

Categorical Exclusion Documentation
ID-110-2007-CE-3617
Livestock Grazing Permit Renewal

A. BACKGROUND

BLM Office: Four Rivers Field Office (ID-110); Boise District Office
Permit/Lease Number: Kenneth Seid Authorization Number 1101134
Allotment Name and Number: Deer Creek Allotment #151
Proposed Action Title: Grazing permit renewal
Location of Proposed Action: Deer Creek Allotment is in Washington County, northwest of Midvale; southwest of Cambridge, Idaho
 Legal Description of public land in the allotment: T14N, R3W, Sections 18, 19

Description of Proposed Action:

It is proposed to:

- A. renew the grazing permit for Authorization Number 1101134 for a ten-year term of March 01, 2008 through February 28, 2018, with administrative adjustments to the grazing permit terms and conditions
- B. adjust the allotment boundary to conform with ground mapping of existing fences

A. Renew the grazing permit for Authorization Number 1101134 for a ten-year term of March 01, 2008 through February 28, 2018. Minor modifications of the terms and conditions would be made:

From:

Permittee	Livestock	Season of Use	Percent Public Lands	Preference		
				Active	Suspended	Total
Kenneth Seid	40 Cattle	04/16 to 05/30	14%	8	0	8

1. Your base property lease for the Hopper Creek-East Allotment #150 and Deer Creek Allotment #151 has an indefinite expiration date. You must notify the BLM in writing, if there are any changes to your lease agreement with Clifford Hooper. **(to be re-written; correct allotment names and spelling of personal name)**
2. The allotment(s) listed on this grazing permit are subject to the requirement of 43 CFR 4180 - - Fundamentals of Rangeland Health and Guidelines for Grazing Administration. This permit shall be modified (if necessary) to meet these requirements upon completion of a standard and guidelines assessment and determination as scheduled by the authorized officer. **(to be removed; standard and guideline assessment and determination has been completed)**
3. Turn-out is subject range readiness criteria. **(to be re-written)**
4. Your certified actual use report is due within 15 days of completing your authorized annual grazing use. **(to be re-written)**
5. Salt and/or supplement shall not be placed within one-quarter (1/4) mile of springs, streams, meadows, aspen stands, playas or water developments. **(to be re-written; playas do not exist on this allotment)**
6. Changes to the scheduled use require prior approval. **(to be re-written)**
7. Trailing activities must be coordinated with the BLM prior to initiation. A trailing permit or similar authorization may be required prior to crossing public lands. **(to be removed; permittee does not trail)**
8. Livestock exclosures located within your grazing allotments are closed to all domestic grazing use. **(to be removed; there are no exclosures on this allotment)**

9. Range improvements must be maintained in accordance with the cooperative agreements and range improvement permits in which you are a signator or assignee. All maintenance or range improvements within a wilderness study area require prior consultation with the authorized officer. **(to be re-written)**
10. All appropriate documentation regarding base property leases, lands offered for exchange-of-use, and livestock control agreements must be approved prior to turn-out. Leases of land and/or livestock must be notarized prior to submission and be in compliance with Lower Snake River District Policy. **(to be removed; permittee owns base property associated with this allotment)**
11. Failure to pay the grazing bill within 15 days of the due date specified shall result in a late fee assessment of \$25.00 or 10 percent of the grazing bill, whichever is greater, not to exceed \$250.00. **(to be removed; this statement appears on the grazing bill)**

To:

Permittee	Livestock	Season of Use	Percent Public Lands	Preference		
				Active	Suspended	Total
Kenneth Seid	40 Cattle	04/16 to 05/30	14%	8	0	8

1. Livestock grazing for Deer Creek Allotment will comply with Field Manager's Proposed Decision dated (intentionally left blank at this time; date will be inserted when decision is signed; Hopper Creek Allotment will be addresses in a separate document at a later date). **(new)**
2. Your base property lease for the Hopper Creek Allotment #150 and Deer Creek Allotment #151 has an indefinite expiration date. You must notify the BLM in writing, if there are any changes to your lease agreement with Clifford Hopper.
3. Scheduled use changes require prior approval on an annual basis. From information provided in the annual application, a grazing bill will be prepared indicating authorized use for that year.
4. The annual actual use report is due within 15 days of completing your authorized annual grazing use.
5. Turn-out date is subject to range readiness. Range readiness occurs once physiological requirements of the plants have been met.
6. Annual maintenance of range improvements will be completed prior to livestock entry of the allotment.
7. Pursuant to 43 CFR 10.4(b), the permittee must notify the BLM Field Manager, by telephone followed with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on federal land. Pursuant to 43 CFR 10.4(c), the permittee must immediately stop any ongoing activities connected with the discovery and make a reasonable effort to protect the discovered remains or object. **(new)**
8. Salt and/or mineral blocks shall not be placed on public lands within one quarter (1/4) mile of springs, streams, meadows, riparian habitats or aspen stands.

