

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

*Miles City Field Office*

**Cattle Guard Installation**  
**Range Improvement Project**

Categorical Exclusion (CX)  
DOI-BLM-MT-C020-2013-0166-CX

*For Further Information Please Contact:*

Bureau of Land Management  
Miles City Field Office  
111 Garryowen Road  
Miles City, Montana 59301  
406-233-2800

BLM



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

Lease/Serial/Case File No.:

NEPA Number (if applicable): DOI-BLM-MT-C020-2013-0166-CX

Proposed Action Title/Type: Cattle Guard Installation

Location of Proposed Action (include county): T8N, R48E Sec.26 NE, Custer County  
(See Attached Map)

Description of Proposed Action:

Install a 16 ft. cattle guard and rebuild the wire gate to the side on the Strawberry Hill Road leading into the Hay Creek AMP allotment #10330. The amount of vehicle traffic on that road makes it very difficult for the permittee to keep this gate closed allowing for his livestock to cross over onto the state section and putting the permittee into trespass. The installation of a cattle guard would eliminate the need for the public to open and close this gate.

**B. Land Use Plan Conformance**

Land Use Plan Name: The proposed action is in accordance with the Powder River RMP Record of Decision approved in 1985.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

This proposed action is in conformance with the Powder River Resource Area RMP/EIS ROD which was approved on March 15, 1985. On page 4 of the Record of Decision, it states that "Easements are also sought to provide legal public access to isolated tracts of public land"; and the proposed project is for maintenance of the Strawberry Hill Easement (Serial Number MTM-89293) which was acquired from the Montana Department of Natural Resource for access to federal BLM administered lands in August of 2004. The proposed action has been reviewed for conformance with this plan and its terms and conditions as required by 43 CFR 1610.5

**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.

516 DM 11.9.G. (2) – Transportation

*Installation of routine signs, markers, culverts, ditches, water bars, gates, or cattle guards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.*

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and, as documented below, none of the extraordinary circumstances described in 516 DM2 apply.

<b>Extraordinary Circumstances</b>		
<b>The project would:</b>		
1. Have significant impacts on public health or safety.		
<b>Yes</b>	<b>No</b>  <b>X</b> <b>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>Action will not have significant impacts on public health or safety.</i>
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.		
<b>Yes</b>	<b>No</b>  <b>X</b> <b>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>The proposed action will not impact natural resources or unique geographic characteristics listed above.</i>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
<b>Yes</b>	<b>No</b>  <b>X</b> <b>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>No controversial or unresolved conflicts have risen in this planning area. Cattle guards have been historically installed in this area.</i>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
<b>Yes</b>	<b>No</b>  <b>X</b> <b>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>No potential environmental effects or risks are known to exist in the proposed action area.</i>

5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
<b>Yes</b>	<b>No</b>  <b>X</b> <b>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>The action is not connected to another action that would require additional environmental analysis</i>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
<b>Yes</b>	<b>No</b> <b>X</b> <b>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>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 of 1999.</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.		
<b>Yes</b>	<b>No</b>  <b>X</b>	<b>Rationale:</b> <i>Confirm that cultural surveys have been completed; the appropriate data bases have been reviewed; and appropriate concurrence from SHPO and tribes have been received indicating that significant impacts are not expected.</i>  The proposed action was inventoried for cultural resources. No cultural resources were recorded in the inventoried area (See BLM Cultural Resources Report MT-020-13-92). The proposed action would have no effect to historic properties. <b>DM 02/21/2013</b>
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> This area does not provide habitat for T&E species. <b>BJB 2/4/13</b>
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>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>No laws are being violated by the proposed action.</i>
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>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>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>
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> <i>Consultation with tribes regarding Indian sacred sites must take place</i>  The proposed action would not limit access or use of public lands. No cultural resources were identified in the inventory area and the Ethnographic Overview of Southeast Montana does not identify any sites of concern in the area of the proposed action <b>DM 02/21/2013</b>
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).		
<b>Yes</b>	<b>No</b>  <b>X</b> <b>MJL</b> <b>1/15/2013</b>	<b>Rationale:</b> <i>Action will not contribute to the spread of noxious weeds. Machinery will be inspected for dirt and debris. If dirt and debris is present, machinery will be washed to remove all potential threat of weed seed dispersion.</i>

  
 Environmental Coordinator

6/11/2013  
 Date

I considered this proposed action and the design feature for installation of this project. It does not cause any significant impacts. Use of this CX is appropriate.

