

Categorical Exclusion Documentation

Bureau of Land Management (BLM)

Prineville District – Central Oregon Resource Area

A. Background

Proposed Action Title: Grazing Lease Transfer, John T. Murtha and Hay Creek allotments

CE Number: DOI-BLM-OR-P040-2009-006-CX

Project or Serial Number: 3605358, 3605427

Location: Approximately fifteen miles east of Moro, Oregon. Maps attached.

Description of the Proposed Action: The proposed action is to split the John T. Murtha (#2597) allotment to match the private property ownership pattern, creating a new grazing allotment (Corridor #2677, 80 acres, 6 AUMs). Also, transfer of existing lease for the Hay Creek (#2598) and the remaining portion of the John T. Murtha (8774 acres, 258 AUMs) allotments from James Murtha, Patrick Murtha and Mary Chambers to Western Rivers Conservancy. The existing Terms and Conditions and management practices of the lease would remain unchanged.

B. Land Use Plan Conformance

The above proposed action has been found to be in conformance with the following BLM plans.

Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary (Two Rivers RMP), June 1986

Page 10, Goal and Objectives, No. 1: “Maintain forage production and livestock use at 17,778 AUMs.”

Page 43, Appendix C: “2597 John T. Murtha, Acres Public Land 7,585, Current Active Use 227 AUMs; 2598 Hay Creek, Acres Public Land 1,518, Current Active Use 37 AUMs ...”

Page 47, Appendix D: “2597, ... Grazing Period Begin-End 03/01 – 01/24; 2598, ... Grazing Period Begin-End 10/15-202/28 ...”

John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments, Record of Decision, (John Day River Plan) February 2001

Appendix L, page 217: “...Hay Creek, AUMs within lease: 126”; page 219 “... John T. Murtha AUMs within lease: 269”.

C. Compliance with NEPA

Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.5.D (1), effective August 14, 2007, “Approval of transfers of grazing preference”. 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 apply as described in 516 DM 2, Appendix 2, and effective June 21, 2005. See attached CX Extraordinary Circumstances Documentation checklist beginning on page 3.

I considered the above Proposed Action, land use plan, compliance with 516 DM 11.5.D (1), and the lack of extraordinary circumstances potentially having effects that may significantly affect the environment information provided. Based on this review, there is no potential for significant impacts so further NEPA analysis is not needed.

D. Signature

Authorizing official: /S/ Jennifer Eberlien Date 12/18/09
Jennifer Eberlien, Central Oregon Field Manager

