

# **Categorical Exclusion Documentation**

## **Bureau of Land Management (BLM)**

### **Prineville District – Deschutes Resource Area**

#### **A. Background**

**Proposed Action Title:** Grazing Lease and Base Property Transfer, Ward Creek Allotment (7525)

**CE Number:** DOI-BLM-OR-P060-2010-0024-CX

**Project or Serial Number:** None

**Location:** Approximately eighteen miles northeast of Madras, Oregon. Map attached.

**Description of the Proposed Action:** The proposed action is to relocate the base property designation from Ronald Brusven’s deeded land to J. Annan Priday’s deeded and in so doing, also transfer the grazing authorization for the Ward Creek Allotment (7525). The property held by Mr. Priday is presently the base property for the Priday J. Allotment (7560) and meets the base property requirements as described in 43 CFR 4110.2-1(a) (1) and (2). In addition, because the two allotments are adjacent and there is no fence separating the two, the Ward Creek Allotment would be combined with the Priday J. Allotment, based on 43 CFR 4110.2-4. (Priday Allotment map attached). The existing Terms and Conditions and management practices of the Grazing Permit would remain unchanged.

#### **B. Land Use Plan Conformance**

The proposed action is in conformance with the following Land Use Plan:

##### **Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary, June 1986**

Page 10, Goal and Objectives, No. 1: “Maintain forage production and livestock use at 17,778 AUMs. Maintain current livestock grazing levels and meet riparian and upland vegetation management objectives”

Page 44, Appendix C: “7525 Ward Creek (formerly Folmsbee), Acres Public Land 160 (formerly 500), Current Active Use 9 (formerly 21), Custodial.

Page 45, Appendix C: “7560 Priday J, Acres Public Land 960, Current Active Use 85, Custodial.

#### **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 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/ Molly Brown Date 2/24/10  
Molly Brown, Deschutes Field Manager

