

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

**Categorical Exclusion Not Established By Statute
DOI-BLM-UT-C020-2016-0023-CX**

May 6, 2016

**State of Utah
Ted R. Taylor to Rick Taylor Transfer of Grazing Preference
on the Rockies Allotment**

Locations: 1) Rockies Grazing Allotment
Salt Lake Meridian, Utah, Garfield County

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

Applicant/Address: Rick Taylor
HCR 61 Box 23
Fremont, Utah 84747

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: Ted R. Taylor to Rick Taylor Transfer of Grazing Preference on the Rockies Allotment

Location of Proposed Action: Garfield County, Utah; Rockies Allotment

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

- ♦ T33S, R11E, Sec 36.
- ♦ T33S, R12E, Sec 31-36.
- ♦ T33S, R13E, Sec 31.
- ♦ T34S, R11E, Sec 1, 11-17 & 20-36.
- ♦ T34S, R12E, Sec 1-36.
- ♦ T34S, R13E, Sec 5-8, 17-21 & 27-34.
- ♦ T35S, R10E, Sec 1, 11-14, 24 & 36.
- ♦ T35S, R11E, Sec 1-36.
- ♦ T35S, R12E, Sec 1-36.
- ♦ T35S, R13E, Sec 3-10, 12-23 & 26-34.
- ♦ T36S, R10E, Sec 1, 24-26 & 35-36.
- ♦ T36S, R11E, Sec 1-36.
- ♦ T35 1/2S, R12E, Sec 19-36.
- ♦ T35 1/2S, R13E, Sec 19-22 & 27-33.
- ♦ T36S, R12E, Sec 1-24 & 27-34.
- ♦ T36S, R13E, Sec 5-8 & 17-19.
- ♦ T37S, R10E, Sec 1.
- ♦ T37S, R11E, Sec 1-19, 21-27 & 35-36.
- ♦ T37S, R12E, Sec 5-8 & 17-19.
- ♦ T38S, R11E, Sec 1.

For more information please see Appendix C (Page 10): Rockies Allotment Map.

Description of Proposed Action: On June 10, 2015, Ted R. Taylor requested to transfer 488 active and 0 suspended Animal Unit Months (AUMs) from his Rockies Allotment grazing preference to Rick Taylor. The grazing permit proposed to be offered to Mr. Rick Taylor would include the same terms and conditions as Mr. Ted R. Taylor’s permit. The permit for Mr. Rick Taylor would not be for a new ten year period. Only the remainder of Mr. Ted R. Taylor’s permit term would be offered. As a result of this transfer, the following mandatory terms and conditions for Mr. Rick Taylor’s permit would be as follows:

Allotment Number	Allotment Name	Livestock			% Public Land	Active AUMs	Suspended AUMs
		No.	Kind	Season-of-Use			
00110	Rockies	70	Cattle	11/1 – 05/31	100	488	0

Ted R. Taylor's permit resulting from this transfer and another ongoing transfer would be as follows:

Allotment Number	Allotment Name	Livestock			% Public Land	Active AUMs	Suspended AUMs
		No.	Kind	Season-of-Use			
00110	Rockies	15	Cattle	11/1 – 05/31	100	104	495

A portion of the Rockies Allotment is within GCNRA administered by the National Park Service (NPS) with grazing administered by the Bureau of Land Management (BLM). The Rockies allotment 10-year permit renewal and accompanying Environmental Assessment (EA) was completed in 2010 including a Values and Purposes Determination (VAPD) completed by GCNRA. 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 provided an updated Values and Purposes Determination (VAPD) for this action. Specific conditions are detailed in the accompanying VAPD analyses, based primarily on the 2010 Rockies Permit Renewal EA. Based on the 2010 analysis, the same conditions apply in this permit transfer. As per the VAPD, the NPS (Glen Canyon NRA) may modify the permit during the remainder of its time if future surveys and analysis of resource conditions on the NPS portion of the allotment show resources that are found to be in downward trend, otherwise negatively affected, or not meeting NPS goals and objectives. These changes may include but are not limited to changes in season, changes in the number of AUM's, or specific mitigation measures to protect local sites (e.g., springs, cultural sites). These changes will be agreed on cooperatively by all parties, including the NPS, BLM and permittees. NPS also understands that there is an agreement in place with the permittees in this allotment to pull cattle off the range earlier (4/30) depending on forage conditions and precipitation trends.

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 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 National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, D. (1) Approval of transfers of grazing preference.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposal is to transfer AUMs from one grazing operator to another. The terms and conditions of the permit would remain the same as on the current permit. The permit term would also not be changed, only the term left on the current 10 year permit would be offered on the new permit. 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 as described above in the Description of Proposed Action and with the understanding that future agency actions based on and specified in the NPS VAPD may be necessary to protect GCNRA resources.

D: Signature

Authorizing Official:


Wayne A. Wetzel
Richfield Field Office Manager

Date:

May 6, 2016

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: Rockies Allotment Map

Appendix A

Categorical Exclusion Review Record

Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	Mark Dean	11/25/2015
Areas of Critical Environmental Concern	No	Myron Jeffs	11/24/2015
Cultural Resources	No	Lauren Kingston	11/05/2015
Environmental Justice	No	Brandon Boshell	11/5/2015
Farm Lands (prime or unique)	No	Brant Hallows	11/24/15
Floodplains	No	Brant Hallows	11/24/15
Invasive Species/Noxious Weeds	No	Brant Hallows	11/24/15
Migratory Birds	No	Dave Cook	11/24/2015
Native American Religious Concerns	No	Lauren Kingston	11/05/2015
Threatened, Endangered, or Candidate Species	No	Dave Cook	11/24/2015
Wastes (hazardous or solid)	No	John Reay	11/10/2015
Water Quality (drinking or ground)	No	Mark Dean	11/25/2015
Wetlands / Riparian Zones	No	Dave Cook	11/24/2015
Wilderness	No	Myron Jeffs	11/24/2015
Wild and Scenic Rivers	No	Myron Jeffs	11/24/2015
Other:			

*Extraordinary Circumstances apply.