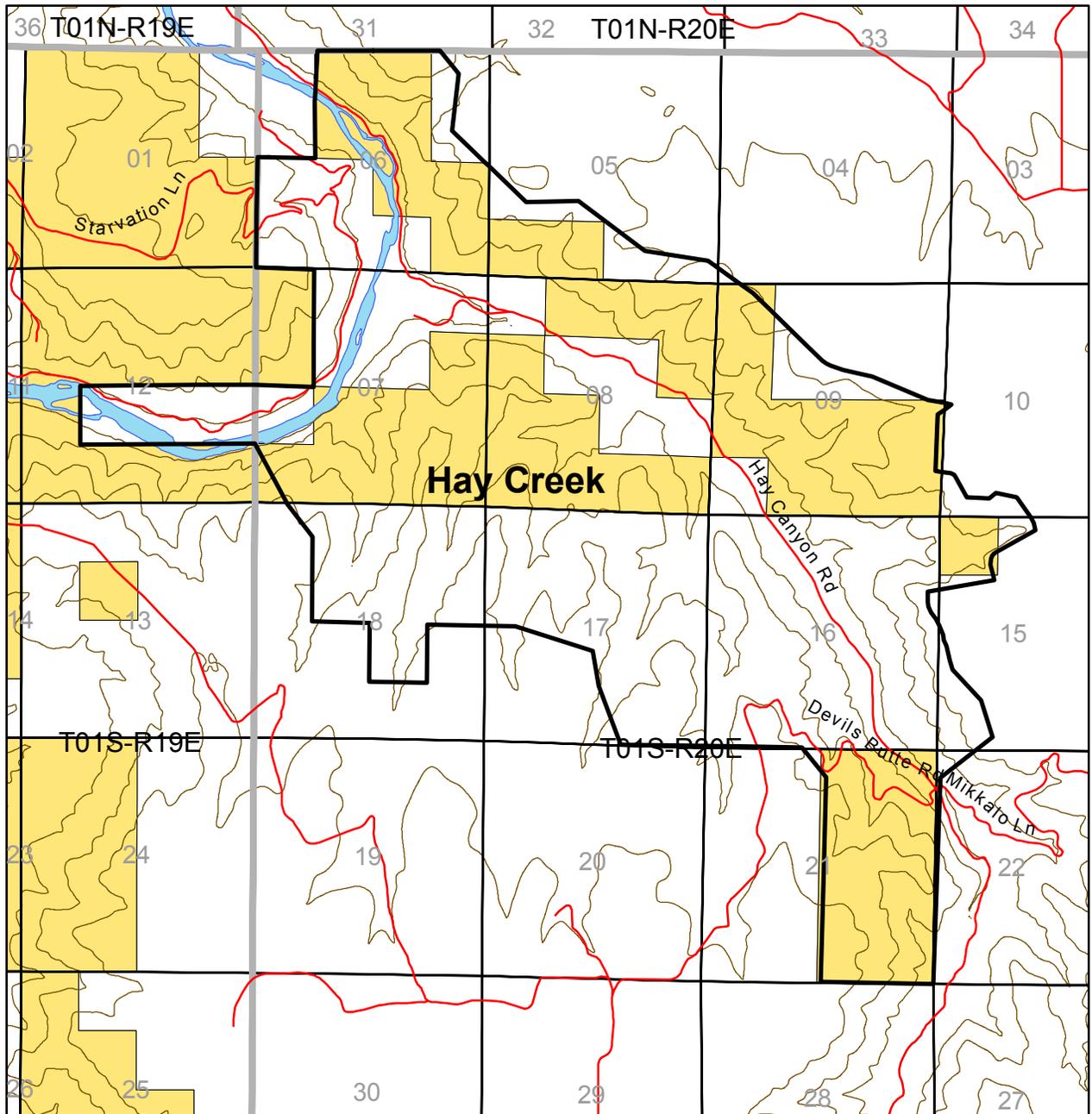
Contact Person

For additional information concerning this review, contact Craig Obermiller, Rangeland Management Specialist at the Prineville District Office, 3050 NE 3rd Street, Prineville, OR 97754, 541-416-6761, craig_obermiller@or.blm.gov.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed categorical exclusion action will:			
2.1	Have significant impacts on public health or safety.		X
Rationale: The proposed action, which would continue livestock grazing on the John T. Murtha and Hay Creek allotments, was determined not to have significant impacts on public health or safety based on “preferability” of the Preferred Alternative in the Two Rivers RMP (No. 3, page 7). In addition, John Day River Plan did not identify livestock grazing as having significant impacts on public health or safety.			
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: The proposed action does not have significant impacts on the items listed. The proposed action does not have park, refuge, wilderness, national natural landmarks, principal drinking water aquifers, prime farmlands, wetlands, national monuments, and ecologically significant or critical areas. The Two Rivers RMP and the John Day River Plan provided management guidance for livestock grazing concerning cultural resources, recreation, and wild and scenic rivers.			
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 proposed action is in conformance with the Two Rivers RMP, which did not identify any highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. Grazing is provided for in the Livestock Grazing Directions, page 14: “The availability of forage will remain at 17,778 AUMs in the short term.” Also, it is specifically provided for in the John T. Murtha and Hay Creek allotments (2597 and 2598) in Appendix C, Initial and Predicted Long Term Livestock Forage Use, page 43, “2597... Short Term 227 AUMs and Long Term 310 AUMs” and “2598... Short Term 37 AUMs and Long Term 45 AUMs”. In addition, the John Day River Plan, pages 217 and 219, allows for the continuation of livestock grazing in the two allotments.			

2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: Grazing practices, as described in the listed land use planning documents, for the proposed action have shown no highly uncertain, potentially significant, unique or unknown risks.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: Thousands of grazing permit/lease transfers have occurred every year since 1935 so the proposed action would not be regarded as precedent setting with potentially significant environmental effects. Due to the management constraints imposed by the Two Rivers RMP and John Day River Plan the proposed action is within the limits of acceptable environmental effects.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: Similar past actions, to the proposed action, did not result in significant direct, indirect or cumulative environmental effects. The proposed action does not alter the magnitude of environmental effects because it is an administrative action which involves people completing forms in an enclosed office environment.		
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
Rationale: The Two Rivers RMP determined grazing, as described in the Plan, would have a low impact on historic places (see Table 1, page iii). The John Day River Plan determined grazing to have an impact similar to erosive forces (such as freeze – thaw and flooding) but less impact than bioturbation, such as rodent burrowing (see Record of Decision, page 27).		
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
Rationale: Analysis of grazing impacts to steelhead habitat was determined to have ‘no effect’ on the Hay Creek allotment and to ‘not likely to adversely affect’ on the John T. Murtha allotment.		

