

**U.S. Department of the Interior  
Bureau of Land Management  
Kremmling Field Office  
P.O. Box 68  
Kremmling, CO 80459**

## **CATEGORICAL EXCLUSION**

NUMBER: CO-120-2008-08-CX

PROJECT NAME: Transfer livestock grazing permit # 051775 with a grazing preference on BLM Allotment # 07521 (Snider-Murphy) from Merrit Linke to John B. Murphy Land Company.

LEGAL DESCRIPTION: Allotment # 07521 (Snider-Murphy) consists of all or part of the following:

T1N, R76½W, 6<sup>th</sup> PM, Sections 11 and 12  
T1N, R77W, 6<sup>th</sup> PM, Section 12

APPLICANT: John B. Murphy Land Co.

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would transfer the base property and livestock grazing preference on Allotment # 07521 (Snider-Murphy) from Merrit Linke to the John B. Murphy Land Company. John Murphy is the base property land owner and did not renew his lease with Merrit Linke. No changes would be made to the number or kind of livestock, season of use, or amount of grazing preference (see project map below).

Insert Map

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock grazing pages 6 through 8, as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority. The RMP/Rod designated the project area with a no priority. Livestock grazing is compatible with this designation.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5, Section 5.4, D (1) “*Approval of Transfer Grazing Preference.*” None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

<b>Extraordinary Circumstances</b>	<b>Yes</b>	<b>No</b>
2.1 Have significant impacts on public health or safety		X
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
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
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
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

2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
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).		X
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).		X

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Bill Wyatt	Fire Archaeologist	Cultural Resources and Native American consultation	11/30/07
Wildlife Biologist	T&E Species	Wildlife Biologist	12/5/07
Frank G. Rupp	Archaeologist	Paleontology	1/28/08
Paula Belcher	Hydrologist	Soil, Water, Air, & Riparian	2/14/08
Joe Stout	P&EC	NEPA Compliance	3/21/08

REMARKS:

Cultural Resources: The Proposed Action does not constitute an undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended.

Native American Religious Concerns: The Proposed Action does not constitute an undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended.

Threatened and Endangered Species: There would be no impact to threatened, endangered, or sensitive species.

COMPLIANCE PLAN: Compliance with the grazing permit and its terms and conditions would be accomplished through the Kremmling Field Office Rangeland Management Program. Livestock grazing would be monitored by the BLM, as appropriate, to ensure compliance. The Kremmling Field Office Rangeland Management Program would be used to schedule periodic utilization checks, collect trend data, and

evaluate allotment condition. Changes would be made to the grazing permit, based on monitoring, when changes are determined to be necessary to protect public land health.

NAME OF PREPARER: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 3/21/08

ATTACHMENTS:

1). Livestock Grazing Permit # 051775 with Standard Terms and Conditions

DECISION AND RATIONALE: I have reviewed this CER and have decided to implement the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Peter McFadden

DATE SIGNED: 3/21/08