

4/09/01

**RECORD OF PLAN CONFORMANCE AND
CATEGORICAL EXCLUSION (CX) DETERMINATION**

Lease or CX Log #: OR-014-KCER-01-12

Serial #: Lease #361017

Project Name: Grazing Lease Transfer for Stukel-Dehlinger C. allotment (0815)

Applicant: Drew Hill & Dennis Hickey

Location: See attached allotment map

Address: P.O. Box 208, Merrill, OR. 97633

County: Klamath

BLM Office: Klamath Falls Resource Area

Phone #: 541-883-6916

CX Number from Current Department or Bureau List: 516 DM6 Appendix 5, D. Rangeland Management (1) Approval of transfers of grazing preference.

Description of the Proposed Action:

The proposed action is the transfer of an existing grazing lease from Clyde L. Dehlinger Trust to Drew Hill & Dennis Hickey. The lease is for one BLM grazing allotment - Stukel-Dehlinger C. (#0815) located within the northwest portions of Stukel Mountain. The recognized base properties for the BLM grazing lease are owned by the Dehlinger Trust, which is administered by two of his daughters (Diane Mathis and Maralea Peacore). The base properties are intermingled and run in common with the BLM administered lands.

Via a "grazing contract" dated 3/24/01, the base properties have been leased by the Trust to Hill/Hickey for grazing purposes for 3 years; the minimum required by the grazing regulations. The existing BLM grazing lease is effective through 2/28/2009, though the re-issued one will only be good through the 2003 grazing year, i.e. through 2/28/2004, and within the term of the grazing contract. Since the grazing parameters do not change and the term is within that already leased, this lease re-issuance is categorically excluded.

PLAN CONFORMANCE

The above project has been reviewed and found to be in conformance with one or more of the following BLM plans:

- Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (June 1995). (An *Optional Plan Conformance/NEPA Compliance Record* dated 2/25/99 was prepared for re-issuance of this lease in 1999; that document outlines how the lease is in conformance with the ROD/RMP.)

Reviewer /Bill Lindsey/ Date 04/10/01

DOCUMENTATION OF CATEGORICAL EXCLUSION (CX) EXCEPTIONS

The proposed action would not create adverse environmental effects under the CX exceptions, unless as noted. The proposed action will:

<u>Yes</u>	<u>No</u>	<u>CX Exception</u>
()	(X)	1. Have significant adverse effects on public health or safety.
()	(X)	2. Have adverse effects on such unique geographic characteristics such as historic cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks.
()	(X)	3. Have highly controversial environmental effects.
()	(X)	4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
()	(X)	5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.
()	(X)	6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects.
()	(X)	7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
()	(X)	8. Have adverse effects on species listed or proposed to be listed (i.e. candidate species) as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species.
()	(X)	9. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (water resource development projects only).
()	(X)	10. Threaten to violate a Federal, State, Local, or tribal law, regulation, executive order, or other requirement imposed for the protection of the environment.

DOCUMENTATION OF RECOMMENDED MITIGATION

For any item checked "Yes" identify the mitigating measures proposed. If not, the conditions for CX cannot be met.

Item <u>No.</u>	Can Be <u>Mitigated</u>	Cannot Be <u>Mitigated</u>	<u>Mitigation Measures</u>
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N/A

SUMMARY OF FINDINGS

The proposed action to transfer a grazing lease is categorically excluded under 516 DM 6, Appendix 5, D(1) and would not create adverse environmental impacts or require the preparation of an environmental assessment (EA) or environmental impact statement (EIS). The proposed action has been reviewed against the ten criteria for an exception to a categorical exclusion (listed above) as identified in 516 DM 2, Appendix 2, does not fall under any exception, and is therefore categorically excluded from further NEPA evaluation or documentation.

CX DETERMINATION

The proposed action and any specified mitigation measure(s) has been determined to meet the criteria for a CX and does not fall under any of the CX exceptions.

<u>/Bill Lindsey/</u>	<u>Range Management Specialist</u>	<u>04/10/01</u>
Prepared By	Title	Date

<u>/D.K. Hoffheins/</u>	<u>Resource Area Planner</u>	<u>04/12/01</u>
Reviewed By	Title	Date

<u>/Teresa A. Raml/</u>	<u>Field Manager</u>	<u>04/20/01</u>
Approved By	Title	Date