

**United States Department of the Interior
Bureau of Land Management**

DOI-BLM-MT-C020-2016-0091-CX

4/26/2016

**Tidwell Draw Allotment
PK Pasture Allotment
Conley Allotment
Grazing Transfer**

Location:

Big Horn County, MT

Tidwell Draw Allotment: T. 9 S., R. 44 E.

Sections 11 (part), 13 (part), 14 (part), 15, 22 (part),
23 (part), 24 (part)

PK Pasture Allotment: T. 8 S., R. 43 E., Section 18 (part)

Conley Allotment: T. 8 S., R. 43 E., Section 1 (part)

U.S. Department of the Interior
Bureau of Land Management
Miles City Field Office
111 Garryowen Road
Miles City, MT 59301
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UNITED STATES DEPARTMENT OF INTERIOR
 BUREAU OF LAND MANAGEMENT
Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

A. Background

BLM Office: Miles City Field Office

Authorization Number: 2502503349

NEPA Number: DOI-BLM-MT-C020-2016-0091-CX

Proposed Action Title/Type: Tidwell Draw Allot, PK Pasture Allot, and Conley Allot. transfer

Location of Proposed Action: Big Horn County (see attached map)

Tidwell Draw Allotment: T. 9 S., R. 44 E. Sections 11 (part), 13 (part), 14 (part), 15, 22 (part), 23 (part), 24 (part)

PK Pasture Allotment: T. 8 S., R. 43 E., Section 18 (part)

Conley Allotment: T. 8 S., R. 43 E., Section 1 (part)

Description of Proposed Action: The proposed action is to ensure the allotment continues to meet Standards for Rangeland Health and issue a grazing lease to the new base property owner for the Tidwell Draw Allotment (#10150), PK Pasture (#03249), and Conley Allotment (#10018). The grazing lease would be issued with no changes to the terms and conditions from the previous leases and would be issued as follows:

Table 1. Terms and conditions for Authorization #2503349

Allotment Name and Number	Pasture	Livestock		Grazing Period		% PL	Type Use	AUMs
		Number	Kind	Begin	End			
Tidwell Draw No. 10150	Outside Tidwell Draw	1	Cattle	03/01	02/28	100	Custodial	16
	Tidwell Draw	214	Cattle	06/01	09/26	51	Active	423
PK Pasture No. 03249		2	Cattle	03/01	02/28	100	Custodial	25
Conley No. 10018		1	Cattle	03/01	02/28	100	Custodial	7

Total Active AUMs: Tidwell Draw Allotment 439 AUMs

PK Pasture Allotment 25 AUMs

Conley Allotment 7 AUMs

Terms and Conditions:

- Grazing is authorized during the listed season for the recognized capacity of the public land. Livestock will not be on the public land continuously for the entire season. Livestock numbers are not restricted.
- Supplemental feed (includes salting) will not be placed within one quarter of a mile of stock watering facilities, riparian zones, hardwood draws or wetlands. Supplemental feed is defined as feed that provides for improved livestock nutrition or rangeland management, but does not replace forage available from public lands.
- The terms and conditions of you permit may be modified if addition information indicates that revision is necessary to conform with CFR 4180.

B. Land Use Plan Conformance

Land Use Plan Name: Miles City Approved Resource Management Plan (ARMP)

Date Approved/Amended: 2015

The proposed action is in conformance with the plan because it is specifically provided for it in the Land Use Plan decision. All of the allotments that potentially would involve renewal or transfers of grazing preference were recognized, designated as being open to livestock grazing, and allocated grazing use.

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the following:

Compliance with FLPMA Section 402(h)(1) Criteria for Application of Categorical Exclusion used to Issue a Grazing Permit or Lease:

1. The permit or lease continues the current grazing management of the allotment(s).
2. A land health assessment and evaluation have been completed in accordance with Manual Handbook H-4180-1.
3. The Authorized officer concludes from the findings of the evaluation report that:
 - a. The public land subject to the evaluation is meeting land health standards, or
 - b. The public land subject to the evaluation is not meeting standards due to factors other than current livestock grazing

Compliance with IM-2015-121:

1. Existing grazing is consistent with land use plan and any applicable allotment management plan objectives and decisions. Most recent Evaluation Report and Land Health Determination and any subsequently collected monitoring data documents that the allotment(s) included in the permit meet land health standards or that factors other than existing livestock grazing are the cause for allotment(s) failing to meet the standards.
2. The 12 extraordinary circumstances (below) in 43 CFR 46.215 were reviewed and one or more extraordinary circumstances does not exist:

