

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SURPRISE FIELD OFFICE**

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

Project Name: Bally Mountain Allotment Livestock Grazing Authorization

NEPA Number: CA-370-08-12

Project Description: The Bureau of Land Management (BLM) is proposing to reissue a grazing permit or annual grazing authorization for a period of up to 10 years on the Bally Mountain Allotment.

Project Location: The Bally Mountain Allotment is located at T46N, R19E in Northern Washoe County, Nevada, as shown on the attached map. Currently the allotment is permitted for 24 cattle from April 25 to December 30, using 198 public AUMs annually. The Bally Mountain Allotment consists of 1,475 acres of public land, and 5,330 acres of private lands. During the Land Use Planning process the allotment was categorized as “C” (custodial) since no resource issues or conflicts were identified. Allotments categorized as “C” have been non-intensively managed by the BLM.

A scoping letter was sent to 66 interested publics on January 17, 2008. Western Watersheds Project and Nevada Department of Wildlife contributed comments that were carefully considered.

Project Purpose and Need: The purpose of the action is to authorize livestock grazing for 10 years on the Bally Mountain Allotment. The need for the action is to ensure that issuance of a grazing authorization is in conformance with National Environmental Policy Act (NEPA), the Surprise Field Office Resource Management Plan and Record of Decision of April 2008 (RMP), and the Secretary approved Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management 2000.

The Surprise Field Office RMP applicable goals and objectives of livestock grazing, as noted on page 2-34 and 2-35 include the following: 1) Sustainable, ecologically sound, and economically viable livestock grazing opportunities would be provided, where suitable, in the Surprise Field Office management area, 2) Adequate forage would be produced to support sustainable levels of livestock grazing where compatible with objectives for other resources and resource users, 3) Continue to modify and adjust grazing management within individual grazing allotments to ensure that a vigorous plant community is sustained in combination with livestock grazing.

Washington Office Instruction Memorandum No. 2003-071, requires all grazing permits to be fully processed by the end of FY 2009, using the information from the land health standards evaluations as needed to complete environmental impact analysis and documentation. In accordance with that policy, the Surprise Field Office has fully processed and proposes to issue a livestock grazing permit to a qualified applicant for the Bally Mountain Allotment. All grazing permits are issued in accordance with 43 CFR 4100. Grazing permits must be consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act.

A copy of the land health standards assessment and determinations for the Bally Mountain Allotment can be found in the allotment files in the Surprise Field Office. In addition, this information will be posted on the Surprise Field Office homepage at http://www.blm.gov/ca/st/en/fo/surprise/grazing_permit_renewals.html. The determination concludes that all of the applicable land health standards are being met.

The grazing permit or authorization (including crossing or trailing permits) will include the type and level of use authorized, including the kind and number of livestock, the period of use, and the amount of active use in animal unit months (AUMs), and terms and conditions for grazing use.

Attachment 1 provides this information including terms and conditions common to all the permits to be issued, as well as terms and conditions specific to the Bally Mountain Allotment. The Surprise Field Office is not proposing any changes to the existing grazing permit for the Bally Mountain Allotment.

The term permit and any future crossing/trailing permits would be implemented through Proposed and Final Grazing Decisions, with provisions for protest, appeal, and petition for stay, accordance with 43 CFR 4100, and would be sent to the permittee(s) and interested publics of record.

Plan Conformance

- ❑ The proposed action is in conformance with the Proposed Surprise Field Office Resource Management Plan and final environmental impact statement issued in May 2007 as adopted by the Record of Decision approved in April 2008.
- ❑ The proposed action is in conformance with the Northeast California Northwest Nevada Rangeland Health Standards and Guidelines for Livestock Grazing of 2000.

The action described above meets the specific criteria for the use of a Categorical Exclusion, as referenced in 516 DM 11.9(D) 11. This reference states the following as a Categorical Exclusion (CX):

Livestock grazing permits/leases where:

- a. *The new grazing permit/lease is consistent with the use specified on the previous permit/lease, such that*
 - 1. *the same kind of livestock is grazed.*
 - 2. *the active use previously authorized is not exceeded, and*
 - 3. *grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease, and*
- b. *The grazing allotment(s) has been assessed and evaluated and the Responsible Official has documented in a determination that the allotment(s) is*
 - 1. *meeting land health standards, or*
 - 2. *not meeting land health standards due to factors that do not include existing livestock grazing.*

Screening for Extraordinary Circumstances: The following exceptions (extraordinary circumstances) apply to individual actions within the CX, as listed in 516 DM 2, Appendix 2. The action has been reviewed to determine if any of the below listed exceptions to categorical exclusion documentation apply.

<i>Exceptions</i>	Yes	No	Specialist Initials
1. Have significant impacts on public health or safety.		X	K.D.
Rationale: This allotment has no significant impacts on public health or safety near public areas. There are no known circumstances in which public health or safety would be impacted or jeopardized.			
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	P.B. A.M.U. E.F.J.

