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

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-120-2009-0019-CX

PROJECT NAME: Renewal of Livestock Grazing Permits # 051731 for Jim Ellison on Allotment 07585 (Ellison A), # 051809 for William Thompson Jr. on Allotment 07567 (Engle), and # 051826 for Jim Yust on Allotment 07558 (North Santoy)

LEGAL DESCRIPTION: Kremmling Field Office (KFO) administered lands includes all or part of the following:

Allotment 07585 (Ellison A)
T. 2S., R. 82W., Sec. 7, 18, 19
T. 2S., R. 83W., Sec. 13, 24

Allotment 07567 (Engle)
T. 1N., R. 82W., Sec. 23, 24, 26

Allotment 07558 (North Santoy)
T. 1N., R. 80W., Sec. 19, 20, 29, 30, 31
T. 1N., R. 81W., Sec. 23, 24, 27, 32-35

APPLICANTS: Jim Ellison, William Thompson Jr., and Jim Yust

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would renew livestock the following grazing permits:

- # 051731 for Jim Ellison on Allotment 07585 (Ellison A),
- # 051809 for William Thomson Jr. on Allotment 07567 (Engle),
- # 051826 for Jim Yust on Allotment 07558 (North Santoy).

All three permittees have applied to have their permits renewed. Allotment 07585 (Ellison A) is a maintain category, "M", category allotment that is 50% public land. Allotments 07558 (North Santoy) and 07567 (Engle) are both custodial category, "C", allotments with small percentages of public land. Since all three allotments are low priority "M" or "C" allotments, they have not been assessed for compliance with the Standards for Public Land Health in Colorado. All of these allotments, however, were monitored in 2008 and no issues or concerns were identified.

The permits would be renewed with no changes to the number or kind of livestock, season of use, or amount of authorized preference, expressed in AUMs*.

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

The permits would authorize livestock grazing to the following extent:

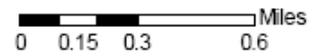
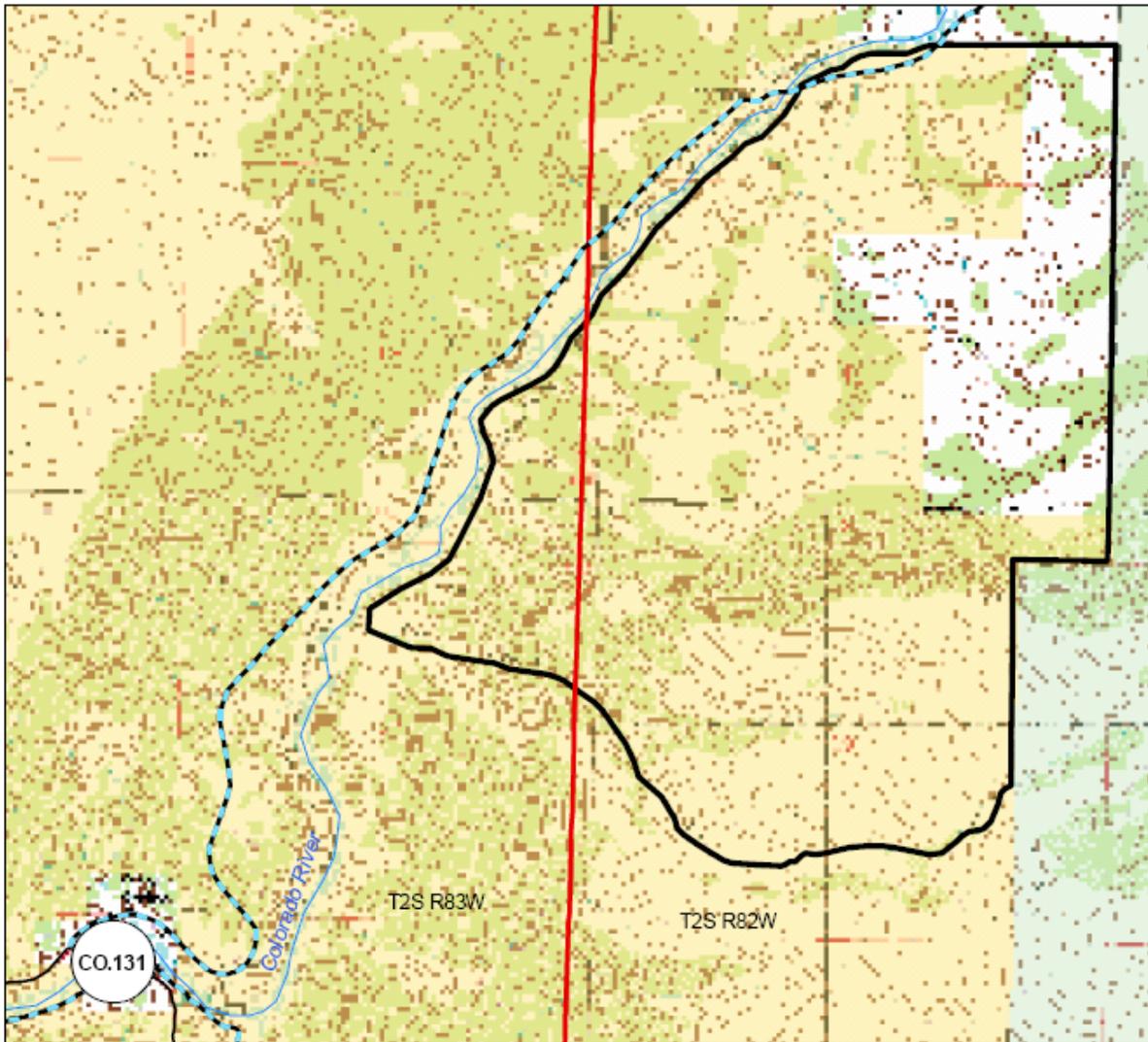
Allotment	Rotation	Livestock		Season of Use	Percent Public Land	AUMs
		Number	Kind			
07585 (Ellison A)	Even Years	130	Cattle	5/23 – 6/21	50	64
07585 (Ellison A)	Odd Years	130	Cattle	6/23 – 7/22	50	64
07567 (Engle)	None	137	Cattle	5/16 – 10/15	7	48
07558 (North Santoy)	None	5	Horse	3/1 – 5/15	20	5
07558 (North Santoy)	None	430	Cattle	5/16 – 11/15	9	234
07558 (North Santoy)	None	4	Horse	9/1 – 2/28	20	6
07558 (North Santoy)	None	430	Cattle	3/1 – 5/15	9	97
07558 (North Santoy)	None	430	Cattle	11/16 -2/28	9	134
07558 (North Santoy)	None	84	Cattle	2/16 -7/30	11	23

