

**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-LLCON02000-2014-028-CX-Grazing Preference Transfer

PROJECT NAME: Transfer of the grazing preference on allotment #07253 (Grace Creek) from Ervin Weinmeister to Humility Before Honor LLC.

LEGAL DESCRIPTION: T. 11 N., R. 77 W., All or part of Sec: 1-5, 8-12, 14, 15, 6<sup>th</sup> P.M.

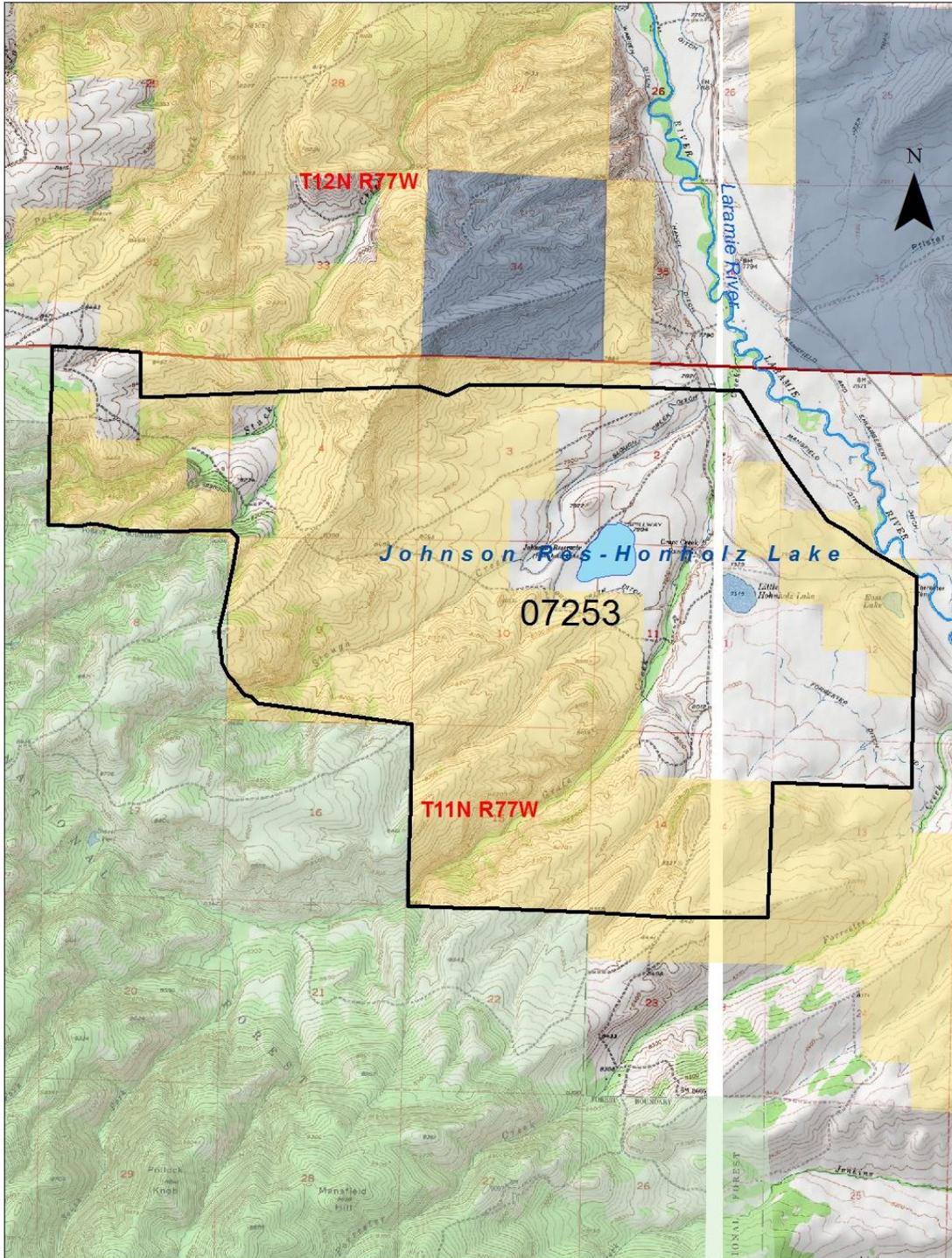
APPLICANT: Humility Before Honor, LLC.

