

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels
and Fire Rehabilitation Actions**

**Clem North Transfer
DOI-BLM-AZ-P010-2011-030-CX**

A. Background

BLM Office: *Hassayampa Field Office (HFO)*

Lease/Serial/Case File No.: N/A

Proposed Action Title/Type: **Clem North Preference Transfer**

Location of Proposed Action: N/A

Description of Proposed Action: Transfer of grazing preference on Clem North Allotment

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: **Bradshaw Harquahala RMP**

Date Approved/Amended: **4/22/2010**

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): GM-4: Administer 93 grazing authorizations within the grazing allotment boundaries shown on Map 13.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

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 2, Appendix 1, or 516 DM 11.5: 516 DM 11.5 (D)(1) 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 described in 516 DM 2 or 516 DM 11.5 apply.

I considered: The transfer serves to document the change of ownership of base property to which grazing preference is attached. It does not authorize grazing or any action on public lands.

D: Signature

Authorizing Official: /s/ Steve Cohn

Date: 2/9/11

Steve Cohn
Manager, Hassayampa Field Office

Contact Person

For additional information concerning this CX review, contact:

James Holden, Rangeland Management Specialist, Hassayampa Field Office

Note: A separate decision document must be prepared for the action covered by the CX. See Attachment 2.

BLM Categorical Exclusions: Extraordinary Circumstances¹

Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes	No X	Rationale: The action will have no affect on public health or safety because it is internal BLM documentation
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?		
Yes	No X	Rationale: The transfer of grazing preference to a new individual has no effect on public lands, as it does not authorize use of public lands.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes	No X	Rationale: The action has no affect on resources because it does not authorize use of resources.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes	No X	Rationale: Transfer of grazing preference in BLM records presents no environmental risks.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes	No X	Rationale: Transfer of grazing preference is a stand-alone action. Application for grazing privileges is a second action requiring separate NEPA analysis.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes	No X	Rationale: Transfer of grazing preference has no effect on the public lands or the environment.
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?		

¹ If an action has any of these impacts, you must conduct NEPA analysis.

Yes	No X	Rationale: Transfer of grazing preference has no effect on public lands or cultural resources.
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?		
Yes	No X	Rationale: Transfer of grazing preference does not authorize use of public lands, and does not have an effect on Endangered or Threatened Species.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes	No X	Rationale: Documentation of transfer of grazing preference through base property acquisition is not in violation of any Federal, State, or Local law.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes	No X	Rationale: Transfer of grazing preference documentation by the BLM has no effect on 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)?		
Yes	No X	Rationale: Transfer of grazing preference does not authorize use of public lands.
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)?		
Yes	No X	Rationale: Transfer of grazing preference does not authorize the use of public lands.

Approval and Decision

Attachment 2

Compliance and assignment of responsibility: James Holden
Monitoring and assignment of responsibility: Range Program

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

Prepared by: _____/s/_____ **Date:** __2/4/11_____

James Holden
Project Lead

Reviewed by: _____/s/_____ **Date:** __2/10/11_____

Leah Baker
Planning & Environmental Coordinator

Reviewed by: _____/s/_____ **Date:** __2/9/11_____

Steve Cohn
Manager

Project Description:

Transfer of grazing preference on the Clem North grazing allotment.

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.

Administrative Review or Appeal Opportunities This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed at 21605 N 7th Ave, Phoenix AZ, 85027, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the

standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44, Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Approved By: _____/s/_____ **Date:** ___2/9/11___
Steve Cohn