United States Department of the Interior
Bureau of Land Management

Categorical Exclusion Not Established By Statute
DOI-BLM-UT-C010-2016-0048-CX

June 2016

Grazing Permit Transfer – Mineral Range (SUA) Allotment
(Issued in accordance with Section 3023 in Public Law 113-291)

Location: **Mineral Range (SUA) Allotment, Beaver County, Utah**

Applicant/Address: **Bernard W. Walker and Michael W. Walker (c/o Melvin Walker)**
PO Box 693
Beaver, UT 84713

Bureau of Land Management
Cedar City Field Office
176 East DL Sargent Drive
Cedar City, UT 84721
Phone: 435-865-3000

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CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE

A. Background

BLM Office: Cedar City Field Office

Lease/Serial/Case File No: Case File No. 4304635

Proposed Action Title/Type: Grazing Permit Transfer Bernard W. Walker and Michael W. Walker (c/o Melvin Walker) - (Issued in accordance with Section 3023 in Public Law 113-291).

Location of Proposed Action: Mineral Range (SUA) Allotment in the Cedar City Field Office, Iron and Beaver County, Utah

Description of Proposed Action: The Proposed Action will transfer the grazing permit from Melvin Walker (Case File No. 4304635) to Bernard W. Walker and Michael W. Walker (c/o Melvin Walker). In addition, the Proposed Action will extend the grazing permit for 10 years for the grazing permittee Bernard W. Walker and Michael W. Walker (c/o Melvin Walker) within the Mineral Range (SUA) Allotment.

B. Land Use Plan Conformance

Land Use Plan Name: Cedar Beaver Garfield Antimony

Date Approved/Amended: 1986

The Proposed Action is in conformance with the Cedar Beaver Garfield Antimony (1986). The Mineral Range (SUA) Allotment has been designated as being open for livestock grazing and is within the authority for the 1934 Taylor Grazing Act, the 1976 Federal Land Policy and Management Act and the Code of Federal Regulations under 43 CFR 4100.

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 2, Appendix 1, D (1): Approval of transfers of grazing preference. In addition, Section 3023 in Public Law 113-291 allows authorization of grazing Section 3023 in Public Law 113-291 states the following: "CONTINUATION OF TERMS UNDER NEW PERMIT OR LEASE. The terms and conditions in a grazing permit or lease that has expired, or was terminated due to a grazing preference transfer, shall be continued under a new permit or lease until the date on which the Secretary concerned completes any environmental analysis and documentation for the permit or lease required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws."

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR Part 46.215 apply.

D: Signature

Authorizing Official: Elizabeth R Burghard Date: 6/23/16

Elizabeth R. Burghard
Field Manager

Contact Person

For additional information concerning this CX review, contact Dan Fletcher, Assistant Field Manager (435) 865-3049.

Categorical Exclusion Review Record

Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	Richard Friese	03/24/2016
Areas of Critical Environmental Concern	No	Dave Jacobson	3-29-2016
Cultural Resources	No	Jamie Palmer	3/25/2016
Environmental Justice	No	Dan Fletcher	03/24/2016
Farm Lands (prime or unique)	No	Richard Friese	03/24/2016
Floodplains	No	Richard Friese	03/24/2016
Invasive Species/Noxious Weeds	No	Jessica Bulloch	03/24/2016
Migratory Birds	No	Sheri Whitfield	03/29/2016
Native American Religious Concerns	No	Jamie Palmer	3/25/2016
Threatened, Endangered, or Candidate Species	No	Sheri Whitfield	03/29/2016
Wastes (hazardous or solid)	No	Glenn Pepper	3/25/2016
Water Quality (drinking or ground)	No	Richard Friese	03/24/2016
Wetlands / Riparian Zones	No	Adam Stephens	04/01/16
Wild and Scenic Rivers	No	Dave Jacobson	3-29-2016
Wilderness	No	Dave Jacobson	3-29-2016
Other:			

*Extraordinary Circumstances apply.

