

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SURPRISE FIELD OFFICE**

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

Project Name: North Larkspur Allotment Livestock Grazing Authorization

NEPA Number: CA-370-08-05

Project Description: The Bureau of Land Management (BLM) is proposing to re-issue the existing grazing permit on the North Larkspur Allotment for a period of up to 10 years.

Project Location:

The North Larkspur Allotment # 01115 is located in NE California at T45N, R17E, and is designated as a Maintain (M) allotment. The North Larkspur Allotment consists of 5432 public acres, and 1920 private acres, for a total of 7352 acres. Currently North Larkspur has one permitted operator who runs 75 cows from October 1 to November 30, utilizing 150 public AUMs annually. A scoping letter was sent to 66 interested publics on January 17, 2008. Western Watersheds Project and Nevada Department of Wildlife contributed comments that were carefully considered.

Project Purpose and Need:

The purpose of the action is to authorize livestock grazing use on the North Larkspur Allotment. The need for the action is to ensure that issuance of a grazing authorization is in conformance with National Environmental Policy Act (NEPA), the Surprise Field Office Resource Management Plan and Record of Decision of April 2008 (RMP), and the Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management 2000.

The Surprise Field Office RMP applicable goals and objectives of livestock grazing, as noted on page 2-34 and 2-35 include the following: 1) Sustainable, ecologically sound, and economically viable livestock grazing opportunities would be provided, where suitable, in the Surprise Field Office management area, 2) Adequate forage would be produced to support sustainable levels of livestock grazing where compatible with objectives for other resources and resource users, 3) Continue to modify and adjust grazing management within individual grazing allotments to ensure that a vigorous plant community is sustained in combination with livestock grazing.

Washington Office Instruction Memorandum No. 2003-071, calls for all grazing permits to be fully processed by the end of FY 2009, using the information from the land health

standards evaluations as needed to complete environmental impact analysis and documentation. In accordance with that policy, the Surprise Field Office has fully processed and proposes to issue a livestock grazing permit to a qualified applicant for the North Larkspur Allotment. All grazing permits are issued in accordance with 43 CFR 4100. Grazing permits must be consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act. A copy of the land health standards assessment and determinations for the North Larkspur Allotment can be found in the allotment files in the Surprise Field Office. In addition, this information will be posted on the Surprise Field Office homepage at http://www.blm.gov/ca/st/en/fo/surprise/grazing_permit_renewals.html. The determination concludes that all of the applicable land health standards are being met.

The grazing permit or authorization (including crossing or trailing permits) will include the type and level of use authorized, including the kind and number of livestock, the period of use, and the amount of active use in animal unit months (AUMs), and terms and conditions for grazing use.

Attachment 1 provides this information including terms and conditions common to all the permits to be issued, as well as terms and conditions specific to the North Larkspur Allotment. The Surprise Field Office is not proposing any changes to the existing grazing permit for the North Larkspur Allotment.

The term permit and any future crossing/trailing permits would be implemented through Proposed and Final Grazing Decisions, with provisions for protest, appeal, and petition for stay, accordance with 43 CFR 4100, and would be sent to the permittee(s) and interested publics of record.

Plan Conformance

- ❑ The proposed action is in conformance with the Proposed Surprise Field Office Resource Management Plan and final environmental impact statement issued in May 2007 as adopted by the Record of Decision approved in April 2008.
- ❑ The proposed action is in conformance with the Northeast California Northwest Nevada Rangeland Health Standards and Guidelines for Livestock Grazing of 2000.
- ❑ The proposed action is in conformance with the North Larkspur Allotment Management Plan (1983), including the terms and conditions attached to this decision.

Categorical Exclusion (CX) Reference

The action described above meets the specific criteria for the use of a CX. The applicable Categorical Exclusion reference in 516 DM 11.9(D) 11, states the following as a Categorical Exclusion:

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.*

Exceptions to Categorical Exclusion Documentation

516 DM 11.9(D)11

The action has been reviewed to determine if any of the below listed exceptions to categorical exclusion documentation apply.

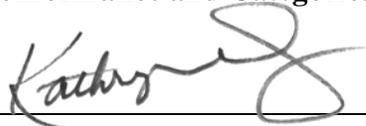
Would the project:

<i>Exceptions</i>	Yes	No	Specialist Initials
1. Have significant impacts on public health or safety.		X	K.D.
Rationale: The North Larkspur Allotment is located in a very rural area and has no significant impacts on public health or safety. There are no circumstances in which public health or safety would be impacted or jeopardized.			
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	P.B.