Extraordinary Circumstances

The project would:

1. Have significant impacts on public health or safety.

Yes	No X	Rationale: There would be no significant impacts to public health or safety. <i>DLD 4/26/26</i>
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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 (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

Yes	No X	<p>Rationale: The proposed action will not impact natural resources or unique geographic characteristics listed above.</p> <p>There are ongoing efforts to develop managements strategies for the Greater Sage Grouse, currently listed only as a BLM sensitive species. In addition, it is anticipated that the Greater Sage Grouse has been thoroughly discussed and analyzed in the Miles City ARMP. The allotment is located within an area regarded as general habitat for the Greater Sage Grouse.</p> <p><i>FAP 6/14/2016</i></p>
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3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

Yes	No X	Rationale: There would be no controversial or unresolved conflicts. Grazing is a well-established and highly analyzed use of public lands. <i>DLD 4/26/16</i>
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4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes	No X	Rationale: There would be no significant environmental effects or risks. Grazing is a well-established and highly analyzed use of public lands. <i>DLD 4/26/16</i>
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5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.

Yes	No X	Rationale: The action is not connected to another action that would require additional environmental analysis. <i>DLD 4/26/16</i>
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6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Yes	No X	Rationale: There would be no cumulative impacts from this project in addition to those identified in the Standards for Rangeland Health and Guidelines for Livestock Grazing Management EIS completed in August
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		of 1999. A detailed discussion of these cumulative impacts can be found on Pages 27 and 28 of the Standards and Guidelines EIS. <i>DLD 4/26/16</i>
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		
Yes	No X	Rationale: A review of BLM and Montana SHPO Cultural and Paleontological databases shows no cultural sites or paleontological localities have been recorded on public lands in the PK Pasture and Conley Allotments Three lithic scatter sites (places where stone tools were used and maintained) are recorded on public lands in the Tidwell Draw Allotment. Transferring the grazing permit would not impact the National Register eligibility of the sites in the Tidwell Draw Allotment (See BLM Cultural Resources Report MT-020-16-106). The proposed action meets the inventory exemption criteria found in BLM's Montana/Dakotas Cultural Resources Handbook H-8110-1, Appendix One, Range 1. Issuance of a grazing permit is an action that generally does not involve any direct surface disturbance and as a non-surface disturbing type of activity, has little or no potential or ability to significantly affect cultural properties. As a result, no cultural resource inventory is necessary prior to approving and authorizing this undertaking to proceed. Consequently, no cultural resource values considered eligible for the National Register of Historic Places would be affected by this undertaking. DM 05/13/2016
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 area does not contain habitats for Endangered, Threatened or designated Critical Habitat for these species. <i>FAP 6/14/2016</i>
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: No laws would be violated. <i>DLD 4/26/16</i>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No X	Rationale: The proposed action considered in the course of this analysis has not resulted in any identifiable effects or issues specific to any minority or low income population or community as defined in Executive Order 12898. <i>DLD 4/26/16</i>

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: Transferring the grazing permit would not affect use or access to public lands. Cultural Sites identified on public lands in the Tidwell Draw Allotment would not be affected by grazing permit transfer. The Ethnographic Overview of Southeast Montana did not identify any areas of concern in the allotments. DM 05/13/2016
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 (Federal Noxious Weed Control Act and Executive Order 13112).		
Yes	No X	Rationale: No noxious weeds or non-native invasive species would be introduced by this action. This action would not promote the introduction, growth, or expansion of such species. <i>DLD 4/26/16</i>

3. Other legal and regulatory requirements, such as tribal and Endangered Species Act consultation, are complete.
4. Consultation and coordination has occurred with affected permittees or lessees, the state agency having lands or responsibility for managing resources within the area, and the interested public.

/s/ Kathy Bockness
Environmental Coordinator

6/22/2016
Date

I considered the proposed action and the renewal of this grazing permit does not cause any potential for significant impacts. Use of this CX is appropriate.

