-8, 17 & 18.
- ♦ T32 ½S, R14E, Sec 25-29 & 32-36.
- ♦ T32 ½S, R15E, Sec 25-36.
- ♦ T33S, R14E, Sec 1-4, 9-11, 14-17 & 20-24.
- ♦ T33S, R15E, Sec 1-24, 28, 29, 32 & 33.
- ♦ T33S, R16E, Sec 6, 7, 18 & 19.

*For more information please see Appendix C (Page 10): Sewing Machine Allotment Map.*

**Description of Proposed Action:** On October 16, 2014, Terry Albrecht requested a transfer of 330 active and 0 suspended Animal Unit Months (AUMs) from his Sewing Machine Allotment grazing preference to Rees Potter. Mr. Potter is a current permittee in the Sewing Machine Allotment. No change in permit terms and conditions were identified as part of this transfer of preference. Therefore, only the AUMs would be adjusted on the Potter permit. All other terms and conditions would remain the same as on Mr. Potter’s current permit. The 330 active AUMs would be added to Mr. Potter’s existing active AUMs on the Sewing Machine Allotment, thus resulting in the following mandatory terms and conditions of his permit.

Allotment Number	Allotment Name	Livestock			% Public Land	Active AUMs	Suspended AUMs
		No.	Kind	Season-of-Use			
00902	Sewing Machine	153	Cattle	11/1 – 04/15	100	836	0

Mr. Albrecht's permit would contain the following mandatory terms and conditions:

Allotment Number	Allotment Name	Livestock			% Public Land	Active AUMs	Suspended AUMs
		No.	Kind	Season-of-Use			
00902	Sewing Machine	32	Cattle	11/1 – 04/15	100	176	0

A portion of the Sewing Machine Allotment is within GCNRA administered by the National Park Service (NPS) with grazing administered by the Bureau of Land Management (BLM). The Sewing Machine 10-year permit renewal has not been completed, but a draft NPS Values and Purposes Determination (VAPD) was completed in 2011. In a VAPD, the Superintendent identifies that he/she has completed an assessment of the potential effects of a grazing proposal on the values and purposes of the recreation area. This assessment allows the recreation area to systematically determine whether or not the proposed action will drive grazing management in a direction towards or away from meeting GCNRA resource objectives. Essentially, this evaluation allows GCNRA to analyze the suitability of a grazing management proposal by providing a description of resource values, their current state, and any mitigation measures recommended to sufficiently protect them.

GCNRA provided a review of the proposed transfer and 2011 VAPD for this action. They also considered additional field work and studies that have been established by GCNRA in anticipation of completion of the permit renewal Environmental Assessment (EA). Based on the previous Draft VAPD, the NPS (GCNRA) agrees to this permit transfer, with the understanding that future agency actions based on the NPS values and purposes, and additional National Environmental Policy Act (NEPA) analysis as part of the 10-year Permit Renewal process may be necessary to protect GCNRA resources from unacceptable impacts.

**B. Land Use Plan Conformance**

Land Use Plan Name: Richfield Field Office Resource Management Plan and Final Environmental Impact Statement.

Date Approved: October 2008

The proposed action is in conformance with the applicable Land Use Plan (LUP) because it is specifically provided for in the following LUP decision(s):

These lands are managed according to decisions in the Richfield Field Office Resource Management Plan (RFO RMP) which was completed and signed on October 31, 2008. Within Table 15, Livestock Grazing Decisions (GRA) of the RMP, the Desired Outcomes (Goals and Objectives) are to:

- Provide for the orderly use, improvement, and development of the range for livestock grazing.
- Provide for livestock grazing while maintaining rangelands in properly functioning condition.
- Maintain healthy, sustainable rangeland ecosystems and restore degraded rangelands to meet Utah's Standards for Rangeland Health and to provide a wide range of public values, such as wildlife habitat, livestock forage, recreation opportunities, clean water, and functional watersheds.

- Integrate livestock use and associated management practices with other multiple use needs and objectives to maintain, protect, and improve rangeland health.

The following Management Actions also provide for the proposed action:

- GRA-2. Adjust permit terms and conditions (e.g., permitted use, amount of use, season of use, and kind and class of livestock) when grazing permits are renewed, transferred, or as otherwise deemed necessary by site-specific evaluation of monitoring data and environmental analysis.
- GRA-3. Use livestock grazing to enhance ecosystem health or mitigate resource problems (e.g., noxious/invasive weed control and hazardous fuel reduction) where supported by site-specific environmental analysis.

Since the proposed action is consistent with existing land use decisions and with Bureau policies, regulations, and decisions, it is considered to be in conformance with the existing RFO RMP.

### C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the NEPA in accordance with 516 DM 11.9, D. (1) Approval of transfers of grazing preference.

