

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: CO-120-2007-43-CX

PROJECT NAME: Sale of JR Rooke Ranch to Donald Culver of Owl Creek Ranch

LEGAL DESCRIPTION: T9N R 79W part of section 25
T9N,R 78W part of section 9,16,17,19,20,21,28,29,30 and 33

APPLICANT: Donald Culver

DESCRIPTION OF PROPOSED ACTION: Transfer of grazing permit #051833 John Rooke to Donald Culver of Owl Creek Ranch with base property and the following grazing privilege on BLM allotments # 07022 (9 79 3) and 07012 (Upper Sudduth Draw) (see Attachment #1 for project map).

Allotment	Number/Kind	Begin Date	End Date	%PL*	AUMs**
07022	334 cattle	5/24	5/31	30	26
07022	334 cattle	7/4	7/8	30	16
07023	334 cattle	6/1	7/3	100	362

*% Public Land is the percentage of forage within the public land (BLM) portion of the allotment.

**AUM = animal unit month = the amount of forage required to support one cow and calf for one month.

As part of the Proposed Action, the term and condition required for allotment # 07023 would include a grazing system which implements an every other year rest/graze system (see Attachment #2 for Grazing Plan).

No changes would be made in the number or kind of livestock, the season of use, or the number of AUMs as a result of this transfer.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: II, B, 4, Livestock Grazing Management pages 6 through 8 as revised

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5.4, Number: (D) (1) “*Approval of Transfer Grazing Preference.*” None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety		X
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
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
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
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
2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
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
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

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian Resources	6/29/07
Bill B.Wyatt	Archeologist	Cultural and Native American Religious Concerns	6/25/07
Megan McGuire	Wildlife Biologist	T&E	6/20/07
Joe Stout	P&EC	NEPA Compliance	7/5/07
Peter Torma	Rangeland Management Specialist	Range	6/20/07

REMARKS:

Cultural Resources and Native American Religious Concerns: Since there would be no ground disturbance, there would be no impacts to cultural resources or Native American Religious Concerns from the Proposed Action. Future undertakings would require a cultural resource inventory and Native American consultation within the allotment.

Threatened and Endangered Species: The proposed transfer would not affect any federally listed species.

COMPLIANCE PLAN: Compliance with the livestock grazing lease and its terms and conditions would be accomplished through the Kremmling Field Office (KFO) Range Management Program. Livestock grazing would be monitored by the Range Staff and other BLM personnel, as appropriate, to ensure compliance. The KFO Range Management Program would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. Changes would be made to the grazing lease, based on monitoring, when changes are determined to be necessary to protect public land health.

NAME OF PREPARER: Peter Torma

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 7/5/07

ATTACHMENTS:

- 1). Project map
- 2). Grazing Plan

DECISION AND RATIONALE: I have reviewed this CER and have decided to implement the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ David Stout

DATE SIGNED: 7/10/07