

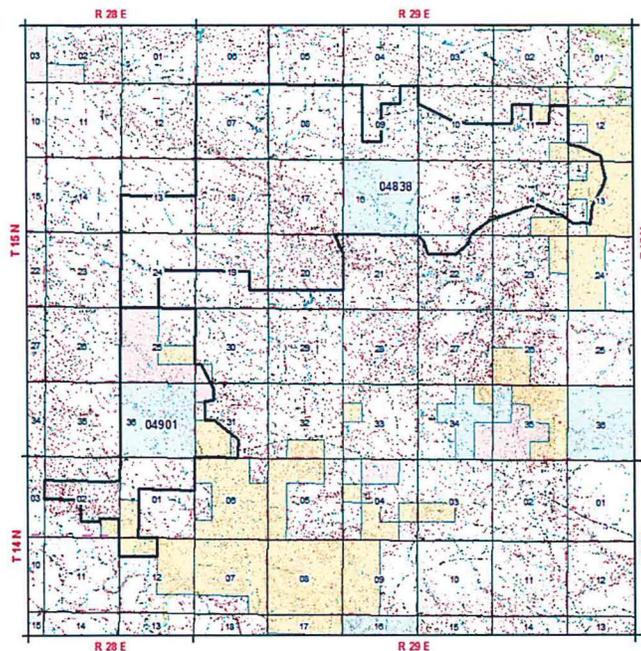
U.S. Department of the Interior Bureau of Land Management

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

DOI-BLM-MT-060-2016-0014-CX

Project Title: Vontver-Dobson and Petrolia Bench Ranch Allotment Grazing Preference Transfer

Location: Vontver-Dobson (#04838); T. 15 N., R. 29 E., Sections: 11, 12, and 13
Petrolia Bench Ranch (#04901); T. 15 N., R. 28 E., Sections: 25 and 36
T. 15 N., R. 29 E., Sections: 30 and 31.
T. 14 N., R. 28 E., Sections: 1 and 12.



Applicant/Address: John C. and Rebecca Ahlgren
3026 Jitney Road
Winnett, MT 59087

Project Contact:
Name: Katie Decker
Title: Natural Resource Specialist
Office: Lewistown Field Office
Telephone No.: (406) 538-1977

Lewistown Field Office
920 NE Main Street
Lewistown, MT 59457
Phone: 406-538-1900



CATEGORICAL EXCLUSION REVIEW AND APPROVAL

A. Background

Lease/Serial/Case File No.: Grazing Case File Numbers 2506428 and 2506365

Description of Proposed Action:

The proposed action is to approve the transfer of grazing preference in the Vontver-Dobson (#04838) and Petrolia Bench Ranch (#04901) allotments from Larry and Diane Ahlgren to John C. and Rebecca Ahlgren.

On January 29, 2016, the Lewistown BLM Field Office received completed transfer of grazing preference application forms (4130-1a, 4130-1, 4130-1b, and 4120-8) from John and Rebecca Ahlgren with a lease agreement showing control of base property. The BLM determined that the applicants meet the qualifications to hold a grazing permit (43 CFR §4110.1) and were deemed to have a satisfactory performance record (43 CFR §4110.1(a) and (b)).

The current 10 year term grazing permit for the Vontver-Dobson (#04838) allotment was issued March 2016, in accordance with Section 402(c)(2) of the Federal Land Policy Management Act (FLPMA) as amended by Public Law No. 113-291. The current 10 year term grazing permit for the Petrolia Bench Ranch (#04901) allotment will expire on February 28, 2018. The renewed permits offered to the applicants as a result of this grazing preference transfer will have the same terms and condition as the terminated permits and will be issued for a term of five years, effective March 1, 2016, and expire on December 31, 2020, to coincide with the end of the base property lease agreement.