Rationale: This allotment does not contain any known unique natural resources or geographic characteristics. There has been one cultural resource inventory conducted on this allotment. Two archaeological sites were located as a result. The proposed action will not have significant impacts on the two known archaeological sites. The Bally Mountain Allotment has no prime farmlands or floodplains and no drinking water aquifer is associated with the allotment. Actions related to grazing on the allotment will not have significant impacts to migratory birds. The 2005 Barrel Fire removed the best elk and sage-grouse habitat in the allotment, however sage-grouse very likely still use the unburned steep slopes within the Bally Mountain Allotment for nesting. Past radio collar work in the area displayed sage grouse nesting in the Bally Mountain Allotment, while the allotment was managed as proposed for renewal. With no change in management, sage grouse use is expected to continue as it has been. Elk use in the area was low before the fire and is expected to remain low for the foreseeable future due to the loss of hiding cover from the Barrel Fire.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		X	K.D.
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Rationale: Continuing grazing as it has been on this allotment will not have any highly controversial environmental effects. There are no known conflicting interests on this allotment.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X	K.D.
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Rationale: Grazing this allotment as previously permitted will have no uncertain or potentially significant environmental effects.

5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		X	K.D.
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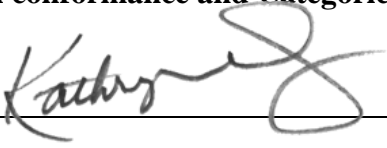
Rationale: The proposed grazing authorization is based on review of site specific monitoring information and guidance from the applicable Land Use Plans. Decisions regarding livestock use on this allotment are not related to site specific decisions regarding uses in other allotments; therefore there is no possibility for the proposed action to be considered as a precedent or to influence future actions in other areas.

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X	S.S.
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Rationale: The relatively small active preference amount in the allotment is individually and cumulatively insignificant. The lack of any other action occurring in this vicinity makes the risk of cumulative effects negligible.			
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.B.
Rationale: There has been one previous cultural resource inventory for the Bally Allotment. Two archaeological sites were recorded as a result of the inventory. A Cultural Resource Assessment was conducted for this allotment in 2007 as per the Supplemental Procedures for Livestock Grazing Permit/Lease Renewals, A Cultural Resources Amendment to the State Protocol Agreement Between the California BLM and the California State Historic Preservation Officer. The proposed action will not have a significant impact on the two identified cultural resources within the Bally Allotment.			
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	E.F.J.
Rationale: There is no habitat for listed species within this allotment, nor will grazing actions in this allotment affect listed species.			
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X	P.B.
Rationale: There would be no limited access to any public lands resulting from this project. Native American consultation has taken place for this permit renewal. There were no concerns expressed by the tribes regarding the permit renewal.			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898, 'Environmental Justice').		X	K.D.
Rationale: Renewal of this permit would not negatively affect low income or minority populations.			
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).		X	P.B.
Rationale: There would be no limited access to any public lands resulting from this project. Native American consultation has taken place for this permit renewal. There were no concerns expressed by the tribes regarding the permit renewal.			

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).		X	A.M.U.
<p>Rationale: This project would have a low probability to 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.</p> <p>The Bally Mountain Allotment has been inventoried for noxious weeds for the past two years as part of the Barrel Fire noxious weed inventory and monitoring program. Four Bull thistle sites were located on private lands and were chemically treated last year. In 2008, the allotment will again be inventoried and treated for noxious weeds.</p>			

Land Use Plan conformance and Categorical Exclusion review confirmation:

Lead Preparer:  Date: 8/30/08

NEPA/ Environmental Coordinator:  Date: 8/30/08

Approval and Decision

Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable):

Surprise Field Manager:  Acting Date: 8/22/08

Attachment 1

Bally Mountain Allotment

Permitted Use Summary

Allotment	Active AUMs	Suspended AUMs	Total Permitted Use
Bally Mountain	198	0	198

Existing Grazing Permit Schedule

Allotment	Case File Number	Livestock number	Kind	Season	% Public Land	Public AUMs
Bally Mountain	0403405	24	Cattle	4/25 - 12/30	100%	198

Allotment Specific Terms and Conditions: The following proposed terms and conditions are in accordance with 43 CFR 4130.3-1:

The following Terms and Conditions are included on all permits.

1. Grazing use offered or authorized by BLM is subject to all provisions of the grazing regulations (43 CFR Parts 4100) and other applicable law and regulation. Grazing use will be in accordance with the Rangeland Health Standards and Guidelines for California and Northwestern Nevada Final EIS approved by the Secretary of the Interior on July 13, 2000. Grazing use authorization may be modified in accordance with regulation to attain progress towards achieving rangeland health standards (subpart 4180.1 and 4180.2 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration).
2. Salt and/or mineral supplements will be placed no closer than ¼ mile from any public water source, aspen stand, or meadow.
3. Grazing flexibility can be requested by the livestock operators to run increased numbers for a shorter season. Any changes in grazing use cannot exceed Active AUMs, and must be approved in advance by a BLM authorized officer.
4. All range improvements must be maintained to standards prior to livestock turnout. All assigned fence maintenance must be completed annually, even if your permit is not activated. Failure to complete assigned fence maintenance may result in suspension of your grazing authorization.

Bally Mountain Allotment