This categorical exclusion (CX) is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposal is for a transfer of AUMs from one grazing operator to another in the same allotment. The terms and conditions of the permit would remain the same as on the current permits. The permit term would also not be changed, only the term left on the current 10 year permit would be offered on the new permits. The proposed action has been reviewed by an interdisciplinary team and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply.

The proposed permit transfer was also reviewed by the NPS, GCNRA. The NPS agrees to this permit transfer, with the understanding that future agency actions based on the NPS values and purposes, and additional NEPA analysis as part of the 10-year Permit Renewal process may be necessary to protect GCNRA resources from unacceptable impacts.

### D: Signature

Authorizing Official: Wayne A. Wetzel Date: 11 Apr 2016  
Wayne A. Wetzel  
Richfield Field Office Field Manager

### Contact Person

For additional information concerning this CX review, contact Sue Fivecoat, Assistant Field Office Manager, Henry Mountains Field Station, P.O. Box 99, Hanksville, Utah 84734. Phone number: 435-542-3461.

## **Appendices**

Appendix A: Categorical Exclusion Review Record

Appendix B: Extraordinary Circumstance to Categorical Exclusions

Appendix C: Sewing Machine Allotment Map

**Appendix A**

**Categorical Exclusion Review Record**

<b>Resource</b>	<b>Yes/No*</b>	<b>Assigned Specialist Signature</b>	<b>Date</b>
Air Quality	No	Alvin Whitehair	10/28/14
Areas of Critical Environmental Concern	No	Myron Jeffs	10/22/2014
Cultural Resources	No	M. Jared Lundell	11/18/14
Environmental Justice	No	Alvin Whitehair	10/20/14
Farm Lands (prime or unique)	No	Brant Hallows	10/28/14
Floodplains	No	Brant Hallows	10/28/14
Invasive Species/Noxious Weeds	No	Brant Hallows	10/28/14
Migratory Birds	No	Dave Cook	10/22/14
Native American Religious Concerns	No	M. Jared Lundell	11/18/14
Threatened, Endangered, or Candidate Species	No	Dave Cook	10/22/14
Wastes (hazardous or solid)	No	Randy Peterson	10/22/14
Water Quality (drinking or ground)	No	Alvin Whitehair	10/28/14
Wetlands / Riparian Zones	No	Dave Cook	10/22/14
Wilderness	No	Myron Jeffs	10/22/2014
Wild and Scenic Rivers	No	Myron Jeffs	10/22/2014
Other:			

\*Extraordinary Circumstances apply.

Environmental Coordinator   
*Sue Fivecoat, Assistant Field Manager*  
*Henry Mountains Field Station*

Date: 4/11/16

**Appendix B**

**Extraordinary Circumstance to Categorical Exclusions  
Exceptions to Categorical Exclusion Documentation**

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

<b>Extraordinary Circumstances</b>		
1. Have significant impacts on public health or safety.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No significant impacts on public health or safety will occur as a result of a simple change of preference from one operator to another.
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.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> This CX is a simple transfer of preference from one operator to another without any changes to the mandatory terms and conditions. Because there will be no changes in the terms and conditions of this permit, there would also be no significant impacts on the aforementioned items as a result of this authorization.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources at these locations. This CX is a simple transfer of preference from one operator to another without any changes to the mandatory terms and conditions.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The mandatory terms and conditions will not change. This categorical exclusion is a simple change of preference from one operator to another, thus no highly uncertain and potentially significant environmental effects or unique or unknown environmental risks will occur.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The proposed action has no environmental effects that will not be analyzed separately under the permit renewal process. It also does not establish precedent for future actions or represent a decision in principal about future actions with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant but cumulatively		

### Extraordinary Circumstances

significant environmental effects.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The proposed action does not have a direct relationship to other actions. This action is an administrative action of changing the permit from one operator to another.
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7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The nature of the proposed action is such that no impact can be expected on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau. The type and level of use would not change, the proposed action only changes the permitted operator.
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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.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The proposed action to transfer to a different permittee, does not 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.
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9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> This proposed action in this categorical exclusion does not violate a federal law, or a state, local or tribal law or requirement imposed for the protection of the environment. Please see plan conformance and NEPA compliance sections above.
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10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> There would be no effect on low income or minority population because the proposed action is a transfer from one existing entity to another. In addition, at the FO level, no low income or minority populations have been identified.
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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).

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The nature of the proposed action is such that no impact can be expected on significant cultural resources. Grazing would be permitted but would not preclude other uses of the public lands.
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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).

**Extraordinary Circumstances**

<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The proposed action does not 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). The proposed action is an administrative action of changing the preference from one operator to another.
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Appendix C: Sewing Machine Allotment Map