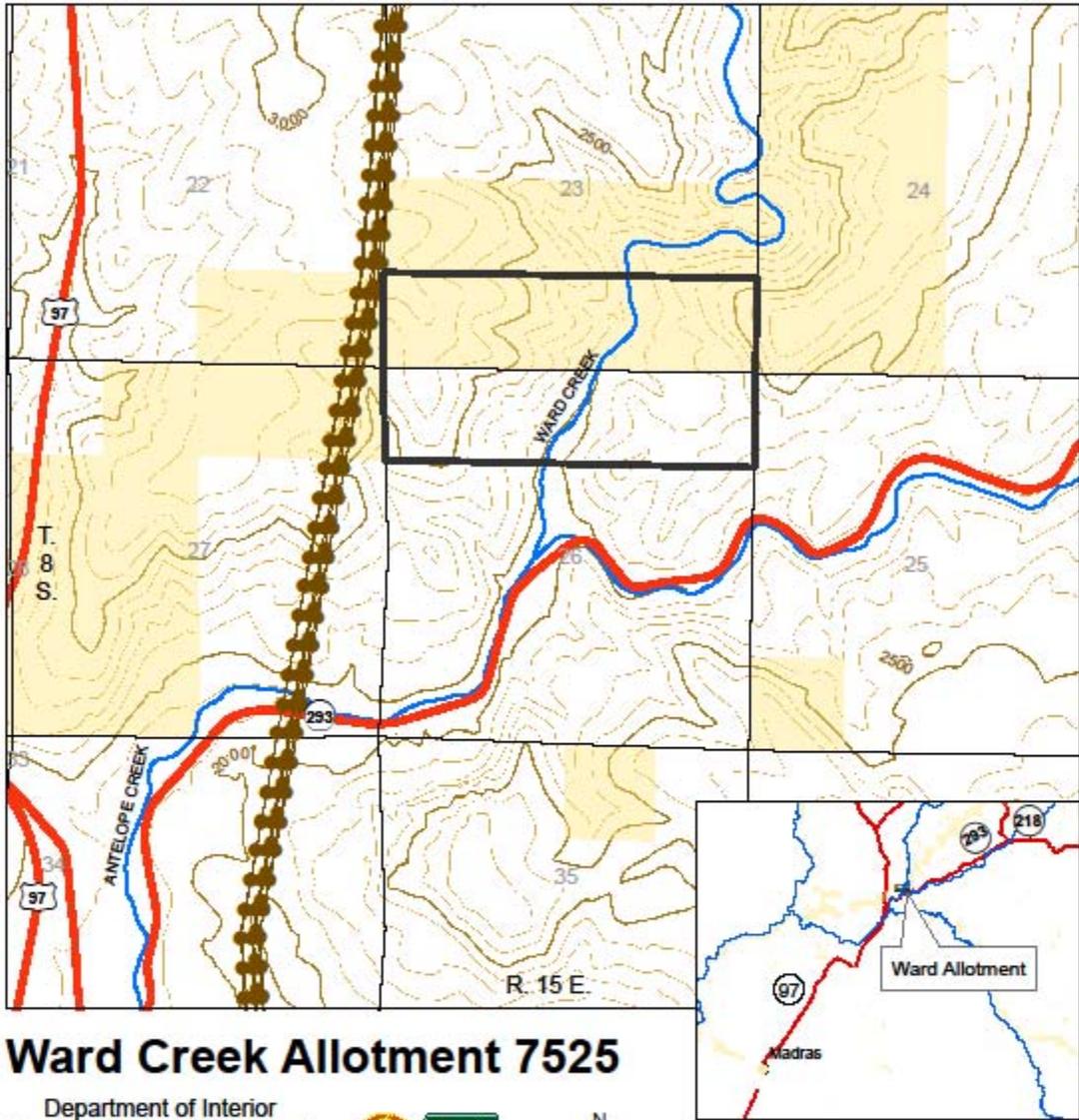
**Contact Person**

For additional information concerning this review, contact Lyle Andrews, Rangeland Management Specialist at the Prineville District Office, 3050 NE 3<sup>rd</sup> Street, Prineville, OR 97754, 541-416-6715, lyle\_w\_andrews@or.blm.gov.

<b>CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION</b>		<b>YES</b>	<b>NO</b>
The proposed categorical exclusion action will:			
2.1	Have significant impacts on public health or safety.		X
Rationale: The administrative action of transferring a grazing lease has not been associated with having significant impacts on public health or safety, as of yet. In addition, the end result of a grazing lease transfer is the continuation of a land use which is in conformance with the Two Rivers Resource Management Plan (RMP) and Record of Decision (ROD), 1986.			
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 would not have significant impacts on park, refuge, wilderness, national natural landmarks, principal drinking water aquifers, prime farmlands, wetlands, national monuments, and ecologically significant or critical areas. None of these resources of concern are within the geographical boundaries of the proposed action.			
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 administrative, but the result is continued grazing on public land. Grazing on this allotment is in conformance with the Two Rivers RMP and ROD, 1986, pp 14 – 17 and Appendix C.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The administrative action of transferring a grazing lease from one person to another does not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. The continuation of grazing on public land is in conformance with the Two Rivers RMP and ROD, 1986, pp 14 – 17 and Appendix C.			
2.5	Establish a precedent for future action or represent a decision in		X

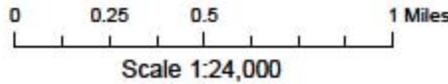
principle about future actions with potentially significant environmental effects.		
<p>Rationale: Hundreds of grazing permit/lease and base property transfers have occurred every year since 1935 so the proposed action would not be regarded as precedent setting with potentially significant environmental effects. Due to the management constraints imposed by the Two Rivers Resource Management Plan and Lower Deschutes River Management Plan the proposed action is within the limits of acceptable environmental effects. To date, this type of action has not been viewed as establishing a precedent for future actions or representing a decision in principle about future actions with potentially significant environmental effects.</p>		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
<p>Rationale: The proposed action does not change the already existing uses in the planning area. The proposed action provides no new effect.</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: The Two Rivers ROD determined grazing, as described in the Plan, would have a low impact on historic places (see Table 1, page iii). The Lower Deschutes River ROD determined grazing to have a moderate impact, but with, later to-be-determined site specific mitigations, it was acceptable (see Table 1, page 7 and C.3.a.3 page 28).</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: The Ward Creek Allotment contains approximately 0.3 miles of Ward Creek which is primarily used as a corridor by the Mid Columbia Summer Steelhead to reach upper reaches of the creek for spawning and rearing. The steelhead are presently listed by the National Marine Fisheries Service (NMFS) as Threatened under the Endangered Species Act. The current biological opinion from NMFS allows for grazing prior to May 1, so any use after this date would require further consultation between NMFS and the BLM.</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: The proposed action conforms to the direction given for the management of public lands in the Two Rivers ROD/RMP which complies with all applicable laws, such as the Clean Water Act, Endangered Species Act.</p>		
2.10 Have a disproportionately high and adverse effect on low income or		X

minority populations (Executive Order 12898).		
Rationale: The proposed action would have no measurable effect on low-income or minority populations. A base property transfer allows for the continuation of livestock grazing which can provide employment to various sectors of the population.		
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or cause significant adverse affect on 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 of that the physical integrity of such sites, if they exist, has been significantly adversely affected.		
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 minimal.		