Jim Ellison would alternate seasons of use on Allotment 07585 (Ellison A). In even number years, the season of use would be 5/23-6/21 and in odd number years, the season of use would be 6/23 – 7/22.

Jim Ellison leases the base property from Mulroy Ranch LLC, the owners of the ranch. The lease expires on March 1, 2010. Therefore, the Ellison permit # 051731 would expire on March 1, 2010.



07585 ELLISON A



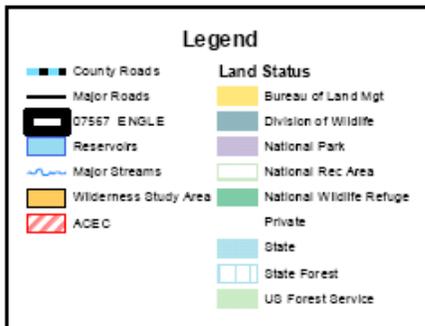
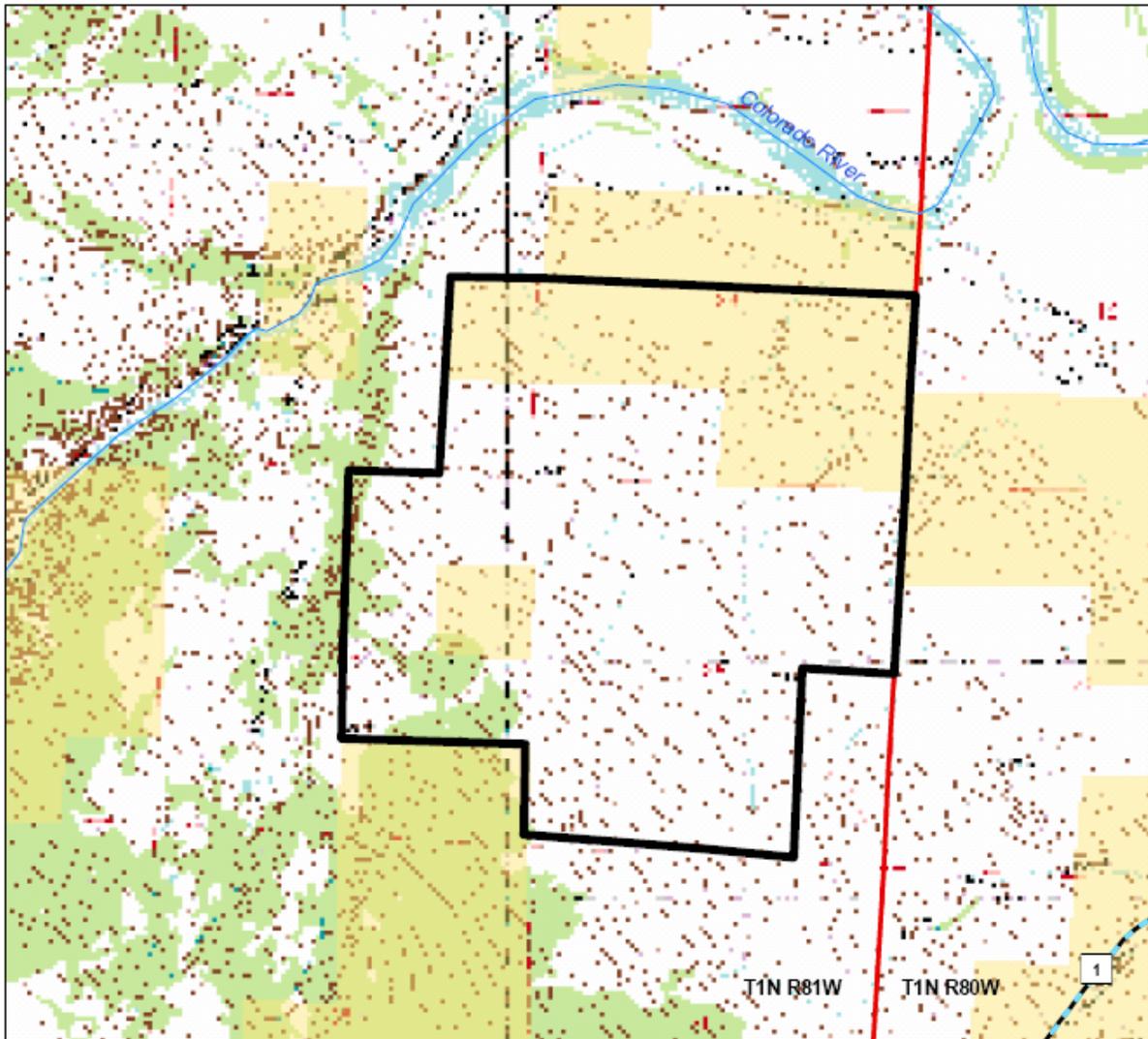
1:24,000

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.

