



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

Categorical Exclusion

2023 Eastern Montana Batched CX
DOI-BLM-MT-C020-2023-0014-CX
January 2023

Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301

Description Of The Proposed Action And Any Applicable Mitigation Measures

BLM Office	Miles City Field Office
NEPA PROJECT NUMBER	DOI-BLM-MT-C020-2023-0014-CX
PROPOSED ACTION TITLE	2023 Eastern Montana Batched CX
LOCATION/LEGAL DESCRIPTION	Carter, Custer, Dawson, Fallon, Garfield, McCone, Prairie, Richland, Sheridan, and Wibaux Counties in Montana, and Harding County in South Dakota
APPLICANT (IF ANY)	
PROPOSED ACTION DESCRIPTION AND ANY MITIGATION	<p>The proposed action is to ensure the allotments continue to meet Land Health Standards in accordance with the (Miles City ARMP (as amended), and to renew or transfer preference to issue 99 grazing permits or leases. In accordance with 43 CFR §4130.2(d), the terms of the permits would be for ten years unless the associated base property is controlled through a base property lease. Grazing permits and leases for allotments that are associated with base property leases would be issued for the term of the lease for a period not less than three years, 43 CFR §4110.2-3(4)(f), and a maximum of ten years 43 CFR §4130.2(d). All permits or leases would be issued with no changes to existing grazing schedules, grazing preferences, kind of livestock, percent public land, type of use, or terms and conditions.</p> <p>Table 1 includes the grazing authorization numbers, allotment numbers, allotment names, public acres, public AUMs, county, when the allotment was assessed and met Land Health Standards, Management Status, and if the allotment is located in GHMA, PHMA, RHMA, or outside of a sage-grouse Habitat Management Area.</p>

Table 1 List of All Grazing Allotments

Auth. #	Allot. #	Allot. Name	Public Acres	Public AUM's	County	Date of Last Land Health Evaluation	Mgmt Status	GRSG Habitat Type
2502075	MT00045	CEDAR HILLS	6942	1122	Custer / Prairie	6/6/2006	M	GHMA
2502705	MT00069	ART MACKAY	156	38	Fallon	5/18/2022	M	None
2502068	MT00081	RALSTON ALLOTMENT	1831	259	McCone	5/18/2022	C	GHMA
2502086	MT00103	POP'S PLACE	40	9	McCone	5/18/2022	C	GHMA
2502176	MT00209	KLUTH	321	91	McCone	1/11/2017	C	GHMA
2502196	MT00231	PIPAL	80	18	McCone	5/18/2022	C	GHMA
2502235	MT00275	NEFZER	546	161	McCone	5/18/2022	C	GHMA

2502317	MT00358	SORLEY	320	67	McCone	5/18/2022	C	GHMA
2504130	MT00363	JONES	2466	485	Carter	5/18/2022	M	PHMA
2502201	MT00395	STEADMAN ALLOTMENT	3060	442	Custer	5/18/2022	C	GHMA / PHMA
2502351	MT00396	VOORHEES ALLOTMENT	825	154	McCone	6/16/2003	C	GHMA
2503558	MT00424	MCKNIGHT	1027	216	Carter	5/18/2022	C	PHMA
2503019	MT00509	NASH	80	27	Sheridan	5/18/2022	C	None
2503840	MT00561	TAUCK	4052	965	Carter	6/25/2001	M	PHMA
2503841	MT00562	TAUCK L & L	3405	645	Carter	5/18/2022	M	PHMA
2503846	MT00567	FLINTROCK AMP	4987	909	Carter	8/4/2004	M	PHMA
2502513	MT00688	MACKAY - RIEGER	637	147	Fallon	5/18/2022	M	GHMA
2502234	MT00719	CATO SWAYNE UNIT	2241	259	Custer	8/14/2004	C	GHMA
2502271	MT00721	FORREST PRICE	40	10	Custer	5/18/2022	C	GHMA
2502272	MT00722	REED	715	160	Custer	5/18/2022	M	GHMA
2502760	MT00730	L-7 RANCH	160	47	Prairie	5/18/2022	C	GHMA
2503642	MT00780	WINTER PASTURE	3031	411	Carter	5/18/2022	M	PHMA
2502728	MT00796	BADLANDS	9932	1797	Prairie	9/19/2008	I	GHMA
2502075	MT00798	WEST WHITEHOUSE	1218	253	Prairie	6/6/2006	I	GHMA
2502507	MT00967	T G CREEK	164	38	Fallon	3/10/2004	C	GHMA
2500672	MT00969	WATSON TWO	1096	265	Carter	8/5/2004	C	PHMA
2504037	MT00972	OLD HAYNES PLACE	40	13	Garfield	5/18/2022	C	None
2504049	MT00991	BADLANDS	4119	827	Custer	5/26/2005	C	GHMA
2502507	MT01008	O'FALLON	949	168	Fallon	3/10/2005	C	GHMA
2502515	MT01016	BROTT	620	165	Fallon	07/15/2016	M	GHMA
2502525	MT01026	ESTHER UNIT	40	5	Fallon	5/18/2022	C	GHMA / RHMA
2502535	MT01036	MASTERSON	596	171	Custer	5/18/2022	C	GHMA
2502051	MT01062	SPEARS	623	121	Custer	5/18/2022	C	GHMA
2502635	MT01133	SIELER	779	244	Fallon	5/18/2022	M	GHMA
2502385	MT01142	GUMBO	9102	1748	Custer	7/30/2003	I	GHMA
2502722	MT01220	STRAUB	1253	359	Fallon	5/18/2022	M	None
2503982	MT01221	RIDGE	102	27	Carter/ Harding	4/24/2002	C	PHMA