D. Signature

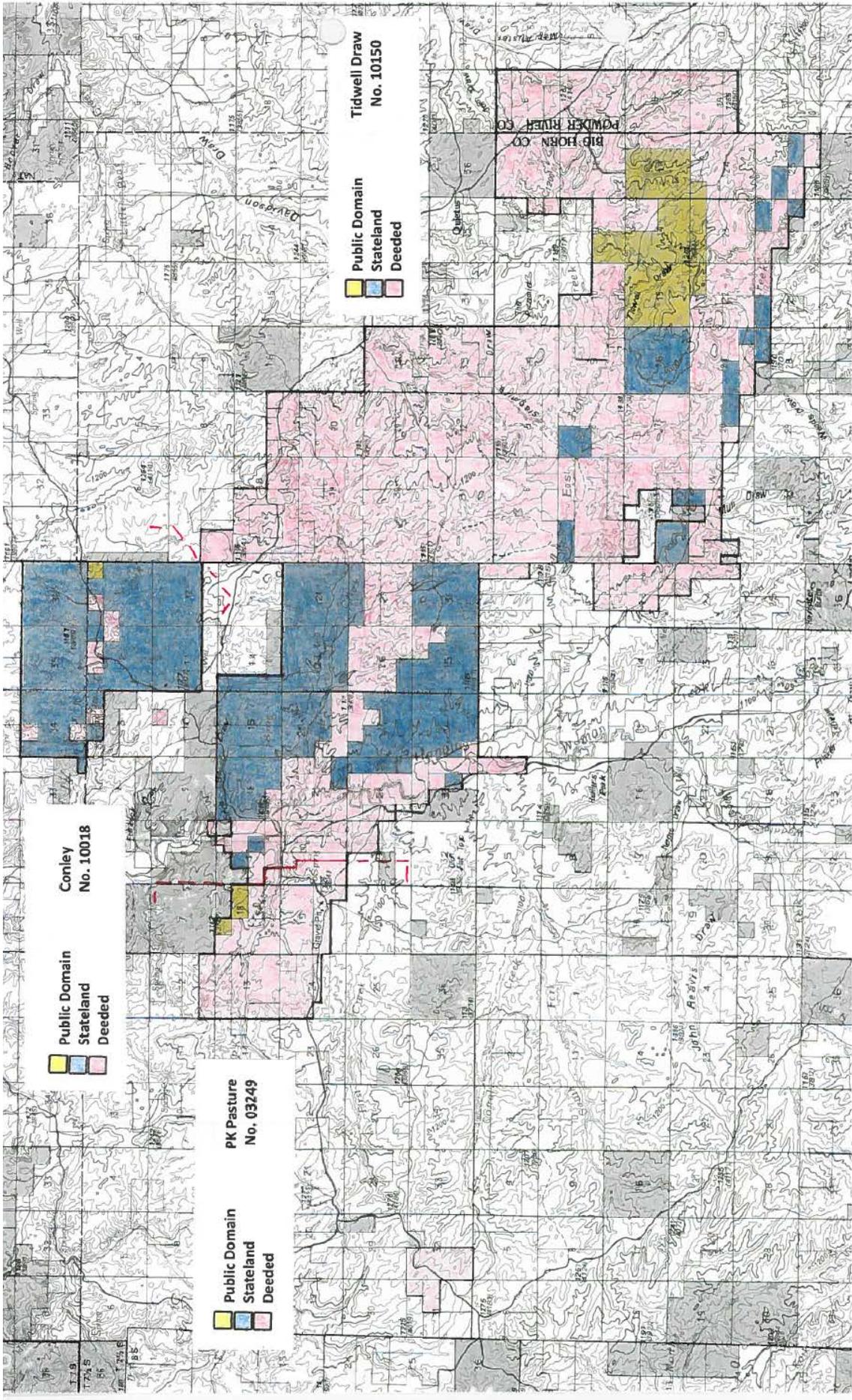
Authorizing Official: Wendy M. Warren, Acting Field Manager

/s/ Wendy Warren
Acting Field Manager

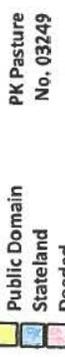
6/22/2016
Date

Contact Person

For additional information concerning this CX review and decision, contact:
Reyer Rens, Supervisory Rangeland Management Specialist
Miles City Field Office
111 Garryowen Road
Miles City, MT 59301
(406) 233-2866



Public Domain
State Land
Deeded



Public Domain
State Land
Deeded



Conley
No. 10018

Public Domain
State Land
Deeded



Tidwell Draw
No. 10150

BIRD HORN CO.
POWDER RIVER CO.

John
Reville
Draw

Erish
Draw

WU
DRAW

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