The renewed permits will be issued in accordance with Section 402(c)(2) of the Federal Land Policy Management Act (FLPMA) as amended by Public Law No. 113-291. The following statement will be included in the cover letter transmitting these grazing permits issued to continue the terms and conditions of expired or terminated permits in accordance with the FLPMA Section 402(c)(2). This language will also be included in the permits for tracking purposes but is not a term and condition of the permit:

"This permit or lease is issued under the authority of Section 402(c)(2) of FLPMA, 1976 as amended, and contains the same terms and conditions as the previous permit or lease. This permit or lease may be cancelled, suspended, or modified, in whole or in part to meet the requirements of applicable laws and regulations."

Permits issued in accordance with Section 402(c)(2) of the FLPMA as amended by Public Law No. 113-291 are not protestable or appealable under the processes described in 43 CFR §4160 and 43 CFR §4.470 *et seq*[1].

The terms and conditions (kind and number of livestock, period of use, allotment to be used, and amount of use) of the current term grazing permits are illustrated below. The Vontver-Dobson (#04838) allotment was evaluated during the Musselshell Breaks Watershed planning process and was determined to be meeting Standards for Rangeland Health and Guidelines for Livestock Grazing Management (1997). The Petrolia Bench Ranch allotment (#04901) was evaluated during the Petrolia Watershed planning process and was also determined to be meeting

Standards for Rangeland Health and Guidelines for Livestock Grazing Management (1997). Approximately 57 % of the Vontver-Dobson (#04838) allotment and 91 % of the Petrolia Bench Ranch allotment (#04901) are within Priority Habitat Management Area (PHMA). Neither allotment is located within a Sagebrush Focal Area (SFA).

Current Grazing Permit: 2506365

Allotment	Pasture	Livestock		Grazing Period		% PL	Type Use	AUMs
		Number	Kind	Begin	End			
04838	Vontver-Dobson	20	Cattle	03/01	2/28	12	C	29

Total permitted use: Vontver-Dobson 29 AUMs

Other Terms and Conditions:

- *This allotment may be used in conjunction with your normal operation so long as use is not detrimental to the public land.*
- *Grazing use shall be in accordance with the Final Environmental Assessment for the Musselshell Break Watershed Plan (MT060-04-09), August 2005.*
- *Cooperative agreements between BLM and the permittee(s) will be established for control of existing or new infestations of noxious weeds found in the allotment(s) during the term of the permit in accordance with the Musselshell Breaks Watershed Plan. Williams Coulee CSGD.*
- *This permit is issued under the Authority of Section 402(c)(2) of FLPMA, 1976 as amended, and contains the same terms and conditions as the previous permit or lease. This permit or lease may be cancelled, suspended, or modified, in whole or in part to meet the requirements of applicable laws and regulations.*

Current Grazing Permit: 2506428

Allotment	Pasture	Livestock		Grazing Period		% PL	Type Use	AUMs
		Number	Kind	Begin	End			
04901	Petrolia Bench Ranch	61	Cattle	05/01	10/07	47	Active	151
	South	3	Cattle	06/01	02/28	100	Custodial	25

Total permitted use: Petrolia Bench Ranch 175 AUMs

Other Terms and Conditions:

- *Grazing use will be in accordance with the proposed action for the Petrolia Bench Ranch allotment (Identification #001) found on pages 8-9 in the Final Environmental Assessment/Petrolia Watershed Plan (MT-060-07-17).*
- *Appendix A (Pages 183-184) provides the guidelines for livestock grazing management.*
- *Cooperative agreements between BLM and the permittee(s) will be established for control of existing or new infestations of noxious weeds found in the allotment(s) during the term of the permit in accordance with the Petrolia Watershed Plan.*

B. Land Use Plan Conformance (select all that apply)

- Headwaters RMP (approved in July 1984)
- West HiLine RMP (approved in September 1988 and on January 29, 1992 for the Upper Missouri National Wild and Scenic River)
- Judith-Valley-Phillips RMP (approved on September 9, 1994)

- Standards for Rangeland Health and Guidelines for Livestock Grazing Management Final EIS for Montana and North and South Dakota (approved on August 7, 1997)
- Off-Highway Vehicle EIS and Proposed Plan Amendment for Montana, North Dakota and South Dakota (approved on June 18, 2003)
- Fire/Fuels Management EA/Plan Amendment for Montana and the Dakotas (approved on September 26, 2003)
- Upper Missouri River Breaks National Monument Approved Resource Management Plan (approved on December 4, 2008)
- Lewistown Field Office Greater Sage-Grouse Approved Resource Management Plan Amendment (approved September, 2015).
- Petrolia Watershed Plan Environmental Assessment (May, 2007).
- Musselshell Breaks Watershed Plan Environmental Assessment (August, 2005).