B. Based on GIS field mapping, on-the-ground boundary fences do not match current administrative records. Therefore, it is proposed to change the allotment boundary to complement on-the-ground fences. This would change the allotment composition from approximately 80 acres of public land and 500 acres of private land to approximately 80 acres of public land and 528 acres of private land within the existing fencelines. Adjusting the allotment boundary would not affect the grazing preference.

B. LAND USE PLAN CONFORMANCE

Land Use Plan Name: Cascade Resource Management Plan

Date Approved/Amended: July 1, 1988

The proposed action is in conformance with the applicable LUP guidelines and/or objectives:

The Rangeland Program Summary (RPS) of the Cascade Resource Management Plan (RMP) indicates there are 80 acres of public land are within Deer Creek Allotment. RMP allotment maps show that public

land is fenced in with 500 acres of private land. This is a composition of approximately 14 percent public land and 86 percent private land. Livestock management follows an established season-of-use allowing spring use from mid-April through the end of May.

Deer Creek Allotment is in the “custodial” management category with M-1 moderate use goals and guidelines. Through the RMP, custodial management is defined as management to prevent resource deterioration. General goals and guidelines for M-1 moderate use areas, as described in the RMP, are to provide production and use of forage, timber, minerals and energy, other consumptive resources and recreation while maintaining or enhancing natural systems. These lands provide wildlife and livestock forage. Management is to maintain or enhance forage production for livestock and wildlife while maintaining site productivity, water quality and stream stability, and providing for other uses.

Overall, the RMP objective is to improve soil, vegetation, watershed, wildlife habitat, other resource values and conditions, and to provide vegetation for livestock, wildlife and other consumptive and nonconsumptive uses. An RPS objective (page 1) indicates “forage production will be balanced with forage consumption to allow scheduled livestock use to occur in a manner that will maintain and/or improve vegetative condition.” The range resource management guideline (page 45 of the RMP) states that grazing preference will be at a level to ensure adequate forage is also available for wildlife and there are sufficient reserves to maintain plant vigor, to stabilize soils, and to provide cover for wildlife and other nonconsumptive uses.

C: LAND HEALTH ASSESSMENT

Deer Creek Allotment is meeting all applicable rangeland health standards.

Idaho has eight rangeland health standards (43 CFR 4180.2, *Standards for Rangeland Health and Guidelines for Grazing Management for Public Lands in Idaho* (1997)). The following table indicates if each standard is:

1. being met
2. not being met, but livestock grazing is not a significant factor
3. not applicable

Idaho Standards	Standard Met	Standard Not Met, Grazing not a Significant Factor	Not Applicable
1. Watersheds	X		
2. Riparian Areas and Wetlands			X
3. Stream Channel/Floodplain			X
4. Native Plant Communities	X		
5. Seedings			X
6. Exotic Plant Communities other than Seedings			X
7. Water Quality			X
8. Threatened and Endangered Plants and Animals	X		

For detailed information see the specific allotment rangeland health assessment in [Appendix B, Assessment 20 of the April 2005 Goodrich Watershed Assessment \(allotments with blocked units of public land\)](#), and summarized in the [Evaluation and Determination for Achieving the Idaho Standards for Rangeland Health and Conformance with the Guidelines for Livestock Management](#) for Deer Creek Allotment.

D: COMPLIANCE WITH NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, as published in the Notice of Final Action to Adopt Revisions to the Bureau of Land Management's Procedures for Managing the NEPA Process, Chapter 11 of the Department of the Interior's Manual Part 516. Federal Register: Volume 72, Number 156 -August 14, 2007, pages 45503-45542. "Issuance of 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."*

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment as documented in the following table. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply.

EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION	YES	NO
The proposed categorical exclusion action will:		
2.1 Have significant impacts on public health or safety.		X
Rationale: There is no documentation that authorized livestock grazing activities pose a significant impact to public health or safety. Therefore, it is expected that with renewal of this grazing permit, there will continue to be no significant impacts on public health or safety, with the continuation of current livestock grazing activities.		
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: There are no known 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); national monuments; and other ecologically significant or critical areas. Livestock grazing on public lands in Deer Creek Allotment will not have a significant adverse impact to resource values that are present within the allotment. The Evaluation and Determination showed all applicable standards were being met.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].		X
Rationale: The Evaluation and Determination showed Deer Creel Allotment to be in conformance with all applicable rangeland health standards and livestock management guidelines. Therefore, renewing the current grazing authorization with minimal administrative adjustments to the terms and conditions of the grazing permit, is not highly controversial regarding environmental effects. Through scoping,		

EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed categorical exclusion action will:			
unresolved conflicts concerning alternative uses of available resources were not identified.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
<p>Rationale: No unique or unknown environmental risks are known to exist, or are expected to arise, with the continuation of this ongoing livestock management practice.</p> <p>Livestock grazing occurs on public, State, and private lands throughout the Goodrich Watershed assessment area. It has been documented, in the Evaluation and Determination, livestock grazing practices are in conformance with applicable Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management. It is expected these livestock management practices will continue into the future, therefore conformance with rangeland health standards and livestock management guidelines is expected to continue with little or no environmental effects or risks.</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: Renewal of this livestock grazing authorization will not establish a precedent, nor does it represent a decision in principle, regarding future actions with potentially significant environmental effects since any new and/or future actions will have an independent analysis and follow-up decision. 43 CFR 4110.3(a) states “the authorized officer shall periodically review the grazing preference specified in a grazing permit or lease and make changes in the grazing preference as needed . . .”</p>			
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
<p>Rationale: Renewal of this livestock grazing permit will authorize the continuation of an historic and ongoing activity. The Evaluation and Determination indicated conformance with all applicable rangeland health standards under current livestock management. Based on these two circumstances, and when livestock grazing is considered in context with other activities and land uses of the region, this grazing permit renewal will have no cumulatively significant environmental effects.</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: Not Applicable.</p> <p>There are no known properties in Deer Creek Allotment that are listed, or eligible for listing, on the National Register of Historic Places. If any sites are found in the future, all precautions would be taken to prevent loss or destruction of scientific, cultural or historic resources.</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: There are no known populations of, or critical habitat for, threatened, endangered, or sensitive species from Deer Creek Allotment.</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: Grazing permit renewal, and the subsequent use of public lands, is consistent with the federal grazing regulations, as well as Federal, State, and local laws or requirements.</p>			
2.10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
<p>Rationale: Low income or minority populations, either those who live in the area or those who may visit the area, would not be impacted differently or disproportionately higher, than any other individuals by the proposed activities.</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).		X

EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed categorical exclusion action will:			
Rationale: There are no known ceremonial and/or sacred sites on public land in this allotment.			
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
Rationale: Noxious and invasive weeds are pervasive throughout the Goodrich Watershed assessment area. BLM is an active partner in the Adams County and Washington County Coordinated Weed Management Area (CWMA). These CWMA organizations treat noxious weed infestations across the two counties of the Goodrich Watershed area. While livestock may have historically contributed to the introduction and/or spread of invasive and/or noxious weeds, removal of livestock would have no effect on the area's weed populations. Documentation is on file showing conformance with Standard 4 (Native Plant Community) and Standard 8 (habitats for Threatened and Endangered Plants and Animals) under the current grazing authorization. Therefore, continuation of current authorized grazing will neither influence the spread of, nor increase the abundance of, invasive and/or noxious weed populations.			

This categorical exclusion review has been conducted by an interdisciplinary team (ID), which utilized all available allotment information to make a recommendation. Following are the ID Team members:

Team Member	Title	Discipline Covered
Tim Carrigan	Wildlife Biologist	Wildlife Habitat; Threatened, Endangered, and Sensitive Wildlife
Mary Clark	Rangeland Management Specialist	Rangeland Management
Frank Jenks	Outdoor Recreation Planner	Recreation
Pat Kane	Weeds Management Specialist	Noxious Weed Management
Matt McCoy	NEPA Coordinator	National Environmental Policy
Jeff Mork	GIS Specialist	Global Information System (mapping)
Irene Saphra	Fuels Specialist	Fuels
Kim Schultsmeier	Range Technician	Range Improvements
Dean Shaw	Archaeologist	Cultural Resources
Mark Steiger	Botanist	Plant Habitat; Threatened, Endangered and Sensitive Plants
Allen Tarter	Natural Resource Specialist	Riparian Areas, Waterways, Water Quality, Aquatic Habitats
Lynn Wessman	Ecologist	Rangeland Monitoring

I have reviewed this Categorical Exclusion Documentation including the plan conformance, NEPA compliance, land health assessment, and allotment evaluation and determination. Based on these reviews, I have determined that the proposed permit renewal is in conformance with the approved land use plan and that no further environmental analysis is required.

Rationale: Determination of rangeland health, and conformance with applicable rangeland health standards and livestock management guidelines are made on an allotment, as a whole unit. Therefore, based on information detailed in the *Evaluation and Determination for Achieving the Idaho Standards for Rangeland Health and Conformance with the Guidelines for Livestock Grazing Management*, Deer Creek

Allotment is meeting all applicable Standards for Rangeland Health (1, 4, and 8) and Guidelines for Livestock Grazing Management.

This categorical exclusion is appropriate for renewal of the grazing authorization for Deer Creek Allotment because the renewed grazing permit is consistent with the use specified on the previous permit:

- (1) the same kind of livestock are being grazed,
- (2) the active use previously authorized is not exceeded,
- (3) grazing does not occur more than 14 days earlier or later than as specified on the previous permit, and
- (4) Four Rivers Field Manager has determined that this allotment is meeting all applicable rangeland health standards.

F: SIGNATURE

Authorizing Official: /s/ Rosemary Thomas Date: 09/28/2007
Rosemary Thomas
Field Manager, Four Rivers Field Office

G. CONTACT PERSON

For additional information concerning this Categorical Exclusion Documentation, contact:

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