

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

---

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

DOI-BLM-MT-L060-2016-0015-CX

**Project Title:** Renegade Fly Fishing Outfitters Special Recreation Permit

**Location:** BLM land bordering Teton County and Lewis and Clark County in both the Lewistown Field Office and Butte Field Office. The BLM land in Teton County is administered by the Lewistown Field Office and the BLM land in Lewis and Clark County is administered by the Butte Field Office. BLM locations adjacent to the Sun River include: T20N, R3W Section 4; and T21N, R6W Section 27. (See map)

**Applicant/Address:** Renegade Fly Fishing Outfitters  
Eric Ederer  
2301 Briggs  
Missoula, MT 59803

**Project Contact:**

Name: John Seemann  
Title: Outdoor Recreation Planner  
Office: Lewistown Field Office  
Telephone No.: 406-538-1905

U.S. Department of the Interior  
Bureau of Land Management  
Lewistown Field Office  
920 NE Main Street  
Lewistown, MT 59457  
Phone: 406-538-1900

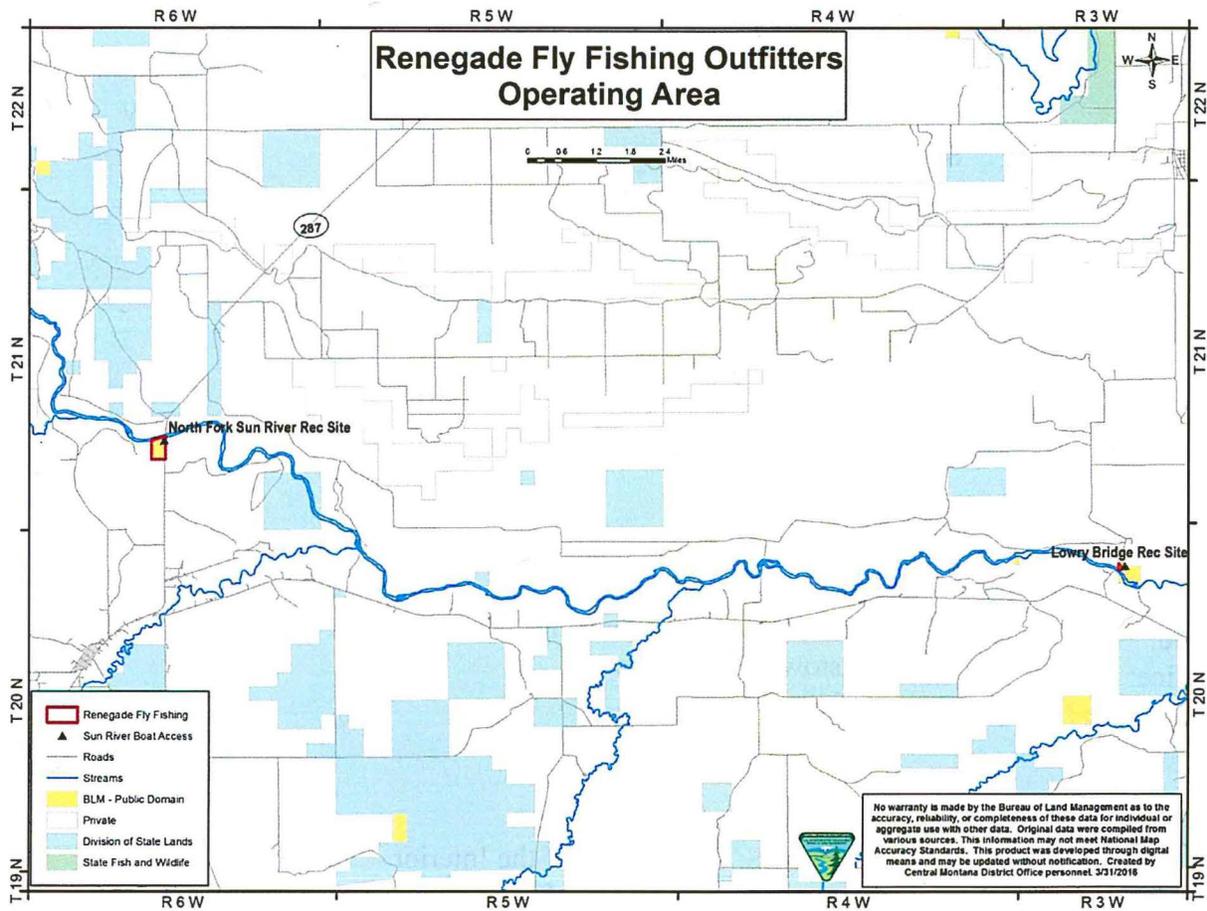


# CATEGORICAL EXCLUSION REVIEW AND APPROVAL

## A. Background

### Description of Proposed Action:

Issue a Special Recreation Permit to Renegade Fly Fishing for the purpose of access to the Sun River in order to conduct commercially guided fly fishing trips. The permit would be valid for the period of use specified on the permit, not to exceed ten years. Guiding will occur from April through September with a maximum of 20 clients. If it appears that the maximum number of clients will be exceeded, Renegade Fly Fishing must notify the BLM prior to use. The estimated number of client days is 40 for the Sun River. The BLM land adjacent to the Sun River will be used for put-in and take-out sites. Motorized use will be limited to designated roads and 2-tracks on BLM land. The areas authorized under this permit may be subject to change in the future due to ongoing planning efforts or if conditions of the SRP are not met.



**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)
- Other *(specify name/date approved)*

**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):*

<i>Page No.</i>	<i>Language</i>
15	Headwaters RMP: "A broad range of outdoor recreation opportunities will continue to be provided for all segments of the public, commensurate with demand." "Recreation resources will continue to be evaluated on a case-by-case basis as part of project level planning." "Stipulations will be attached as appropriate to assure compatibility of projects with recreation management objectives."

**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:

H.1 "Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for "Special Area" management (43 CFR 2932.5)"

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	<b>Rationale:</b> The business has required certifications to ensure that public health and safety is being met.
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	<b>Rationale:</b> Stipulations, terms and conditions associated with the permit alleviate cultural resource concerns. The operation is day-use only, meaning no overnight camping will be established on BLM land. Day-use only helps alleviate many resource concerns. No alteration of habitats or vegetation is associated with the proposed action. Outfitter will comply with Montana Fish Wildlife and Parks laws and regulations concerning Aquatic Invasive Species (AIS) as described in the additional stipulations. AIS Stipulations: Outfitter will be responsible for ensuring their operation or clients will not transport AIS. Outfitter will ensure all boats and equipment including clients' equipment is clean, dry, and inspected before entering the water.