DESCRIPTION OF PROPOSED ACTION: Humility Before Honor LLC. purchased the above base property from Ervin Weinmeister, and has applied for the grazing preference attached to said base property. This Categorical Exclusion along with the Consolidated Appropriations Act of 2014 would transfer and issue the grazing preference on allotment #07253 (Grace Creek) from Ervin Weinmeister to Humility Before Honor LLC.

Grazing Preference would authorize livestock grazing to the following extent:

Allotment	Livestock Number	Kind	Season of Use	Percent Public Land	AUMs
7253	132	Cattle	06/01-10/11	65	375
7253	230	Cattle	06/01-06/15	65	74
7253	230	Cattle	09/11-10/11	65	152

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



BLM, Kremmling FO 2010

Red box shows map location.

**Legend**

-  07253
-  Highway Labels

**State Highways Legend**

 U.S./State

**ROUTE SIGN**

 Interstate

0.7 Miles




1:30,638

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. Last edited by cll.

**PLAN CONFORMANCE REVIEW:** The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) 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: Livestock grazing pages 6 through 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 enclosed permit or lease is issued under the authority of Section 411, PL 113-76 as the result of a transfer of grazing preference and contains the same terms and conditions as the previous permit or lease. This permit or lease may be canceled, suspended, or modified, in whole or in part to meet the requirements of applicable laws and regulations."

**CATEGORICAL EXCLUSION REVIEW:** The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.0, 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 DM2 apply.

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		x
b) 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		x
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		x
d) Have highly uncertain and potentially significant environmental		x

<b>Extraordinary Circumstance</b>	<b>YES</b>	<b>NO</b>
effects or involve unique or unknown environmental risks.		
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		x
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		x
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		x
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		x
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		x
j) Have a disproportionately high and adverse effect on low income or minority populations		x
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		x
l) 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.		x

**INTERDISCIPLINARY REVIEW:**

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 05/14/2014. A complete list of resource specialists who participated in this review is available upon request from the Kremmling Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Date</b>
Bill Wyatt	Archaeologist	Cultural Resources, Native American Religious Concerns, and Paleontology	7/10/2014
Darren Long	Wildlife Biologist	Special Status Wildlife & Plant Species	7/7/2014
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian Resources	5/15/2014

REMARKS:

*Cultural Resources:* This action does not meet the Section 106 criteria of an undertaking and therefore consultation with the State Historic Preservation Officer (SHPO) is not necessary. Any undertaking that would affect unknown or known cultural resources would require action under the National Historic Preservation Act (NHPA) Section 106 to evaluate potential impacts in consultation with the SHPO.

*Native American Religious Concerns:* Because the proposed action is not a Section 106 undertaking tribal consultation is not necessary. Any undertaking that would affect unknown or known cultural resources and would require action under the National Historic Preservation Act (NHPA) Section 106, would require tribal consultation for potential impacts to traditional cultural or spiritual properties.

*Paleontology:* Geologic formations sensitive for fossil resources are present, but will not be impacted by the proposed action. BLM standard “discovery” stipulation is part of the environmental assessment and is to be attached to any authorization allowing an undertaking to that has the potential to affect invertebrate or vertebrate fossils.

*Special Status Species:* This is a paperwork exercise that changes the name on the permit of this allotment and would not affect any special status species. This action would be assessed for impacts once a change or permit renewal is conducted.

NAME OF PREPARER: Neilie Goodwin

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, grazing preference transfer. 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 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: \_\_\_\_\_ /s/ Stephanie Odell  
Field Manager

DATE SIGNED: 7/15/2014

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

**DECISION RECORD**

**PROJECT NAME:** Transfer of the grazing preference on allotment #07253 (Grace Creek) from Ervin Weinmeister to Humility Before Honor LLC.

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-LLCON02000-2014-028-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-LLCON02000-2014-028-CX, authorizing Transfer of the grazing preference on allotment 07253 (Grace Creek) from Ervin Weinmeister to Humility Before Honor LLC.

**Mitigation Measures**

**COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

**PUBLIC INVOLVEMENT**

The transfer of the grazing preference on allotment #07253 (Grace Creek) from Ervin Weinmeister to Humility Before Honor LLC was listed in the Kremmling Field Office NEPA register.

**RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, grazing preference transfer. 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 43 CFR 46.215 apply.

**ADMINISTRATIVE REMEDIES**

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days

after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

**SIGNATURE OF AUTHORIZED OFFICIAL:** \_\_\_\_\_ /s/ Stephanie Odell  
Field Manager

**DATE SIGNED:** 7/15/2014