

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-110-2011-052-CX

CASEFILE/PROJECT NUMBER: 0504375

PROJECT NAME: Transfer of Grazing Preference – Blacks Gulch Allotment 06612

LEGAL DESCRIPTION:

Legal Description						
Allotment		BLM Acres	Private Acres	Twp.	Range	Section(s)/Lots or Portions Of
Name	No.					
Blacks Gulch	06612	24,746	3,939	3N	96W	23-27, 31-36
				3N	95W	19, 29-33
				2N	97W	1, 12
				2N	96W	1-36
				2N	95W	6, 7, 18, 19
				1N	96W	2-5, 8-10

APPLICANT: LK Ranch Livestock LLC (LK Ranch)

DESCRIPTION OF PROPOSED ACTION: The proposed action is to transfer the grazing preference associated with the Blacks Gulch allotment #06612 to LK Ranch. LK Ranch has leased the base property connected with this allotment for a period of three years and has made application for the grazing preference. The current livestock grazing permit as analyzed in CO-110-07-030-EA will be issued to LK Ranch for the upcoming grazing season. This grazing permit and associated grazing schedules are outlined below. The terms and conditions can be found in the EA listed above. After this first grazing season, it is likely that LK Ranch will submit a proposed action for a revised grazing permit and grazing schedules. When that happens, the proposed action will be analyzed through NEPA.

Blacks Gulch Grazing Permit										
Allotment		Livestock		Date		BLM/Private AUMs (100%)	% Public land	BLM (Active / permitted) AUMs	Sus-pended AUMs	Private AUMs (21%)
Name	No.	#	K	On	Off					
Blacks Gulch	06612	425	C	04/25	10/10	2361	79%	1865	0	496
Acres/AUM:						12.2		13.3		7.9

Livestock management will follow the grazing schedules (tables below) and related terms and conditions as outlined in Environmental Assessment # CO-110-07-030-EA.

Even Year Grazing Schedule for the Blacks Gulch Allotment #06612								
Pasture Name	Livestock		Date		BLM/Private AUMs (100%) Scheduled	% Public land	BLM AUMs Scheduled	Private AUMs Scheduled
	#	K	On	Off				
Blacks Gulch	325	C	04/25	06/05	449	93%	417	32
Homestead	100	C	05/01	05/18	59	27%	16	43
Wray Gulch	100	C	05/19	06/30	141	55%	78	63
Middle	325	C	06/06	07/10	374	97%	363	11
Middle	100	C	07/01	07/10	33	97%	32	1
Scenery Gulch	325	C	07/11	08/22	459	75%	345	114
Tschuddi Gulch	325	C	08/23	10/01	427	58%	248	179
Oil Well Gulch	100	C	07/11	10/01	273	90%	246	27
Totals:					2215		1745	470

Odd Year Grazing Schedule for the Blacks Gulch Allotment #06612								
Pasture Name	Livestock		Date		BLM/Private AUMs (100%) Scheduled	% Public land	BLM AUMs Scheduled	Private AUMs Scheduled
	#	K	On	Off				
Homestead	425	C	05/25	05/28	56	27%	15	41
Wray Gulch	425	C	05/29	06/07	140	55%	77	63
Blacks Gulch	425	C	06/08	07/01	335	93%	312	23
Middle	425	C	07/02	07/20	265	97%	258	7
Oil Well Gulch	425	C	07/21	08/09	279	90%	252	27
Tschuddi Gulch	425	C	08/10	09/10	447	58%	259	188
Scenery Gulch	425	C	09/11	10/10	419	75%	314	105
Totals:					1941		1487	454

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: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-23

Decision Language: “With minor exceptions, livestock grazing will be managed as described in the 1981 Rangeland Program Summary, Record of Decision for the 1981 White River Resource Area Grazing Management Final Environmental Impact Statement.”

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a categorical exclusion under 516 DM 11.9, D.1: “*Approval of transfers of grazing preference*”.

The proposed action has been reviewed with the list of extraordinary circumstances described in the table below. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. None of the following exceptions in 43 CFR 46.215 apply.

Exception	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 effects or involve unique or unknown environmental risks.		X
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 White River Field Office interdisciplinary team on 01/25/2011. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Kristin Bowen	Archaeologist	Cultural Resources, Native American Religious Concerns	01/27/11
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	01/26/11
Mary Taylor	Rangeland Management Specialist	Special Status Plant Species	01/24/11

REMARKS:

Cultural Resources: As this is only a transfer of preference and no change in grazing is authorized at all, the proposed action will have no affect to cultural resources.

Native American Religious Concerns: No known concerns.

Special Status Wildlife Species: All wildlife concerns were adequately addressed in the original environmental assessment (CO-110-030-2007 EA). There are no additional wildlife- related issues or concerns associated with the transfer of the grazing preference.

Special Status Plant Species: The proposed action is the same as previously analyzed and would have no influence on special status plant species or associated habitats.

MITIGATION:

COMPLIANCE PLAN (optional):

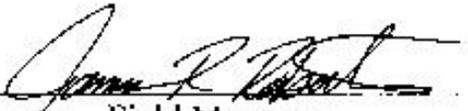
NAME OF PREPARER: Mary Taylor

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DECISION AND RATIONALE: I have reviewed this CX and have decided to approve 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 exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:


Acting Field Manager

DATE SIGNED: 2/9/2011

ATTACHMENTS: Blacks Gulch Allotment #06612 Map

Blacks Gulch Allotment 06612