**Administrative Review or Appeal Opportunities**  
 This decision is not subject to administrative appeal.

**D: Signature**



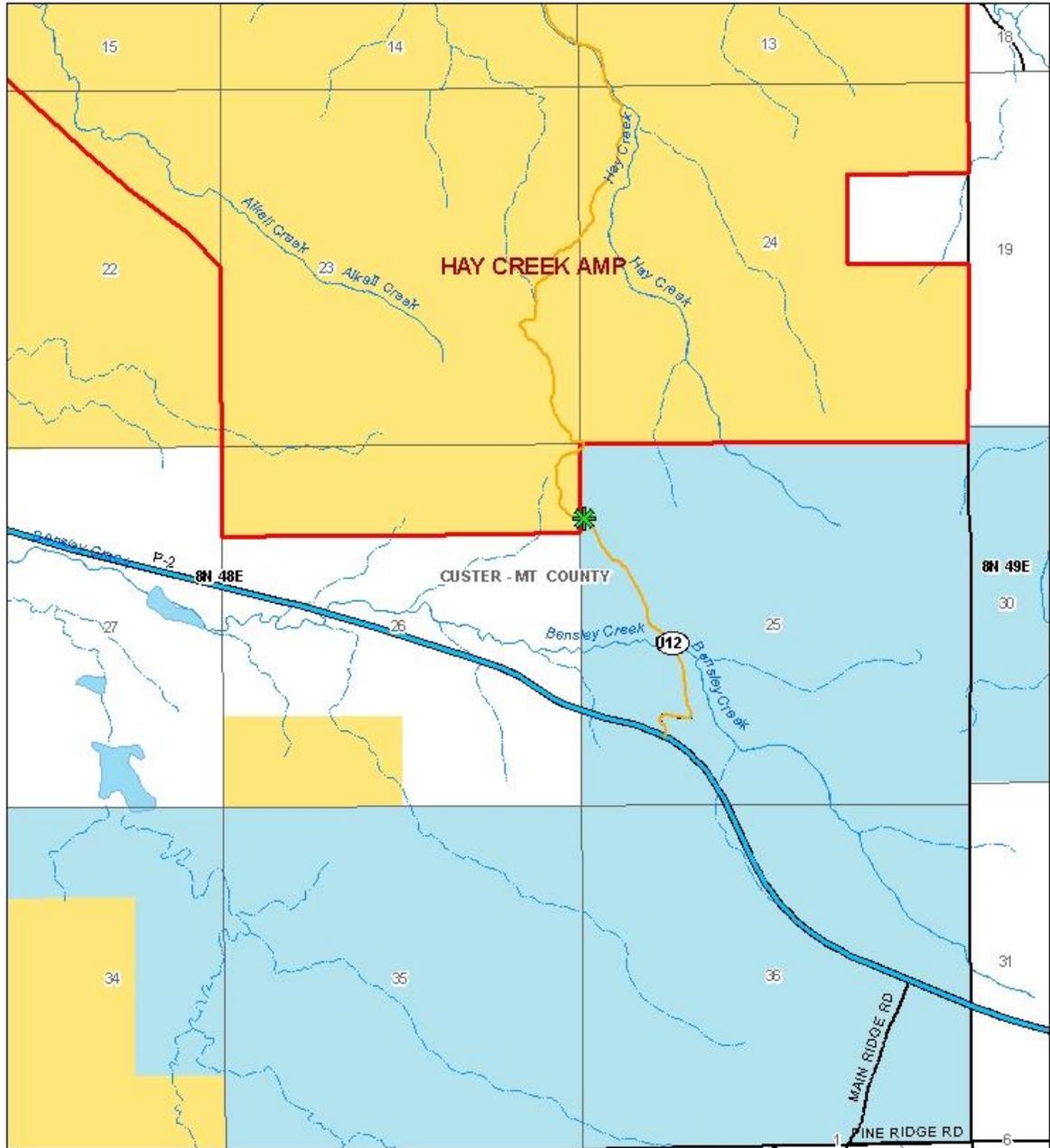
Authorizing Official: \_\_\_\_\_ Date: 6/13/2013  
 (Signature)  
 Name: Todd D. Yeager  
 Title: Field Manager

**Contact Person**  
 Matt Lewin  
 Rangeland Management Specialist  
 Miles City Field Office, Miles City, Montana  
 406-233-2834



# Potential Cattle Guard Location

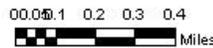
10/2/2019



	Grazing Allotment Polygons		BLM - Public Domain
	MCFO_FAMS_Roads		Private
	Cattle Guard		Division of State Lands

Projected Coordinate System: NAD 1983 Albers  
 Geographic Coordinate System: GCS North American 1983  
 Datum: D North American 1983

1:24,000



UNITED STATES DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 MILES CITY FIELD OFFICE

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**Decision**  
**DOI-BLM-MT-C020-2013-0166-CX**

**Decision and Rationale on Action**

I have decided to implement the proposed action of DOI-BLM-MT-C020-2013-0166-CX as described below.

Install a 16 ft. cattle guard and rebuild the wire gate to the side on the Strawberry Hill Road leading into the Hay Creek AMP allotment #10330. The amount of vehicle traffic on that road makes it very difficult for the permittee to keep this gate closed allowing for his livestock to cross over onto the state section and putting the permittee into trespass. The installation of a cattle guard would eliminate the need for the public to open and close this gate.

In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required under the National Environmental Policy Act (as documented in the attached CX, NEPA Compliance [Section C]).

**Implementation Date**

Timing restrictions from April 15 to July 15 for migratory bird nesting and brood rearing activities.



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Signature  
Todd D. Yeager  
Field Manager

6/13/2013  
Date

**Administrative Review or Appeal Opportunities**

This decision is not subject to administrative appeal.

**Contact Person**

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Rangeland Management Specialist  
Miles City Field Office, Miles City, Montana  
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