

# CATEGORICAL EXCLUSION DOCUMENTATION

## A. Background

**BLM Office:** Prineville District Office, Deschutes Resource Area

**National Environmental Policy Act (NEPA) register #:** DOI-BLM-ORWA-P060-2016-0001-CX

**Project/lease/serial/case file #:** None

**Proposed action title:** Grazing Permit Transfer-Criterion Allotment

**Location:** Approximately 8 miles Southeast of Maupin, Oregon. Map attached

**Description:** The proposed action is to transfer the BLM grazing authorization for the Criterion Allotment (7583) from Whit and Loretta Swan to R.B. Pamplin Corporation. The existing property meets the base property requirements as described in 43 CFR 4110.2-1(a) (1) and (2). The permit has 1000 active AUMs authorized for the Criterion Allotment. The proposed administrative action involves transferring a grazing lease from one individual to another and does not pose any significant environmental effects. The existing terms and conditions and management practices of the permit would remain unchanged. These include season of use, permitted AUMs, and kind of livestock as listed below.

<u>Allotment</u>	<u>Livestock Kind</u>	<u>Grazing Season</u>	<u>%PL</u>	<u>AUMs</u>
07583 Criterion	Cattle	01/01-06/01	100	1000

## B. Land use plan conformance

Land use plan name: **Two Rivers Resource Management Plan** Date approved: **June 1986**

The proposed action is in conformance with the above plan. When the plan was approved, only 1,245 of the 12,450 acres of the allotment were public lands, the rest was private. In 1997 the BLM acquired the additional 11,205 acres. Although no land use plan amendment has been completed regarding the addition of the new acreage, the entire Criterion Allotment was included in the RMP. Grazing at the current level was approved through Decisions of NEPA Adequacy, tiered to the above RMP, in 2006 and 2009.

The proposed action is consistent with the Two Rivers Resource Management Plan, objectives, terms, or conditions: Page 14, Livestock Grazing and Management Direction, "Intensive management, which will encourage a change in ecological condition toward climax, will be implemented on 259,000 acres. On the remaining 34,000 acres there will be less intensive management which will either improve or maintain existing condition".

## 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 11.5.D (1), effective August 14, 2007, "Approval of transfers of grazing preference". This categorical exclusion is appropriate in

this situation because there are no extraordinary circumstances present that would significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply. See attached CX Extraordinary Circumstances Documentation checklist.

**D. Signature**

I considered the Proposed Action, land use plan, and compliance with 516 DM 11.5.D (1). A thorough evaluation was conducted to determine if any extraordinary circumstances were present that could potentially impact the environment. Upon review no significant impacts were identified, so further NEPA analysis is not necessary.

Responsible official:   
 Jeff Kitchens, Deschutes Field Manager

12/17/15  
 Date

**Contact person**

For additional information concerning this review, contact: Danny Heim, Rangeland Management Specialist, Prineville District Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone 541-416-6855, dheim@blm.gov

<b>CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION</b> The proposed action would:	<b>YES</b>	<b>NO</b>
2.1 Have significant impacts on public health or safety.		X
Rationale: The administrative action of transferring a grazing permit or lease has not been associated with having significant impacts on public health or safety. In addition, the end result of a grazing lease transfer is the continuation of current grazing, which also has not been associated with having significant impacts on public health or safety.		
2.2 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.		X
Rationale: The proposed action would not have significant impacts on park, refuge, wilderness, natural landmarks, principal drinking water aquifers, prime farmlands, wetlands, national monuments, and ecologically significant or critical areas. None of these resources of concern are within the geographical boundaries of the proposed action. The grazing allotment includes approximately 1,482 acres of BLM land within the Wild and Scenic River corridor along the Lower Deschutes River (Map attached). "The Lower Deschutes Wild and Scenic River Plan (page 31-35) sets vegetative goals for ecological vegetative potential		

<p>and provides direction for livestock grazing. The BLM has not measured the percent of ecological vegetative potential in this area. However, site visits noted good conditions and the BLM determined that the areas along the Deschutes River were meeting Land Health Standards (2006). Based on this information, transferring the permit with the existing terms and condition complies with the vegetative goals set forth in the Wild and Scenic River Plan (page 31-35)."</p>		
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	X
<p>Rationale: The proposed action is administrative, but the result is continued grazing on public land. Grazing on this allotment has been occurring since 1997 and no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources have been disclosed in that time.</p>		
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	X
<p>Rationale: The administrative action of transferring a grazing lease from one person to another does not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. Similarly, continuation of grazing on public lands under the same terms and conditions of the existing permit does not involve highly uncertain effects.</p>		
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	X
<p>Rationale: Hundreds of grazing permit/lease and base property transfers have occurred every year since 1935 so the proposed action would not be regarded as precedent setting as it is an administrative action that involves transferring a grazing lease and continuing use under the same terms and conditions.</p>		
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	X
<p>Rationale: Similar past actions, to the proposed action, did not result in significant direct, indirect or cumulative environmental effects. The proposed action does not alter the magnitude of environmental effects because it is an administrative action which involves people completing transfer of grazing preference forms. The proposed action provides no new effect.</p>		
2.7	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.	X
<p>Rationale: There are no known properties within the project area listed, or eligible for listing, on the National Register of Historic Places.</p>		
2.8	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.	X
<p>Rationale: The transfer of grazing preference is an administrative procedure that allows for the continuation of livestock grazing with no proposed changes to the existing permit. Effects to MCR summer Steelhead are considered insignificant as defined by the ESA.</p>		
2.9	Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment.	X

<p>Rationale: The proposed action conforms to the direction given for the management of public lands in the Two Rivers ROD, 1986 which complies with all applicable laws, such as the Clean Water Act, Endangered Species Act.</p>		
<p>2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).</p>		X
<p>Rationale: The proposed action would have no measurable effect on low-income or minority populations. A base property transfer allows for the continuation of livestock grazing which can provide employment to various sectors of the population.</p>		
<p>2.11 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).</p>		X
<p>Rationale: The proposed action does not limit access to or the ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or cause significant adverse effect on the physical integrity of such sacred sites.</p>		
<p>2.12 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>		X
<p>Rationale: The proposed action would not measurably change the rate of introduction, continued existence or spread of noxious weeds or invasive species. Livestock entering public lands have the potential to transport some viable undesirable seed via hide or gut; however, the possibility of introducing undesirable plants, not already in the area, is minimal.</p>		