2502779	MT01226	DAVIDSON LEASE	40	10	Prairie	09/27/2000	C	GHMA
2502730	MT01228	BIEBER	535	144	Prairie	5/18/2022	M	GHMA
2502733	MT01231	JOANNE MADDEN LEASE	640	164	Prairie	5/18/2022	M	GHMA
2502743	MT01242	GACKLE	954	296	Prairie	5/18/2022	C	GHMA
2502206	MT01243	MATHERS	1046	313	Custer	5/18/2022	M	GHMA
2502745	MT01244	GRUE	6325	1801	Prairie	5/18/2022	M	GHMA
2502746	MT01245	HASTETTER - PRAIRIE	354	89	Prairie	5/18/2022	C	None
2502748	MT01247	HEITZ	2625	689	Prairie	7/23/2004	M	GHMA
2502751	MT01250	MCLEOD UNIT	960	256	Prairie	8/11/2004	M	GHMA
2502757	MT01257	U.S. BAR HOME PLACE	320	88	Prairie	9/24/2001	C	GHMA
2502223	MT01262	MOORE'S SUNDAY CRK	5062	633	Custer	5/26/2005	M	GHMA
2502763	MT01263	MCMULLIN AMP	10256	2667	Prairie	10/31/2003	M	GHMA
2502766	MT01266	MOORE, CHARLES	2961	844	Prairie	5/18/2022	M	GHMA
2502771	MT01267	KOUNTZ	281	84	Prairie	5/18/2022	C	None
2502776	MT01272	REILLY HOME PLACE	974	249	Prairie	5/18/2022	M	GHMA
2502780	MT01276	CHERRY CREEK AMP	7598	1777	Custer / Prairie	8/9/2004	M	GHMA
2502785	MT01281	SMALIS	320	81	Prairie	5/18/2022	C	GHMA
2502792	MT01288	COTTONWOOD	2891	693	Prairie	8/10/2005	M	GHMA
2502742	MT01291	EATON NORTH UNIT	320	93	Prairie	5/18/2022	M	GHMA
2502742	MT01293	PAST 7 WEST	4052	1004	Prairie	10/20/2016	M	GHMA
2502798	MT01294	KETCHUM ALLOTMENT	350	102	Prairie	5/18/2022	M	None
2502257	MT01298	PEILA	7847	1378	Custer	5/18/2022	M	GHMA
2502804	MT01300	BLANKENSHIP	6182	1278	Prairie	6/22/2007	M	GHMA
2504059	MT01370	SOUTHWEST	257	132	Carter	5/18/2022	C	PHMA/ RHMA
2502891	MT01381	C-M ALLOTMENT	1280	243	Dawson	9/13/2001	M	None
2502893	MT01383	BEERY	80	14	Dawson	5/18/2022	C	GHMA
2502903	MT01393	GREIMAN	280	48	Dawson	5/18/2022	C	None
2502904	MT01394	FREDA	120	26	Dawson	5/18/2022	C	None
2502928	MT01418	WILSON	39	11	Dawson	5/18/2022	C	None