2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	X
Rationale: The proposed action conforms to the direction given for the management of public lands in the Two Rivers RMP and John Day River Plan, both of which complies with all applicable laws, such as the Clean Water Act and Endangered Species Act.	
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	X
Rationale: The transfer of an active grazing permit/lease would have no measurable effect on low income or minority populations; however, it would provide public grazing land for a ranch operation which may employ low income or minority persons.	
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
Rationale: There is no documentation of limited access or use of sacred Indian ceremonial sites regarding the proposed action. In addition, there is no documentation that the physical integrity of such sites, if they exist, has been significantly adversely affected. Should an adverse situation arise, action would be taken to alleviate the problem.	
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: The proposed action would not measurably change the rate of introduction, continued existence or spread of noxious weeds or invasive species. Livestock entering public lands have the potential to transport some viable undesirable seed via hide or gut; however, the possibility of introducing undesirable plants, not already in the area, is remote.	



Hay Creek (#2598) Allotment

-  Allotment Boundary
-  Roads
-  250ft Contours
-  John Day River
-  Bureau of Land Management
-  State
-  Private

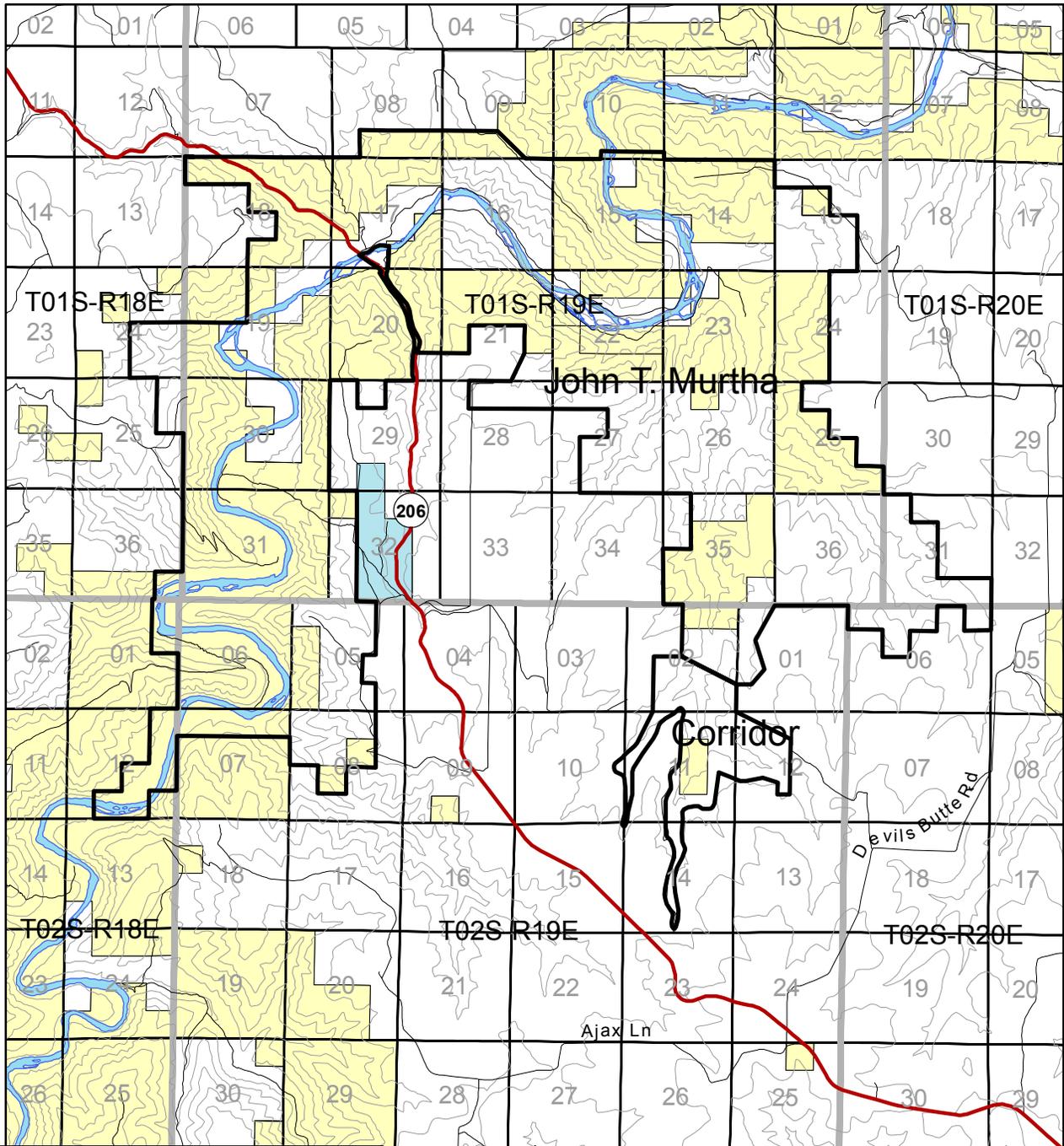


No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.



1 in = 1 miles

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John T. Murtha and Corridor Allotments

- Bureau of Land Management
- State
- Private/Unknown
- Allotments
- Major Highways
- Section Lines

N
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0 0.3 0.6 1.2 1.8 2.4 Miles

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