Conformance:

The proposed action is in conformance with the land use plan(s) selected above, which states as follows: *(If more than one plan applies, include the page no. and language from all applicable plans):*

Page No.	Language
12	<p align="center">Judith Resource Area Resource Management Plan (9/1994):</p> <p><i>The approved Judith Resource Area Resource Management Plan states on page 12: "The BLM manages grazing on the public rangelands by statutory authority, i.e. the Taylor Grazing Act, the Federal Rangelands Improvement Act and the Public Rangelands Improvement Act. Under the statutes, the BLM is required to develop regulations to manage public land resources on a multiple-use and sustained yield basis. Management of grazing on BLM land within the planning area will be in accordance with the grazing administration regulations found in 43 CFR Part 4100. The purpose of the grazing regulations is to manage the livestock grazing program as an integral part of the overall multiple-use of the public lands."</i></p>
10	<p align="center">Standards for Rangeland Health and Guidelines for Livestock Grazing Management Environmental Impact Statement (5/1997):</p> <p><i>"Standards are statements of physical and biological condition or degree of function required for healthy sustainable rangelands. Achieving or making significant and measureable progress towards these functions and conditions is required of all uses of public rangelands. Historical data, when available, should be used when assessing progress towards these standards."</i></p>
2-14	<p align="center">Lewistown Field Office Greater Sage-Grouse Approved Resource Management Plan Amendment (9/2015):</p> <p><i>"Action LG-1.3: Livestock grazing will be allowed on all acres not specifically closed to grazing. Figure 2-3, Lewistown Livestock Grazing (Appendix A)."</i></p>

138	<p style="text-align: center;">Petrolia Watershed Plan Environmental Assessment (May, 2007):</p> <p>“4.2.1 Rangelands: If monitoring indicates significant progress toward meeting standards is not occurring, management adjustments/corrective action would be initiated as described in the adaptive management section (section 2.4.1 of Appendix G).”</p> <p>“4.2.2 Upland Range Health: Rangeland conditions on the allotments listed in Table 4.1 would continue to meet the upland health standard. Trends on these allotments are static or improving; no major management changes would be required.”</p>
60	<p style="text-align: center;">Musselshell Breaks Watershed Plan Environment Assessment (August, 2005):</p> <p>“4.2.1 Rangelands: If monitoring indicates significant progress toward meeting standards is not occurring, management adjustments/corrective action would be initiated as described in the adaptive management section (section 2.4.1 of Appendix G).”</p> <p>“4.2.2 Upland Range Health: Rangeland conditions on the allotments listed below would continue to meet standards for rangeland health. Trends on these allotments are static or improving.”</p>

C. Compliance with NEPA:

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with (select one):

43 CFR 46.210, or
 516 DM 11.9

Appropriate CX Number and Text, or Paraphrase of the Text:

D. Rangeland Management (1): Approval of transfers of grazing preference.

The proposed action has been reviewed and none of the extraordinary circumstances described in 43 CFR 46.215 apply. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having significant effects on the environment.