Environmental Coordinator Anna Knieves Date: 6/20/16

ATTACHMENTS

Project Map

Extraordinary Circumstance to Categorical Exclusions

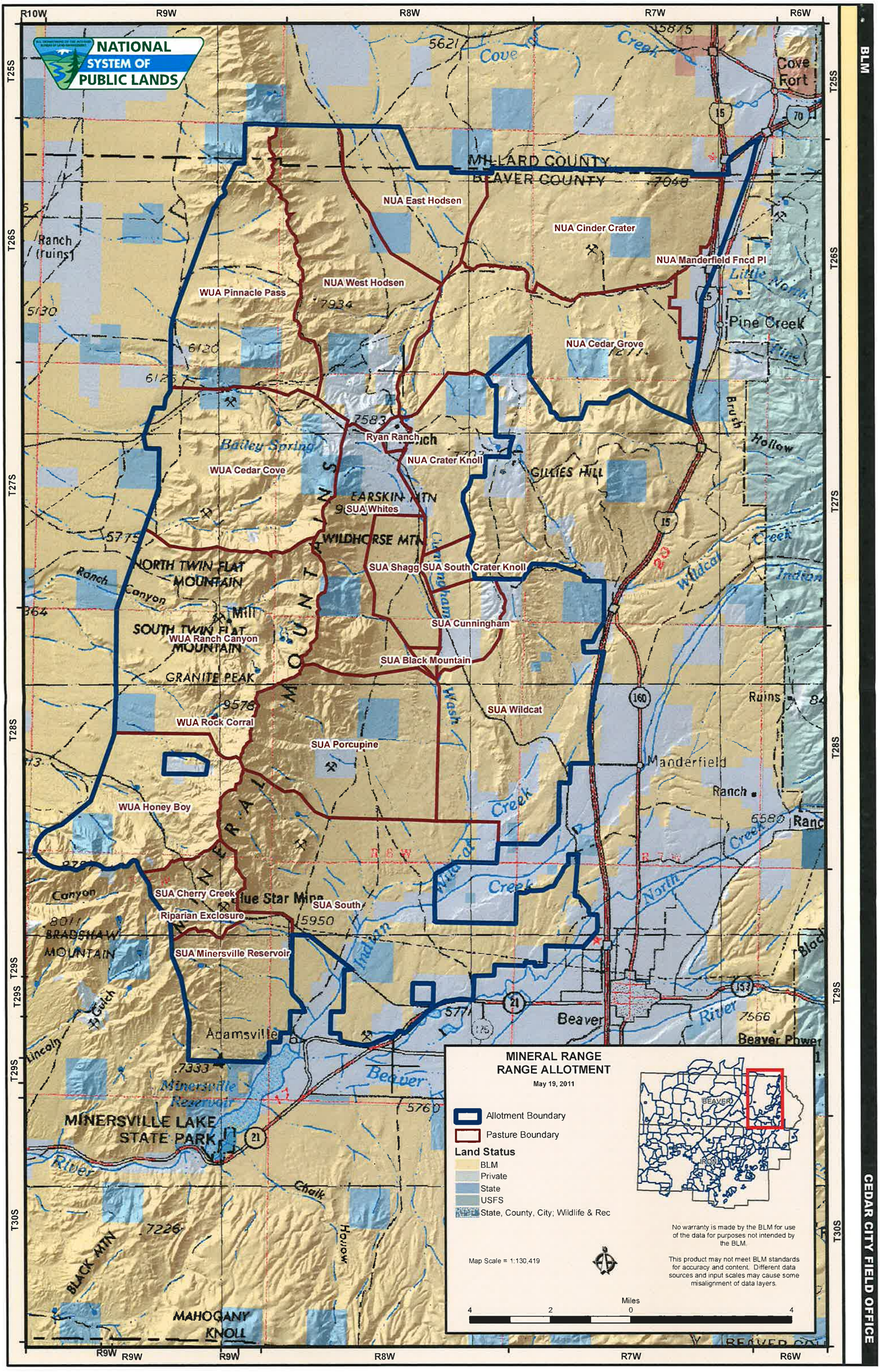
Exceptions to Categorical Exclusion Documentation

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:** The Proposed Action is a continuation of existing grazing management within the Mineral Range (SUA) Allotment. No impacts caused by livestock grazing to public health or safety have been identified; therefore, the action would not result in potentially substantial or adverse impacts to public health and 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; and other ecologically significant or critical areas.		
Yes	**No** X	**Rationale:** There are no unique geographic characteristics, park, recreation, refuge lands, wilderness areas, wild or scenic rivers, national natural landmarks, sole or principal drinking water aquifers, prime farmlands, etc… within the project area. Although migratory birds may be present throughout all public lands a grazing management system has been identified for the Mineral Range (SUA) Allotment.
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:** The impacts of the continuance of the action are well known, not considered highly controversial and have been demonstrated within numerous Grazing Permit Renewal Projects that have fully processed existing grazing permits within the Cedar City Field Office. The grazing permit renewal to fully process the grazing permit within the Mineral Range (SUA) Allotment was completed in 2007. At this time no public concern has been expressed.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	**No** X	**Rationale:** The impacts of livestock grazing are well known and documented on public lands. The livestock permittee would continue utilizing the existing grazing management system.
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 would not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Completion of the CX does not establish a precedent for transfer of grazing preference. Any transfer of grazing preference actions would be analyzed on their own merits.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	**No** X	**Rationale:** Past and present activities in the Mineral Range (SUA) Allotment include livestock grazing, hunting, firewood cutting, fire suppression activities, development of water sources and road construction. No significant cumulative impacts have been identified through this action. Past, present, and reasonably foreseeable future actions on-going in the cumulative impact assessment area would not result in cumulatively significant impacts
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 action complies with Title 54 U.S.C. § 300101 et seq. National Park Service and Related Programs (formerly known as the National Historic Preservation Act of 1966). Implementation would have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places because the size of the project area relative to the limited number of permitted livestock would ensure that grazing is dispersed. The action would also not cause loss or destruction of significant cultural or historical resources.
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 grazing transfer in name change would have no impact on listed species. Special status species are known to occur within the Mineral Range (SUA) Allotment (Middle and North Buckskin). For future reference surveys would be required prior to any ground disturbance within the Mineral Range (SUA) allotment (Middle & North Buckskin pastures).
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 action would not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		

Extraordinary Circumstances		
Yes	**No**	**Rationale:** The action would have no disproportionately high or adverse human health or other environmental effects on minority or low-income segments of the population.
	X	
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**	**Rationale:** The action would not limit access and ceremonial use of Indian sacred sites or adversely affect the integrity of sacred sites within Mineral Range (SUA) Allotment.
	X	
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**	**Rationale:** This action would not contribute to the introduction and/or spread of noxious weeds.
	X	



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