Rationale: There are no known unique natural resources or geographic characteristics contained within the North Larkspur allotment. There have been no cultural resource inventories initiated on this allotment, and no known cultural resource have been previously identified.			
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		X	K.D.
Rationale: Continuing grazing as it has been on this allotment will not have any highly controversial environmental effects. There are no known conflicting interests on this allotment.			
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X	K.D.
Rationale: Grazing this allotment in the same manner as previously permitted will have no uncertain or potentially significant environmental effects.			
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		X	K.D.
Rationale: This grazing authorization is consistent with BLM regulation, policy and applicable Land Use Plan, and is not precedence setting does not have a potentially significant environmental effect. The proposed grazing authorization is based on review of site specific monitoring information and guidance from the applicable Land Use Plans. Decisions regarding livestock use on this allotment are not related to site specific decisions regarding uses in other allotments, therefore there is no possibility for the proposed action to be considered as a precedent or to influence future actions in other areas.			
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X	K.D.
Rationale: This allotment is small and isolated, with little to no direct relationship to other allotments in this resource area. The lack of any other action occurring in this vicinity makes the risk of cumulative effects negligible.			
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.B.
Rationale: There has been no previous cultural resource inventory within the North Larkspur allotment. Therefore, there are no known NRHP listed or eligible properties on this allotment. This allotment is scheduled for Cultural Resource Assessments in 2013 as per the Supplemental Procedures for Livestock Grazing Permit/Lease Renewals, A Cultural Resources Amendment to the State Protocol Agreement Between the California BLM and the California State Historic Preservation Officer. Because the permit renewals will not include any changes in terms and conditions, no new impacts to any cultural resources are expected.			
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have		X	E.F.J.

significant impacts on designated Critical Habitat for these species.			
Rationale: There are no known federally threatened or endangered species or habitats, including designated critical habitat, that occur within the North Larkspur Allotment.			
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X	S.S.
Rationale: This project does not violate any law or requirement imposed for the protection of the environment.			
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898, 'Environmental Justice').		X	K.D.
Rationale: This project would not negatively effect 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).		X	P.B.
Rationale: There would be no limited access to any public lands resulting from this project. Native American consultation has taken place for this permit renewal. There were no concerns expressed by the tribes regarding the permit renewal.			
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	A.U.
Rationale: This project would have a low probability to 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.			
The private land in the northwest portion of the North Larkspur Allotment is within the Upper Alkali Lake Perennial Pepperweed Restoration Project (UALK). The UALK project is a cooperative effort between the BLM, Modoc County Department of Agriculture, Surprise Valley Resource Conservation District, private landowners and grazing permittees to inventory, treat and evaluate the success of the project. The project has been inventoried, chemically treated and evaluated from 2004 – 2007 with a significant reduction in the number of perennial pepperweed sites.			

Land Use Plan conformance and Categorical Exclusion review confirmation:

Lead Preparer:  Date: 6/25/08

NEPA/ Environmental Coordinator:  Date: 6/25/08

Approval and Decision

Based on a review of the project described above and field office staff recommendations, and comments received from the public during scoping, 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, with the following stipulations (if applicable):

Field Office Manager:  Date: 6/25/08

North Larkspur Allotment

Permitted Use Summary

Allotment	Active AUMs	Suspended AUMs	Total Permitted Use
North Larkspur	150	29	179

Existing Grazing Permit Schedule

Allotment	Case File Number	Livestock number	Kind	Season	% Public Land	Public AUMs
North Larkspur	0403272	75	cattle	10/01 – 11/30	100%	150

Following Terms & Conditions are attached to the North Larkspur permit:

1. Grazing use offered or authorized by BLM is subject to all provisions of the grazing regulations (43 CFR Parts 4100) and other applicable law and regulation. Grazing use will be in accordance with the Northeastern California and Northwestern Nevada, Standards for Rangeland Health and Guidelines for Livestock Grazing Management Final EIS approved by the Secretary of the Interior on July 13, 2000. Grazing use authorization may be modified in accordance with regulation to attain progress towards achieving rangeland health standards (subpart 4180.1 and 4180.2 Fundamentals of Rangeland Health and Standards and Guidelines for Grazing Administration).
2. Salt and/or mineral supplements will be placed no closer than ¼ mile from any public water source, aspen stand, or meadow.
3. Grazing flexibility can be requested by the livestock operators to run increased numbers for a shorter season. Any changes in grazing use cannot exceed Active AUMs, and must receive written approval in advance by the BLM authorized officer.
4. All range improvements must be maintained to standards prior to livestock turnout. All assigned fence maintenance must be completed annually, even if your permit is not activated. Failure to complete assigned fence maintenance may result in suspension of your grazing authorization.
5. Billings are to be paid before turnout (Bill code 1), however the operator agrees to maintain an accurate actual use record each grazing season. This record will be submitted to the BLM within 15 days after the end of the grazing season.

North Larkspur Allotment