# Ward Creek Allotment 7525

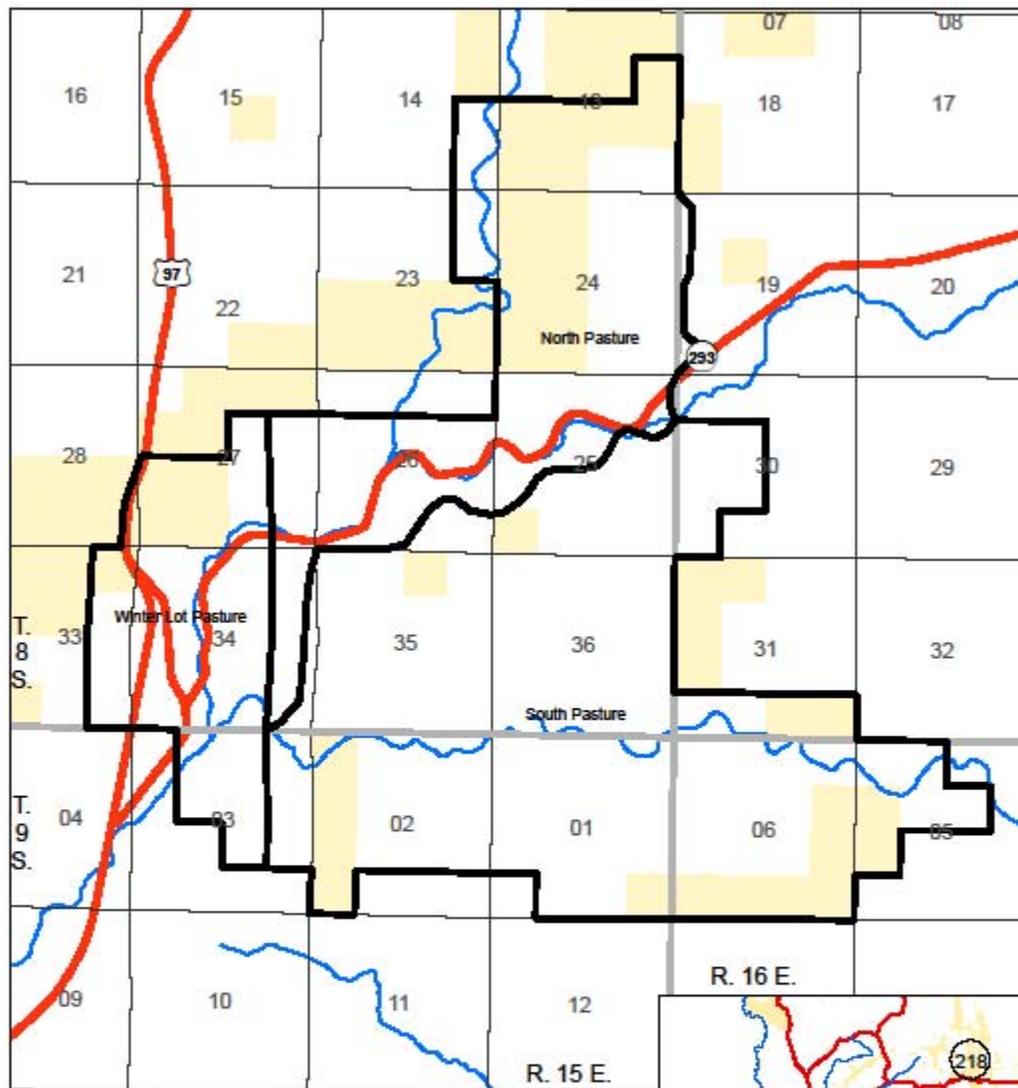
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 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700



Legend			
	Allotment Boundary		BLM
	Power Lines		State
	Highways		Private
	Streams		

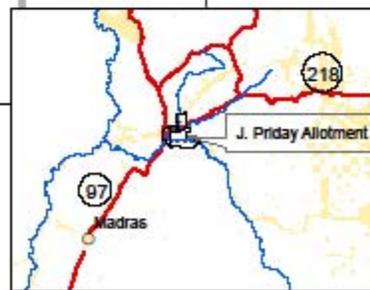
Map Created 12/20/2008  
 Map Modifications Pending  
 No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use without data. Original data were compiled from various sources and may be updated without notification.

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## J. Priday Allotment 7560

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 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700



Legend	
	Allotment
	BLM
	Private
	Highways
	Streams

0 0.5 1 2 Miles

Scale 1:50,000

Map Created 12/07/2009  
 Map Modification Pending

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