

**RECORD OF PLAN CONFORMANCE AND
CATEGORICAL EXCLUSION (CX) DETERMINATION
Bureau of Land Management (BLM)**

CX Log #: CX-06-15 Lease or Serial #: N/A
Project Name: **Ketcham Allotment (#00835) Grazing Lease Preference Transfer**
Project Location: T39S, R11E, Sec. 19 (map attached) County: Klamath County, Oregon
BLM Office: Lakeview District, Klamath Falls Resource Area Phone #: 541-883-6916

DESCRIPTION OF THE ACTION

The proposed action is the transfer of a Section 15 grazing lease preference from one base property to another base property in accordance with 43 CFR §4100.0-8, §4110.1, §4110.2-3, and §4130.2. The current base property owner has recently filed a transfer application in accordance with 43 CFR §4110.2-3(c). This transfer application has been approved by the Klamath Falls Resource Area manager.

The transferred grazing lease will continue to have the parameters that were approved through the Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary, 20 AUMs of livestock use from May 1 through June 15. The term of the lease for the new base property owner will be 5/01/2006 to 4/30/2016, ten years as required by 43 CFR §4130.2(d) of the current grazing regulations.

IMPLEMENTATION DATE

This transfer will be implemented in May 2006.

PLAN CONFORMANCE

The proposed action has been reviewed and found to be in conformance with one or more of the following BLM plans, programmatic environmental analyses or policies:

- Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS), approved June 1995. Refer to: page H-32 of Appendix H; page 62, Grazing Management, Objectives; and page 62, Grazing Management, Land Use Allocations.
- Rangeland Reform FEIS and ROD (1995)
- Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1997)
- Standards for Land Health for Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1998)

IDENTIFICATION OF EXCLUSION CATEGORY

The proposed action has been identified as a categorical exclusion under Bureau of Land Management Categorical Exclusions (516 DM 6, Appendix 5) # D. (1) *Approval of transfers of grazing preference.*

COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

The proposed action is categorically excluded from further analysis or documentation under the National Environmental Policy Act (NEPA) if it does not meet any of the following Exceptions (listed in 516 DM 2, Appendix 2; IM No. OR-2002-130).

Will the proposed action meet the following Exceptions?

Exception	Yes No
1. Have significant adverse effects on public health or safety?	() (X)
2. Have adverse effects on such unique geographic characteristics or features, or on special designation areas such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; sole or principal drinking water aquifers; prime farmlands; or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks. This also includes significant caves, ACECs, National Monuments, WSAs, RNAs.	() (X)
3. Have highly controversial environmental effects (40 CFR 1508.14)?	() (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 principle about future actions with potentially significant environmental effects?	() (X)
6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects? This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).	() (X)
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? This includes Native American religious or cultural sites, archaeological sites, or historic properties.	() (X)
8. Have adverse effects on species listed or proposed to be listed as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species? This includes impacts on BLM-designated sensitive species or their habitat. When a Federally listed species or its habitat is encountered, a Biological Evaluation (BE) shall document the effect on the species. The responsible official may proceed with the proposed action without preparing a NEPA document when the BE demonstrates either 1) a “no effect” determination or 2) a “may effect, not likely to adversely effect” determination.	() (X)
9. Fail to comply 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. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements?	() (X)
11. Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan?	() (X)
12. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice)?	() (X)
13. Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites)?	() (X)
14. Have significant adverse effect on Indian Trust Resources?	() (X)
15. Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species)?	() (X)
16. Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects)?	() (X)
17. Have a significant adverse effect on Migratory Landbirds (Executive Order 13186).	() (X)

The proposed action would not create adverse environmental effects or meet any of the above exceptions.

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DOCUMENTATION OF RECOMMENDED MITIGATION

Note: although none of the conditions for the above exceptions are met, some of the resources discussed are potentially affected. Mitigation measures and Project Design Features below are applied to prevent the adverse conditions discussed in the exceptions:

Exception No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures and/or Project Design Features

SURVEYS AND CONSULTATION

Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary (appropriate fields are Initialed and Dated by responsible resource specialist):

<u>Surveys:</u>	1) are completed	2) will be completed	3) are not needed
SS Plants	_____	_____	<u>JW 5/11/06</u>
SS Animals	_____	_____	<u>SJA 5/12/06</u>
Cultural Resources	_____	_____	<u>TC 5/23/2006</u>
Survey and Manage Surveys	_____	_____	_____

<u>Consultation:</u>	1) is completed	2) will be completed	3) is not needed
SS Animal Consultation	_____	_____	<u>SJA 5/12/06</u>
Botanical Consultation	_____	_____	<u>JW 5/11/06</u>
Cultural Consultation	_____	_____	<u>TC 5/23/2006</u>
(SS = Special Status)			

Remarks:

SUMMARY OF FINDINGS and CX DETERMINATION

The proposed action 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 criteria for an Exception to a categorical exclusion (listed above) as identified in 516 DM 2, Appendix 2, and does not meet any Exception. The application of this categorical exclusion is appropriate, as there are no extra ordinary circumstances potentially having effects that may significantly affect the environment. The proposed action is, therefore, categorically excluded from additional NEPA documentation.

Prepared By: Dana Eckard, Rangeland Management Specialist

Reviewed by: Klamath Falls Interdisciplinary Team

Approved By: (Signature)	Name: Jon Raby Don Hoffheims <i>D/K Hoffheims</i>	Title: Resource Area Manager Acting Manager	Date: 5/25/06
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CONTACT PERSON

For additional information concerning this project, contact:

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