Explanation of Why There is no Potential for Significant Impacts:

1. Have significant impact on public health or safety.		
Yes	No X	Rationale: The proposed action will not have a significant impact on public health or safety because the proposed action will occur in a remote area of Petroleum County and will not authorize new resource uses beyond what currently exist.
2. Have significant impact 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 principle drinking water aquifers; prime farmlands; wetlands (Executive Order 11991; Floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No X	Rationale: An interdisciplinary team has reviewed the resources of the human environments and other resources. The proposed action is not located on or near the following: park, recreation or refuge lands, wilderness areas, wild or scenic rivers, national natural landmarks, sole or principle drinking water aquifers, prime farmlands, wetlands, floodplains or national monuments. The proposed action will not have a significant impact on migratory birds because the terms and conditions (kind and number of livestock, period of use, area to be used, and amount of use) of the current term grazing permit will remain the same. Since there are no additional changes other than a change in who is administering the permit, there will be no change from the baseline for migratory birds and no further analysis is warranted. The proposed action will not have a significant impact on ecologically significant or critical areas because the proposed action will not authorize new resource uses beyond what currently exist.
3. Have highly controversial environmental effects or involve unresolved conflict concerning alternative uses of available resources [NEPA section 102(2)(E)].		
Yes	No X	Rationale: The proposed action will not have highly controversial environmental effects or involve unresolved conflict concerning alternative uses of available resources because it will

		not authorize new resource uses beyond what currently exist.
4.	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	
Yes	No X	Rationale: The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environment risks because it will not authorize new used beyond what currently exist. Based on ID Team review, new circumstances were not identified and the consequences of the proposed action remain certain.
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	
Yes	No X	Rationale: The prosed action will not establish precedent for future actions and does not represent a decision in principle about future actions with potentially significant environmental effects because it complies with current Federal Regulations (CFR §4100) and National Environmental Policy Action of 1969 and will not authorize new resource uses beyond what currently exist.
6.	Have a direct relationship to other actions with individually insignificant but cumulative significant environmental effects.	
Yes	No X	Rationale: The proposed action does not have a direct relationship to other actions with individually insignificant but cumulative significant environmental effects. The proposed action is consistent with current Federal Regulations (CFR §4100) and National Environmental Policy Action of 1969 and will not authorize new resource uses beyond what currently exist.
7.	Have significant impact on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.	
Yes	No X	Rationale: The proposed action will not have significant impacts on properties listed, or eligible for listing on the National Register of Historic Places as determined by the bureau because grazing has not been documented as impacting any of the known sites within the analysis area. The proposed action would not adversely affect historic properties known to exist within the area.
8.	Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated Critical Habitat for these species.	
Yes	No X	Rationale: The proposed action will not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or Critical Habitat for these species because the proposed action will not authorize new resource uses beyond what currently exist. The proposed action is in conformance with Lewistown Field Office Greater Sage-Grouse Approved Resource Management Plan Amendment (approved September, 2015). There will be no change from the baseline for wildlife, T&E Species, or BLM Sensitive Species, including Greater Sage-Grouse and no further analysis is warranted.
9.	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	
Yes	No X	Rationale: The proposed action will not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment because it complies with current Federal Regulations (CFR §4100) and National Environmental Policy Action of 1969 and will not authorize new resource uses beyond what currently exist.
10.	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	
Yes	No X	Rationale: The proposed action will not have a disproportionately high and adverse effect on low income or minority populations because the proposed action will not authorize new resource uses beyond what currently exist.
11.	Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	
Yes	No X	Rationale: The proposed action will not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites because none have been documented within the analysis area.
12.	Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or action that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	

Yes	No	Rationale: The proposed action will not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or action that may propose the introduction, growth, or expansion of the range of such species because no noxious weeds or non-native invasive species were documented within this allotment during the 2005 range health inventory and subsequent monitoring. In addition, the renewed permit have the following term and condition which states "Cooperative agreements between BLM and permittee(s) will be established for control of existing or new infestation of noxious weeds found in the allotment during the term of the permit in accordance with the Musselshell Breaks Watershed Plan."
	X	

D: Signature

I considered this review and determined that the proposed action is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the proposed action.

Pertinent design features, stipulations or mitigation (if applicable):

Authorizing Official: Peter A. McFadden Date: 4-27-16
(Signature)

Name: Peter A McFadden
Title: Field Manager