2502952	MT01442	DEEP COULEE	477	100	Richland	5/18/2022	C	None
2502958	MT01448	BIRCH	1616	424	Richland	1/11/2017	M	None
2502247	MT01449	HORSE CREEK	1643	442	Custer	9/13/2001	M	GHMA
2502960	MT01450	JESS J BLANKENSHIP	7266	1271	Wibaux	5/18/2022	M	GHMA
2502993	MT01483	HASTETTER- RICHLAND	1633	288	Richland	5/18/2022	M	None
2503004	MT01494	ROCKY POINT COULEE	2984	621	Richland	1/11/2017	M	None
2503055	MT01545	TOBIN/SMITH UNIT	2985	629	Wibaux	5/18/2022	M	GHMA
2503081	MT01571	OSBORNE	45	11	Richland	5/18/2022	C	None
2503083	MT01573	WINHOFER	839	117	Richland	5/18/2022	M	GHMA
2500290	MT01592	SOUTH SIELER	309	320	Fallon	5/18/2022	M	GHMA
2503086	MT01629	SCHLENZ	80	11	Richland	5/18/2022	C	None
2500702	MT01645	HARMS UNIT	1960	475	Prairie	1/20/2012	M	GHMA
2508065	MT02408	WATSON DRAW	370	117	Carter	8/5/2004	C	PHMA
2504405	MT03332	THOMPSON	2246	662	Prairie	8/8/2005	C	GHMA
2504502	MT03374	GRIMES CREEK	554	140	Custer	5/18/2022	M	GHMA
2504550	MT03376	STEEL GATE	2327	442	Carter	7/30/2013	C	PHMA
2504750	MT03391	SIBERIA	347	102	Prairie	5/18/2022	C	None
2504789	MT03401	BLACK HILL	1161	234	Carter	5/18/2022	M	RHMA
2503558	MT10116	FINGER BUTTE RANCH	534	83	Carter	5/18/2022	C	PHMA
2503587	MT10176	DORSETT UNIT	80	80	Carter	5/18/2022	C	PHMA
2503506	MT10179	NINEMILE CREEK	702	147	Carter	5/18/2022	C	RHMA / PHMA
2503463	MT10186	BROWNFIELD	6269	1157	Carter	5/18/2022	M	PHMA
2503464	MT10187	BONEFIELD	5219	1192	Carter	7/16/2018	I	PHMA
2503467	MT10190	BROST	3349	525	Carter	5/18/2022	M	RHMA
2503471	MT10194	HORTON UNIT	6763	1329	Carter	1/6/2017	M	PHMA/ GHMA
2503506	MT10230	COONS	118	34	Carter	5/18/2022	C	PHMA
2503667	MT10390	LARSEN	2829	509	Carter	8/7/2012	I	RHMA
2500495	MT10423	WEST BUTTE CREEK	4130	4318	Carter	7/17/2014	M	PHMA
2503735	MT10452	LITTLE MISSOURI	92	18	Carter	5/18/2022	C	RHMA
2503730	MT10454	RABER	1289	192	Carter	1/11/2017	I	PHMA
2503715	MT10470	CACTUS CREEK	4715	717	Carter	7/18/2016	M	PHMA

2504056	MT10553	COTTONWOOD CREEK	4023	698	Carter	5/18/2022	M	PHMA
2503471	MT10561	MEYERS	40	8	Carter	5/18/2022	M	None
2503923	MT10615	WYOTANA RANCH	6150	726	Carter	5/18/2022	M	RHMA

