

**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-110-2011-0023-CX

CASEFILE/PROJECT NUMBER: 0501402

PROJECT NAME: Grazing Preference Transfer Fourteen Mile Allotment 06013

LEGAL DESCRIPTION: T3S R94W, Sec 6-8, 17, 18
T3S R95W, Sec 1, 2, 11, 12
T2S R95W, Sec 35, 36

APPLICANT: Cox Livestock LLC

DESCRIPTION OF PROPOSED ACTION: Cox Livestock LLC has leased the base property associated with the Fourteen Mile allotment (06013) for a period to include three grazing seasons (October 1, 2010 through January 5, 2014) and has made application for the grazing preference on the allotment. There will be no change in the permitted livestock use on the allotment, which was analyzed in NEPA document CO-110-2004-115-EA. Current permitted livestock grazing is outlined in Table 1 below.

Table 1

Allotment Name & Number	Livestock		Begin Date	End Date	%PL	BLM AUMs
	Number	Kind				
Fourteen Mile 06013	38	C	6/1	9/30	69	105
Fourteen Mile 06013	62	C	10/16	1/5	69	115

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: Page 2-23, Livestock Grazing Management

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, Number (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 516 DM 2, Appendix 2, apply.

Exception	YES	NO
1. Have significant adverse effects on public health and safety.		X
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, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7. 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
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 a disproportionately high and adverse effect on low income or minority populations		X
11. 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

Exception	YES	NO
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:

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on November 23, 2010. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

Cultural Resources: As this is only a change in grazing preference and there will be no change in livestock use, the proposed action will have no affect to cultural resources. (KB 11/22/2010)

Native American Religious Concerns: There are currently no known Native American concerns. (KB 11/22/2010)

Paleontological Resources: As this is only a change in grazing preference and there will be no change in livestock use, the proposed action will have no affect to fossil resources. (KB 11/22/2010)

Threatened and Endangered Wildlife Species: There are no wildlife-related issues or concerns associated with the proposed action. (LB 12/08/10)

Threatened and Endangered Plant Species As this is only a name change, there are no new concerns related to threatened and endangered plants from what was analyzed previously. (MT 11/29/2010)

MITIGATION:

1. The permit holder is responsible for informing all persons who are associated with range management operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any range management activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)

- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

2. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

COMPLIANCE PLAN: Monitoring and compliance will occur as outlined in the environmental assessment document (CO-110-2004-115-EA) completed for this allotment in 2005.

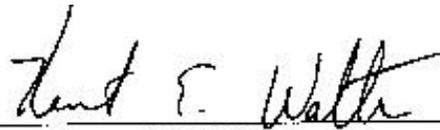
NAME OF PREPARER: Mary Taylor, Rangeland Management Specialist

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:

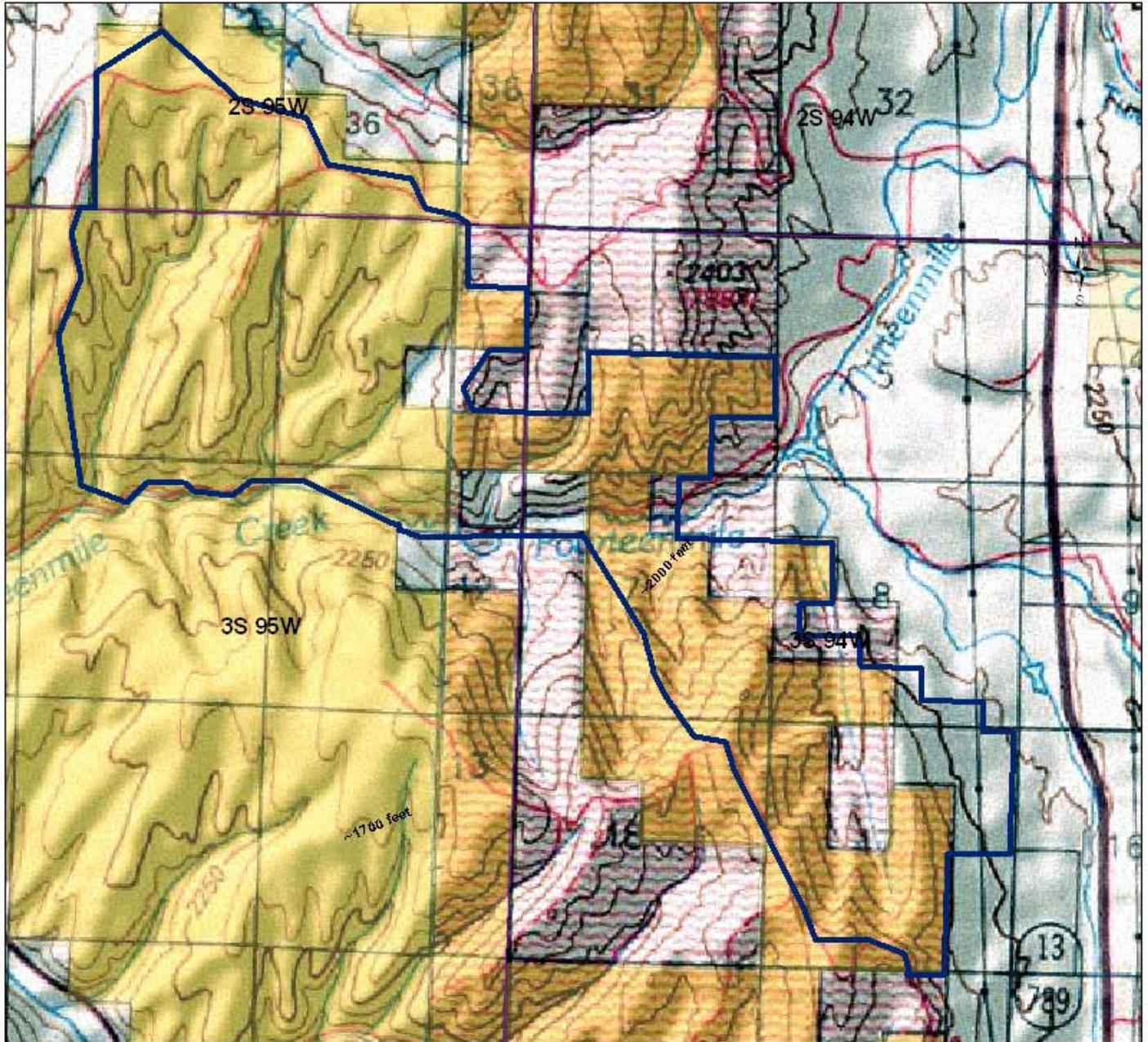


Field Manager

DATE SIGNED: 04/03/2011

ATTACHMENTS: Map of Fourteen Mile Allotment

Fourteen Mile allotment 06013



Legend

- Allotment Boundaries
- BLM
- PRI

Map Disclaimer: Although the data presented within this map and the map itself, have been processed successfully in computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.

