

CATEGORICAL EXCLUSION RECORD

Date: March 20, 2008

NEPA Document: #MT-066-08-17

PROPOSED ACTION AND BACKGROUND INFORMATION

BLM Office: Lewistown and Havre Field Offices; Upper Missouri River Breaks National Monument

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Proposed Action Title/Type: Change in the Season of Grazing Use – Barnard Ridge, Ervin Ridge, Greasewood Bottom & Williamson Bottom Grazing Allotments

Location of Proposed Action: The Barnard Ridge, Ervin Ridge, Greasewood Bottom and Williamson Bottom Grazing Allotments are located on the north side of the Missouri River, approximately 11 miles down stream from the Stafford Ferry crossing. All or portions of the grazing allotments lie within the Upper Missouri River Breaks National Monument, Ervin Ridge Wilderness Study Area (WSA) and Upper Missouri National Wild and Scenic River corridor (maps attached). The affected area involves 14,170 acres of public land.

Description of Proposed Action: The grazing permittee has submitted an application to change the season of use in the Barnard Ridge, Ervin Ridge, Greasewood Bottom and Williamson Bottom grazing allotments. The applicant has requested turning out cattle 14 days later in the Barnard Ridge and Ervin Ridge allotments (upland areas) and 14 days later in the Greasewood Bottom and Williamson Bottom Grazing Allotments (river). The current authorization for the area is as follows:

Barnard Ridge #6209	114 Cattle	6/1 to 8/30	297 AUMs
Williamson Bottom #6283	114 Cattle	8/31 to 9/10	41 AUMs
Greasewood Bottom #6284	114 Cattle	9/11 to 10/5	94 AUMs
Ervin Ridge #6212	87 Cattle	6/15 to 10/10	338 AUMs

The requested change is as follows:

Barnard Ridge #6209	114 Cattle	6/15 to 9/13	297 AUMs
Williamson Bottom #6283	114 Cattle	9/14 to 9/24	41 AUMs
Greasewood Bottom #6284	114 Cattle	9/25 to 10/19	94 AUMs
Ervin Ridge #6212	87 Cattle	6/29 to 10/24	338 AUMs

Grazing permit terms and conditions will stay the same.

Applicant: E-7 Grain & Livestock; Lone Tree Cattle Company

PLAN CONFORMANCE REVIEW

The proposed action is in conformance with the West Hiline Resource Management Plan (RMP) 1988, Missouri River Breaks Grazing EIS (1979), State Director's Interim Guidance for Managing the Upper Missouri River Breaks National Monument (2001) and Proclamation 7398 (2001) establishing the Upper Missouri River Breaks National Monument.

Under the Proclamation, the "laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the land in the monument."

Rules governing grazing use on public lands administered by the Bureau of Land Management can be found in the Code of Federal Regulations, Title 43, Subpart 4100.

CATEGORICAL EXCLUSION REVIEW

Compliance with the National Environmental Policy Act

Categorical Exclusions are defined as a group of actions that would have no significant individual or cumulative effect on the quality of the human environment and, for which the absence of extraordinary circumstances, neither an environmental assessment nor an environmental impact statement is required.

Changing the season of grazing use in the Barnard Ridge, Ervin Ridge, Greasewood Bottom and Williamson Bottom Grazing Allotments is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the Department of Interior, Departmental Manual 516, Chapter 11 (Managing the NEPA Process - BLM), Appendix 1, Section 11.9 [Actions Eligible for a Categorical Exclusion (CX)], (D) Rangeland Management, (11) Issuance of Livestock Grazing Permits for these reasons:

1. The same kind of livestock (cattle) will be grazed.
2. The active grazing use (AUMs) previously authorized has not changed.
3. The grazing use does not occur more than 14 days earlier or later than as specified on the previous permit.
4. The grazing allotments have been assessed and evaluated and the Responsible Official has documented in a determination that the allotments are meeting land health standards.

Further, BLM Instruction Memorandum No. 2008-019, Guidance on the Use of a New Categorical Exclusion for Grazing Permits/Leases, states the use of a categorical exclusion would be appropriate for issuing a grazing permit within a National Landscape Conservation System unit, including a wilderness study area (WSA), if the proposed action is compatible with the area's management goals and objectives.

The requested change in the season of use will create positive benefits to both recreation and upland and riparian vegetation. Deferring grazing use in upland areas for an additional two weeks, until mid June on one allotment and late June on another, would shorten the duration of grazing use and delay grazing later into the growing season. Forage plants would have a longer period of time to develop, reaching a stage of growth where grazing is less stressful and plants recover more quickly. Grazing river riparian areas would also be delayed an additional two weeks, until mid September, further reducing or completely eliminating livestock and recreation conflicts during the peak of the floater season. Depending on the riparian bottom, grazing by livestock during the fall months would only last 10 to 24 days. These riparian areas are dominated by short and medium sedges and rushes. Woody species are a very minor component.

The changes in grazing use requested by the applicant have been determined to conform to the policy and standards in the Departmental Manual as an action eligible for a categorical exclusion. The proposed change involves the same kind of livestock (cattle), the same grazing preference (AUMs) and the change in the season of use does not exceed 14 days, either earlier or later than the current grazing permit. Rangeland evaluations prepared in 2000 for all the affected grazing allotments determined that the Standards of Rangeland Health were being met.

Extraordinary Circumstances

In addition, the proposed action has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply. Any action that is categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action (CEQ Regulations, 40 CFR, 1508.4). BLM has determined that this action does not significantly affect any of the extraordinary circumstances and that no further analysis is necessary. All of the questions below must be answered negatively before the Categorical Exclusion can be approved.

Does the proposed action:

2.1 Have significant impacts on public health or safety. ☐ Yes ☒ No

2.2 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

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

☐ Yes ☒ No

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

☐ Yes ☒ No

2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. ☐ Yes ☒ No

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

☐ Yes ☒ No

2.7 Have significant impacts on properties listed, or eligible for listing, on the Historic National Register of Historic Places as determined by either the bureau or office.

☐ Yes ☒ No

2.8 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

2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. ☐ Yes ☒ No

2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). ☐ Yes ☒ No

2.11 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

2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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

References

Department of the Interior, Departmental Manual, National Environmental Policy Act of 1969, Part 516 DM2, Appendix 1 (Categorical Exclusions) and Appendix 2 (Extraordinary Circumstances).

Bureau of Land Management Instruction Memorandum No. 2008-019, Guidance on the Use of a New Categorical Exclusion for Grazing Permits/Leases.

Bureau of Land Management, 2001a. Montana State Directors' Interim Guidance for Managing the Upper Missouri River Breaks National Monument.

Missouri River Breaks Grazing EIS (1979).

West Hilene Resource Management Plan RMP (1988).

PROPOSED ACTION CONSULTATION

REVIEW, CONSULTATION, & COORDINATION

Cultural\NHPA Resource:

