

Posted: _____

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

CATEGORICAL EXCLUSION

NUMBER: CO-120-2008- 60- CX

PROJECT NAME: Transfer from Dunaway Livestock Co. to Tom Hackleman

LEGAL DESCRIPTION: T. 10N., R. 79W., Sec. 1: S ½, SE ¼
Sec. 12: NE ¼ NE ¼, SE ½ NE ¼, NW ¼ SE ¼, S ½ SE ¼
Sec. 7: NW ¼, NE ¼ SE ¼, S ½ SE ¼
Sec. 18: W ½

APPLICANT: Tom Hackleman

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would transfer BLM livestock grazing permit # 1729 on allotment # 07057 (Sand Creek) from the Dunaway Livestock Co. to Tom Hackleman (see Attachment #1 for project map).

The transfer includes the BLM grazing preference of 172 Animal Unit Months (AUMs) on Allotment # 07057 as follows:

Allotment	Active AUMs*	Suspended AUMs	Total AUMs
07057 Sand Creek	111	61	172

* AUMs = animal unit months = the amount of forage needed to sustain one cow and calf for one month.

The Proposed Action would authorize livestock grazing on BLM Allotment # 07057 in the following manner:

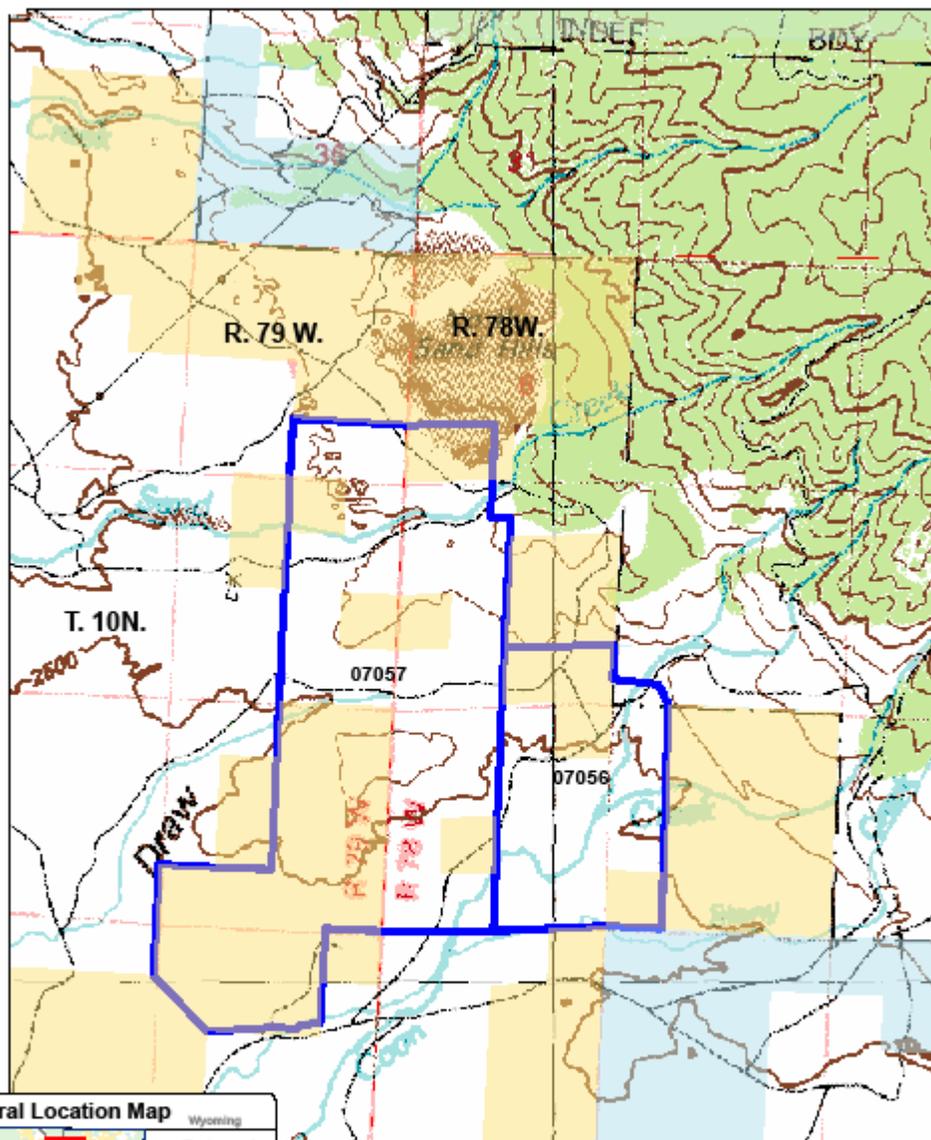
Number of Livestock	Kind of Livestock	Grazing Season Start	Grazing Season End	% Public Land*	Type of Use	AUMs
175	Cattle	5/20	6/19	44	Active	78
177	Cattle	10/01	10/15	44	Active	38

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

No changes would be made to the amount of authorized livestock grazing preference as a result of this transfer.



Dunaway Transfer



0 0.150.3 0.6
Miles

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

- Legend**
- BLM
 - CDOW
 - National Park
 - National Rec Area
 - National Wildlife Refuge
 - Private
 - State
 - State Forest
 - US Forest Service

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

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

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock grazing pages 6 through 8, as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority. The RMP/Rod designated the project area with a no priority. Livestock grazing is compatible with this designation.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 6, Appendix 5, Section 5.4, 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
Bill Wyatt	Archaeologist	Cultural Resources	9/11/2008
Paula Belcher	Hydrologist	Soil, Air, and Water	8/26/2008
Megan McGuire	Wildlife Biologist	T&E Species	9/8/08
Susan Cassel	Asst. Field Manager	NEPA Compliance	
Frank Rupp	Archaeologist	Paleontology	10/1/08

REMARKS:

Cultural Resources: The transfer of the allotment is not an undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations. As individual actions are developed within the allotment they will be evaluated under Section 106 prior to any implementing actions.

Native American Religious Concerns: The transfer of the allotment is not an undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended, and its implementing regulations. As individual actions are developed within the allotment they will be evaluated under Section 106 prior to any implementing actions and will require Native American consultation to identify areas of traditional concern.

Threatened and Endangered Species: There would be no impact to threatened, endangered, or sensitive species.

COMPLIANCE PLAN: Compliance with the livestock grazing permit transfer and its associated terms and conditions would be accomplished through the Kremmling Field Office Range Management Program. Livestock grazing would be monitored by the range staff and other area personnel, as appropriate, to ensure compliance. The Kremmling Field Office Range Monitoring

Plan would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. When activity plans have been developed covering an allotment, monitoring methods and schedules included in them would be applied to the allotment. Changes would be made to the permit, based on monitoring, when changes are determined necessary to protect land health.

NAME OF PREPARER: Mandy Scott

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 3/25/09

ATTACHMENTS:

1). Livestock Grazing Permit # 051729 with Standard Terms and Conditions

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/ Peter McFadden

DATE SIGNED: 3/30/09