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

Date: 5/6/2016

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:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No X	Rationale: 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.		
Yes	No X	Rationale: The allotment has had a land health evaluation completed as well as the permit renewed through the NEPA process. 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)].		
Yes	No X	Rationale: There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources at these locations. The allotment has had a land health evaluation completed as well as the permit renewed through the NEPA process. 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.		
Yes	No X	Rationale: The permit has already been analyzed and approved through the NEPA process. 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.		

Extraordinary Circumstances

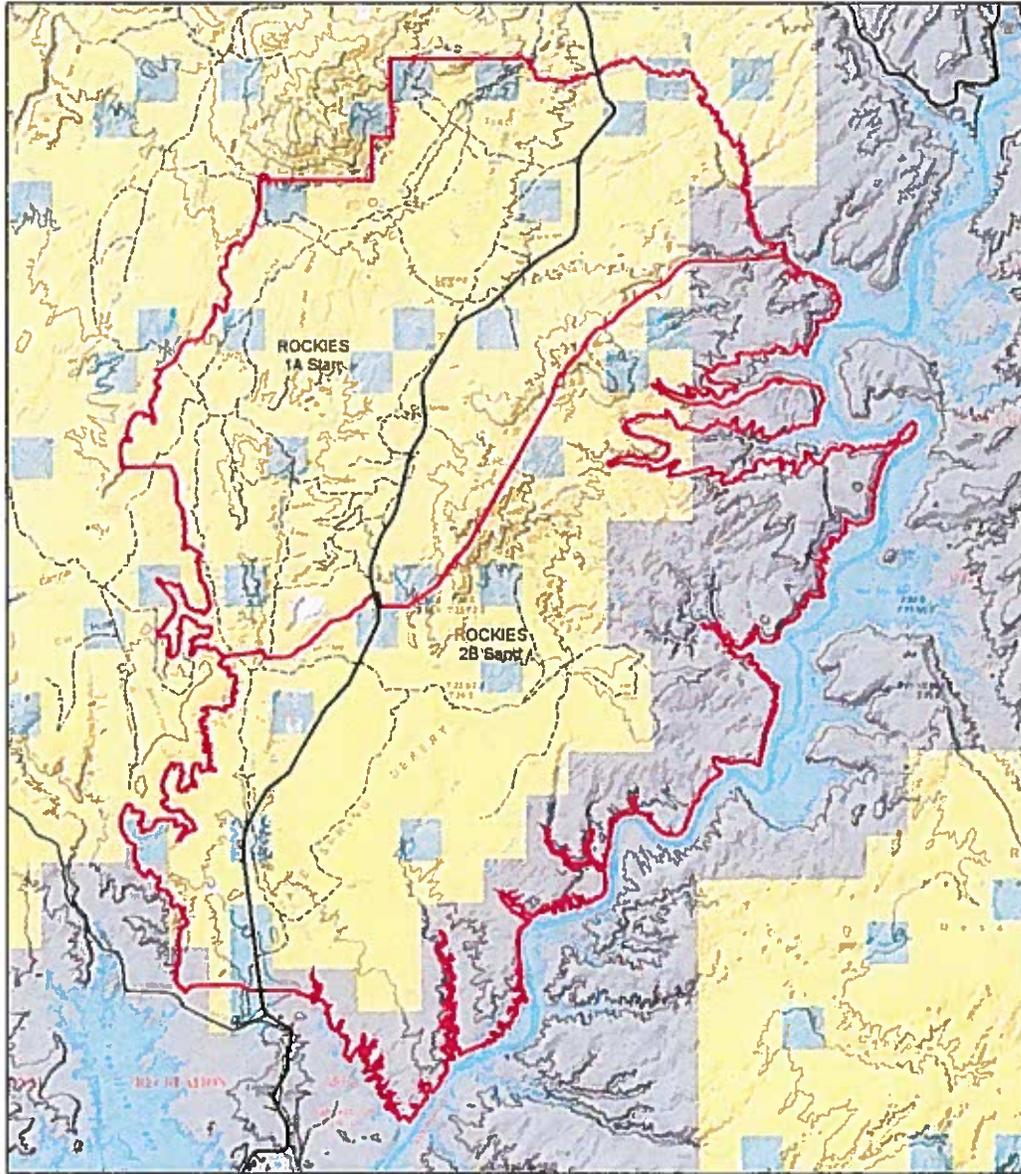
Yes	No X	Rationale: The proposed action has no environmental effects that were not analyzed separately under the permit renewal process. It also does not establish precedent for future actions or represent a decision in principal about future actions with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No X	Rationale: The proposed action does not have a direct relationship to other actions. The grazing permit has already been analyzed for cumulatively significant environmental effects. This action is an administrative action of changing the permit from one operator to another.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes	No X	Rationale: 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.
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.		
Yes	No X	Rationale: 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.
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No X	Rationale: The 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.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No X	Rationale: 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.
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).		

Extraordinary Circumstances

Yes	No X	Rationale: 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.
<p>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).</p>		
Yes	No X	Rationale: 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.

Rockies Allotment

BLM



Public Land State Land National Forest Private Land National Park



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