

Sweetwater Small Private Allotment Livestock Grazing Permit Categorical Exemption

A. Background

BLM Office: Lander, Wyoming Field Office

LLWYR05000

Lease/Serial/Case File Number: 4915170

Proposed Action Title/Type:

Renewal of one livestock grazing permit for two allotments in the Sweetwater River area west of Sweetwater Station. The allotments are located within the National Trails Management Corridor, a unit of the National Conservation Lands. **Location of Proposed Action:**

Hay Meadow Pasture and Fenced Individual allotments are shown on Figure 1 which shows the township, range, and sections in which the allotments are located.

Description of Proposed Action:

The BLM proposes to issue one livestock grazing permits for two allotments. Formerly, these allotments were attached to two larger allotment (Dishpan Butte and Breeding Pasture allotments). However, the authorized use in the Hay Meadow Pasture and Fenced Individual allotments was always described separately from the sue in the larger allotments. For administrative convenience, Hay Meadow Pasture and Fenced Individual allotments will be treated as standalone allotments.

Hay Meadow Pasture and Fenced Individual allotments were determined to be meeting land health standards (see the 2014 Upper Sweetwater Landscape Land Health Assessment stored in the Documents tab of this project site. The allotments are both in greater sage-grouse priority habitat and in the National Trails Management Corridor.

B. Land Use Plan Conformance

The 2014 Lander Record of Decision and Approved Resource Management Plan (RMP) identified the two allotments as open to livestock grazing. Both are meeting the Standards of Healthy Rangelands as required by the RMP; see Decisions 6050 and 6051. Well managed livestock grazing is allowed in Sagebrush Focal Area regions of priority sage-grouse habitat and in the National Trails Management Corridor.

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR 46.215 and the National Environmental Policy Act (NEPA) Handbook H-1790 Appendix 4(D)(11). The BLM may issue a livestock grazing permit with a categorical exemption (CX) when the new grazing permit is consistent with the use specified in the previous permit with (i) the same kind of livestock (ii)the active use previously authorized is not exceeded, and (iii)razing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and the Authorized Officer has determined that the allotment is (i) meeting land health standards or (ii)not meeting land health standards due to factors that do not include existing livestock grazing.

A categorical exclusion is appropriate in this situation because there are no extraordinary circumstances (EC) potentially having effects that may significantly affect the environment (see the EC documentation in the Documents tab). The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.210 apply.

D. Approval and Contact Information

Richard Vander Voet
Lander Field Manager

February, 2016

Contact Person

Judi Mott

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Extraordinary Circumstances

A CX may be used only following a determination that the extraordinary circumstances identified in Appendix 5 of the NEPA Handbook 1–1710 (516 DM 2, Appendix 2) do not apply to the proposed action. Additional information on extraordinary circumstances re provided in Section 7.3 of the NEPA Handbook in describing “significance. The following information follows the list of extraordinary circumstances identified in the Handbook:

1. The decision does not impact public health or safety. The Land Health Assessments did not identify any known water quality issues (Standard 5).
2. The allotments have no natural resources or unique geographic characteristics as historical or cultural resources. The allotments are contained within the NTMC which has identified recreation management but well-managed livestock grazing is an authorized use in the NTMC; see RMP Decision 7009. There are no parks or refuge lands near the allotments. The Atlantic City Upper and Lower Fenced allotments are a few miles to the west of the Sweetwater Canyon Wilderness Study Area through which the segments of the Sweetwater River systems proposed for inclusion in the National Wild and Scenic River System flow. There are no Wilderness, Wild and Scenic Rivers, national natural landmarks, sole or principal drinking water aquifers prime farmlands, mapped floodplains or other ecologically significant areas near the allotments. Wetlands are located in or near to the allotments and the allotments may be used by migratory birds but the BLM did not identify any significant impacts that will be caused by issuing the permits.
3. There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of the area. While there are members of the public who oppose some or all livestock grazing uses of public lands, the NEPA Handbook at page 73 makes clear that the controversy must be about the nature of the effects, not expressions of opposition to the proposed use. “Substantial dispute within the scientific community about the effects of the proposed actions would indicate that the effects are likely to be highly controversial.”
4. The permits do not have highly controversial environmental effects or involve unique or unknown environmental risks. Identical use under the past permit was determined to meet Standards of Healthy Rangelands.
5. There is no potential for the issuance of these permits setting a precedent for future actions with potentially significant environmental effects because the use of the CX is strictly limited to permits for lands meeting health standards with no increase in numbers or seasons.
6. The issuance of these permits is not directly related to other actions. Independent of the issuance of this permit, the BLM is in the process of analyzing the terms and conditions for livestock grazing in the lands surrounding the Hay Meadow Pasture and Fenced Individual allotments. The conditions of many of the other allotments are described in the Upper Sweetwater Land Health Assessment and the Granite Mountain Open Land Health Assessment. Some of these other allotments are not meeting the Standards of Healthy Rangelands although the BLM has not made a determination as to whether or not current livestock grazing is the causal factor. However, the four allotments covered by the permits constitute less than 1 percent of the land analyzed in the Upper Sweetwater Land Health Assessment alone.

7. The permit will have no significant impacts on National Register of Historic Places listed or eligible properties; see attached cultural clearances.
8. The permit will have no significant impacts on listed or candidate species under the Endangered Species Act or their Critical Habitat; see attached wildlife clearances.
9. The permit does not violate laws or environmental protections.
10. Since the allotments are in a rural location distinct from any population centers, issuing a new livestock grazing permit will not have a disproportionately high and adverse effect on low or minority populations (Executive Order 12898).
11. There are no known ceremonial or Indian sacred sites in or near the allotments.
12. Since the Land Health Assessment found that the current livestock use in the allotments met the Standards for Healthy Rangelands, the BLM determined that continuing that use under new permits would not introduce or expand invasive species or noxious weeds.