Land Use Plan (LUP) Conformance

<p>Land Use Plan Name and Date and how proposed action is consistent (cite RMP sections and/or goals/objectives)</p>	<p>Land Use Plan Name: Miles City Approved Resource Management Plan (ARMP), as amended</p> <p>Date Approved/Amended: September 2015</p> <p>The proposed action is in conformance with the plan because it is specifically provided for in the Land Use Plan decision. All listed allotments were recognized and designated as being open to livestock grazing and allocated grazing use.</p>
<p>Other Document and Date</p>	<p>2022 Broadscale Land Health Assessment Report MCFO</p> <p>Assessment Summary 2003</p> <p>S&G EA - 2004</p> <p>Assessment Summary 2004</p> <p>Passed S&G Allotments for 04</p> <p>Assessment Summary 2006</p> <p>Assessment Summary 2007</p> <p>Badlands S&G</p> <p>Allotment Land Health Evaluation & Categorization 2014</p> <p>Kluth Allotment Land Health Evaluation Categorization 2017</p> <p>Rocky Point Coulee Allotment Land Health, Evaluation, & Categorization 2017</p>

Some of these allotments contain public lands that lie within a sage grouse Priority Habitat Management Area. A “Threshold and Response” alternative consistent with WO IM 2018-023 was analyzed in the 2015 Miles City Field Office Approved Resource Management Plan (ARMP) (as amended) for all grazing allotments in the Miles City Field Office.

The ARMP states “The NEPA analysis for renewals and modifications of livestock grazing permits/leases that include lands within PHMA will include specific management thresholds based

on GRSG Habitat Objectives Table and Land Health Standards (43 CFR, Part 4180.2) and ecological site potential and one or more defined responses that will allow the authorizing officer to make adjustments to livestock grazing that have already been subjected to NEPA analysis.”

This threshold and response alternative was analyzed in the ARMP and implemented under MD LG 9: “For allotments in which the Standards for Rangeland Health are not met (including GRSG Habitat), livestock grazing is a causal factor in the failure to meet these standards, and there is no progress towards meeting the Standards in the allotments within 5 years of making management changes, use will be suspended and not re-authorized until Land Health Standards including habitat objectives are attained. Once standards and habitat objectives are met, use will be reauthorized at levels to maintain resource objectives.” Non-attainment of land health standards including habitat objectives is considered the threshold and suspension of use until land health standards and habitat objectives are attained is the response.

In addition, FLPMA under Section 402 (h)(1) in conjunction with WO IM 2015-121 and Appendix K of the ARMP allows permit renewal and transfer of grazing permits when certain criteria are met; including achievement of Land Health Standards as amended by Sage-grouse Habitat Objectives on Table 2-6 and if there are no extraordinary circumstances.

COMPLIANCE WITH NEPA

The proposed action described above does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have significant effects on the human environment.

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

Compliance with Departmental Manual:

1. Preference Transfer: 516 DM 11.9 D (1)
Approval of transfers of grazing preference
2. Permit/Lease Issuance: 516 DM 11.10 B (1)
The issuance of a grazing permit or lease by the Secretary concerned may be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if— (A) the issued permit or lease continues the current grazing management of the allotment; and (B) the Secretary concerned— (i) has assessed and evaluated the grazing allotment associated with the lease or permit; and (ii) based on the assessment and evaluation under clause (i), has determined that the allotment— (I) with respect to public land administered by the Secretary of the Interior— (aa) is meeting land health standards; or (bb) is not meeting land health standards due to factors other than existing livestock grazing.

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
<p>1. Have significant impacts on public health or safety.</p> <p><i>Rationale: The administrative update to issue the grazing permits with the existing terms and conditions should not have an impact on the health and safety of the public. The proposed action would fall in accordance with approved Miles City Resource Management Plan 2015, as amended. The allotments would be monitored to ensure that they continue to provide forage for livestock grazing consistent with other resources and uses as part of an ecologically healthy system consistent with multiple use and sustained yield.</i></p>
<p>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 (EO 11990); floodplains (E O 11988); national monuments; migratory birds; and other ecologically significant or critical areas.</p> <p><i>Rationale: Currently there are no impacts on 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas on the allotments.</i></p>