3. Have highly controversial environmental effects or involve unresolved conflict concerning alternative uses of available resources [NEPA section 102(2)(E)].		
Yes	No X	<b>Rationale:</b> The other existing SRPs in this area have not lead to highly controversial environmental effects or caused unresolved conflicts concerning alternative uses of available resources. It is not expected that establishing another SRP in the same general area will lead to environmental effects or conflicts.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No X	<b>Rationale:</b> Similar actions have occurred and have not resulted in significant environmental effects. Environmental risks and effects are known.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes	No X	<b>Rationale:</b> This action is not connected to another action that would require further environment analysis or set a precedent for future actions that would normally require environmental analysis.

6. Have a direct relationship to other actions with individually insignificant but cumulative significant environmental effects.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The proposed action does not have a direct relationship to other actions that would, cumulatively, have significant environmental effects.
7. Have significant impact on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No properties listed or eligible to be listed on the National Register are known to be present with the area of potential effect.
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.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> All unattended food/bear attractants will be stored in an approved manner as described in the additional stipulations. There is no impact as a result of the proposed action on any listed species or Critical Habitat shown by the Fish and Wildlife Service with potential to occur in Lewis and Clark County update April 2015 (Canada lynx, grizzly bear, red knot, bull trout or black footed ferret).
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No Federal law, or a State, local, or tribal law is violated. Stipulations attached for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> The proposed project will not have an impact on low income or minority populations.
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).		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> No sacred sites are known in the vicinity. Access to sacred sites would not be affected by this proposal.
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).		
<b>Yes</b>	<b>No</b> <b>X</b>	<b>Rationale:</b> Stipulations, terms and conditions associated with the permit alleviate noxious weeds or non-native invasive species concerns. The stipulations state that the all vehicles, boats and trailers shall be pressure washed or otherwise cleaned thoroughly prior to entering public lands. Infestations of noxious weeds shall be reported immediately to the BLM. The permittee is required to inspect, clean, and dry all equipment. Since this permit is day use only, no camping is allowed on BLM administered lands.

**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):

SRP Form 2930-1 and 2930-2 General Stipulations and Conditions.

Additional Stipulations attached to the permit for the permittee to sign.

Authorizing Official: Peter G. McFadden Date: 4-11-16  
(Signature)

Name: Peter McFadden  
Title: Lewistown Field Manager