

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
DOI-BLM-CO-SO50-2015-0022 CX**

December 2014

**Josephine and Richard Gore to Gore Ranches, LLC
Grazing Preference Transfer**

Location: Montrose, Colorado

**U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401
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CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-S050-2015-0022 CX

PROJECT NAME: Josephine and Richard Gore to Gore Ranches, LLC - Grazing Preference Transfer

LEGAL DESCRIPTION: Dry Mesa Allotment #14006: T.51 N, R.13 W. (NMPM) Sections: 13, 14, 22, 23, 24, 26, 27, 28, 31, 32, 33 and 34. Also T.50 N, R.13 W. Sections: 3, 4, 5, 6, 7, 8, 9, 16 and 17. Escalante Flats Allotment # 14003: T.15 S, R.97 W. (6th PM) Sections: 22, 23, 27, 28, 29, 32 and 33.

APPLICANT: Gore Ranches, LLC

BACKGROUND:

Grazing preference on Dry Mesa Allotment #14006 and Escalante Flats Allotment #14003 has been held by Josephine and Richard Gore since 1995. The BLM has received an application for the transfer of grazing preference to the company name: Gore Ranches, LLC.

The transfer of grazing preference is considered administrative in nature and serves to transfer livestock grazing privileges, with the same class of livestock and forage allocation, from one grazing preference holder to another. Approval of grazing preference transfers are outlined in 43 CFR §4110.1, and §4110.2-3.

DESCRIPTION OF PROPOSED ACTION:

The proposed action is to transfer grazing preference from the names of Josephine and Richard Gore to Gore Ranches, LLC. The Base Property for the grazing preference is held in the company name. Gore Ranches, LLC is a qualified applicant under 43 CFR §4110.1 and §4110.2-3.

The grazing allotments involved and the associated grazing preference and season of use are summarized in the table below.

Allotment Name & No.	Percent Public Land	Active AUM's	Suspended AUM's	Permitted AUM's	Permitted Season of Use
Escalante Flats #14003	100	160	0	160	12/31 – 2/28
Dry Mesa #14006	100	525	0	525	11/15 – 12/31

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

Name of Plan: Uncompahgre Basin Resource Management Plan

Date Approved: July, 1989

Decision Number/Page: Page 15

Decision Language: In Management Unit 2 Livestock grazing will continue at current forage allocation levels and seasons of use unless studies determine adjustments are needed.

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a Categorical Exclusion under 516 DM 11.9, Number D.1, which allows "approval of transfers of grazing preference". This is the administrative approval of grazing preference transfer applications.

None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exclusion	YES	NO
1. Have significant adverse effects on public health and safety.	___	<u>X</u>
2. Have adverse effects 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.	___	<u>X</u>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.	___	<u>X</u>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	___	<u>X</u>
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	___	<u>X</u>
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	___	<u>X</u>
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places.	___	<u>X</u>

- 8. 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
- 9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. ___ X
- 10. Have disproportionately high and adverse effect on low income or minority populations. ___ X
- 11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. ___ X
- 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. ___ X

INTERDISCIPLINARY REVIEW:

Name	Title
Glade Hadden	Archeologist
Ken Holsinger	Biologist

REMARKS:

Cultural Resources: Transfer of grazing preference will have no direct or indirect impact to any National Register or otherwise eligible historic properties. No inventory is required under the provisions of BLM 2110.23B4 and no further work is required.

Native American Religious Concerns: There are none known or anticipated for this action.

Threatened and Endangered Species: The Escalante Flats and Dry Fork allotments are occupied by the threatened Colorado Hookless Cactus. While the action of transferring the permit does not impact the cactus the action of livestock grazing does have affects. BLM formally consulted the Fish and Wildlife Service and made an adverse effect determination for livestock grazing and associated management activities for the cactus. FWS issued a BO on November 15, 2012 and arrived at a no jeopardy determination based the implementation of the conservation measures identified in the BO (ES/GJ-6-C0-12-F-006, TAILS 06E24100-2012-F-0020). To date those conservation measures have not been implemented because the permits are currently issued under the appropriations rider which prohibits changes to the permit after issuance under the rider. The appropriate conservation measures will be added to the term permit upon full processing of the permit.

NAME OF PREPARER: Deborah Burch-Hawks

NAME OF ENVIRONMENTAL COORDINATOR:



DATE:

12/22/14

DECISION AND RATIONALE:

I have reviewed this Categorical Exclusion and have decided to approve the administrative transfer of grazing preference from Josephine and Richard Gore to Gore Ranches, LLC.

There are no impacts to public land since the transfer action only results in a transfer of grazing preference. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Section: D, Range Management, Number 1, which allows "approval of transfers of grazing preference". I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:



Barbara Sharrow
Field Manager
Uncompahgre Field Office

DATE SIGNED:

12-24-14