Maps: State Bridge McCoy
Radium, Lava Creek
BLM, Kremmling FO 10/17/2008



07567 ENGLE



0 0.15 0.3 0.6 Miles

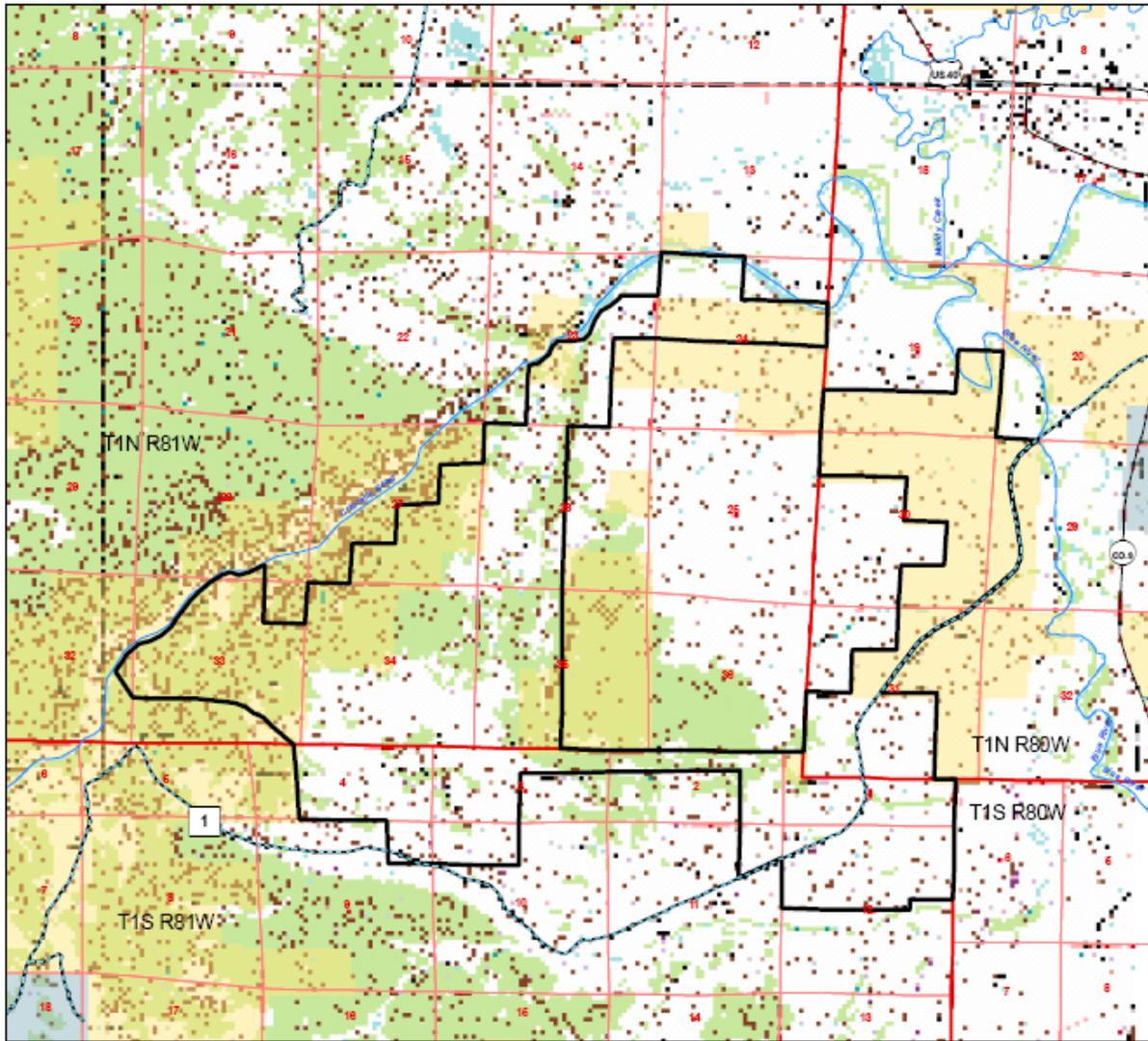
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No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Kremmling BLM, Kremmling FO 10/28/2008



07558 NORTH SANTOY



0 0.25 0.5 1 Miles

1:52,654

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.

Maps: Kremmling, Sheephorn Mountain
BLM, Kremmling FO 10/17/2008

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 and 8, as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level of 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 designated the project areas with a livestock grazing and wildlife priority. The proposed action is compatible with these designations.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11, Number: (D) (11) (a) (1-3), “(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.” 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		X

listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
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 B. Wyatt	Archaeologist	Cultural Resources/Tribal consultation	1/20/2009
Megan McGuire	Wildlife Biologist	Wildlife, T/E, and Sensitive Species	1/21/09
Paula Belcher	Hydrologist	Soil, Water, Air, Riparian	2/25/09
Frank Rupp	Paleontologist	Paleontology	3/2/09
Susan Cassel	Asst. Field Manager	NEPA	3/3/09

REMARKS:

Cultural Resources: Past actions have resulted in a cultural resource inventory to determine if those actions would cause potential adverse affects to known and unknown cultural resource sites from livestock grazing, motorized travel, and recreational use. When project undertakings are identified, a cultural resource inventory would be conducted to determine if sites are present and their eligibility, project effects, and mitigation requirements if necessary.

Native American Religious Concerns: Consultation was completed for the original allotment renewal. Future undertakings would require tribal consultation to identify traditional cultural properties.

Threatened and Endangered Species: The proposed permit renewal would not impact Endangered, Threatened, or Sensitive Species.

Paleontology: No impacts to fossil resources from renewing permit, or the no action alternative. Proposed ground disturbing projects will be reviewed on a project by project basis to determine the need for paleontological inventory.

COMPLIANCE PLAN: Compliance with the renewed livestock grazing permit 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: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 3/2/09

ATTACHMENTS:

- 1) Livestock grazing permits with standard terms and conditions for # 051731 Jim Ellison, # 051809 William Thompson Jr., and # 051826 Jim Yust.

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: 3/3/09