Extraordinary Circumstances

A total of 81 of the allotments are in a sage-grouse Habitat Management Area (HMA) identified by the 2015 MCFO ARMP. 52 allotments are in a General Habitat Management Area (GHMA), 19 allotments are in a Priority Habitat Management Area (PHMA), 5 are in a Restoration Habitat Management Area (RHMA), 2 are in both GHMA and PHMA, 2 are in both PHMA and RHMA, and 1 is in both GHMA and RHMA, 19 are not in any HMA. However, this is an administrative action with no changes on-the-ground and therefor there are no expected impacts to sage-grouse or their habitat.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

Rationale: Current records indicate there are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. The proposed action is to issue the grazing permits that continue the current grazing management. Current and past livestock grazing within the allotments has not had highly controversial environmental effects or involved unresolved conflicts concerning alternative uses of available resources. The nature of effects associated with authorizing livestock grazing in the allotments is well understood. Rangeland health assessments were completed and the public land subject to the evaluations was achieving the applicable standards for rangeland health. No resource concerns were identified on the allotments that would require changes to the authorized use.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Rationale: There would be no significant environmental effects or risks. Livestock grazing is well established and a highly analyzed use of public lands. Based on the interdisciplinary review, new circumstances were not identified, and the consequences of the proposal remain certain. The BLM will follow current applicable guidance including the BLM's 1997 Record of Decision for Standards for Rangeland Health and Guidelines for Livestock Grazing Management.

5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

Rationale: The proposed action is an administrative action and would not establish precedent for future action and does not represent a decision in principle about future actions with potentially significant environmental effects because it complies with current Federal Regulation and would not authorize new resource uses beyond what currently exist.

Extraordinary Circumstances

Issuing this grazing permit has met the criteria listed in the Federal Land Policy and Management Act of 1976: 43 U.S.C. subpart 17-7, et seq, section 402(h)(1): the permit issued as a result of this grazing preference transfer will have the same terms and conditions as the previous permit and continues current grazing management on the allotment; the rangeland health assessment and evaluation has been conducted in accordance with H-4180-1; and it was determined the public lands subject to the assessment and evaluation were meeting all applicable Land Health Standards (43 CFR 4180).

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Rationale: Implementation of the proposed action does not have any known direct relationship to other actions with individually insignificant but cumulative significant environmental effects. The effects of grazing on the allotments were considered within the context of livestock grazing on both private and BLM managed land and the public land subject to the evaluation in the allotments are meeting rangeland health standards.

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.

Rationale: The proposed action is administrative in nature only and may be exempted from cultural resources inventory under BLM Cultural Resources Handbook H-8110-1, Appendix 1, Range 1. This exemption allows the BLM to waive cultural resources inventory for actions such as permit renewals, transfers, or modifications that have no associated new ground disturbing activities. A search of BLM records and the Montana Cultural Resource Database show that 3 areas of critical environmental concern (ACEC), 159 known historic properties, and 45 paleontological localities are located on BLM-administered surface lands within the allotments. However, as grazing in the allotments is currently authorized and ongoing, no changes to AUMs are proposed, and no new ground disturbance is proposed, new impacts to cultural resources are not anticipated. The BLM has determined that there would be no historic properties affected as a result of authorizing the proposed undertaking. See BLM Cultural Resources Project No. MT-020-23-025.

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.

Rationale: Some of the allotments are expected to have habitat and known occurrences of several T&E species, including the northern long-eared bat, piping plover, whooping crane, and the candidate monarch butterfly. Regardless, this is an administrative action with no proposed changes to livestock use within the allotment.

Extraordinary Circumstances

There would be no changes on the ground and thus no loss, degradation, or change to habitat for any species. The allotments are expected to continue to meet Standards for Rangeland Health.

9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Rationale: The proposed action is an administrative action and would not violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment. It complies with current Federal Regulation 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 (EO 12898).

Rationale: The proposed action considered in 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 and 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 (EO 13007).

Rationale: There are places within and near the grazing allotments that are known to be of religious or cultural concern to Native American tribes; however, issuance of the grazing permits would not affect use of or access to public lands by Native American tribes with historical or religious ties to the area. The action is administrative and would therefore cause no new impacts to any potential locations of cultural or religious concern in the vicinity.

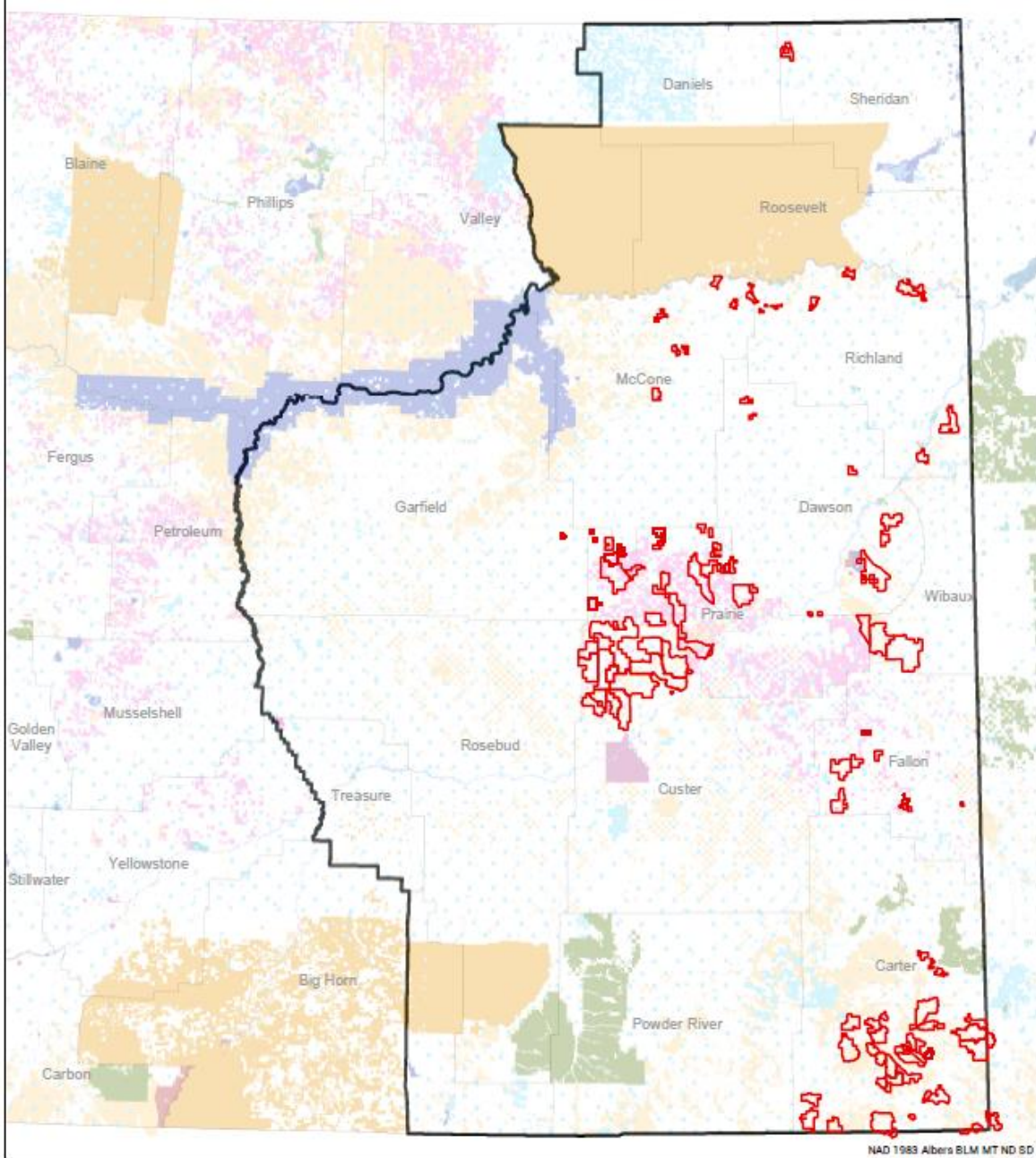
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112).

Rationale: The issuance the grazing permits would not contribute to the introduction, existence, or spread of noxious weeds or invasive species known to occur in the area.



UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MONTANA/DAKOTAS

2023 Eastern Montana Batched CX



NAD 1983 Albers BLM MT ND SD

Legend

- Allotment Boundaries
- Miles City Field Office
- County Boundaries

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of this data for individual use or aggregate use with other data. BLM data may be updated without notice.



0 10 20 30 Miles

Date: 12/14/2022