

United States
Department of the Interior
Bureau of Land Management

Miles City Field Office

Crago Grazing Transfer

Determination of NEPA Adequacy
DOI-BLM-MT-C020-2013-0110-DNA

For Further Information Please Contact:

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

BLM



Location/Legal Description

Carter County (See map at end of the document)

A: Description of the Proposed Action: The proposed action is to ensure the allotment continues to meet the Land Health Standards and issue a transfer of grazing preference from Bruce and Kim Crago to the current applicant Bruce Crago. The applicant provided a lease agreement showing control of the Trough Creek Allotment for 5 years. The permit would be issued for 5 years (September 01, 2012 through April 30, 2017). Administrative changes were made to the existing grazing schedule, due to a fenceline change and a reallocation of 25 AUMs to the Trough Creek Allotment. The permit would be issued as follows:

Gr. 2503737

Allotment	Pasture	Livestock		Grazing Period		% PL	Type Use	AUMs
		Number	Kind	Begin	End			
Trough Creek 00461	North Breaks	204	Cattle	5/15	10/03	63	Active	600
	House	110	Cattle	5/15	10/02	33	Active	168
	Watts	49	Cattle	5/15	10/02	27	Active	61
	Trough Creek	58	Cattle	5/15	10/03	32	Active	87
	Black PT	44	Cattle	5/15	10/02	57	Active	116
	Other	9	Cattle	03/01	02/28	100	Custodial	109

Total Active AUMs: 1,141

Terms and Conditions:

800 Animal Units can only utilize the North Breaks Pasture for 36 days.

800 Animal Units can only utilize the House Pasture for 19 days.

800 Animal Units can only utilize the Watts Pasture for 8 days.

800 Animal Units can only utilize the Trough Creek Pasture for 10 days.

800 Animal Units can only utilize the Black Point Pasture for 7 days.

Lines 1, 2, 3, 4, & 5: The Breaks, House, Watts, Trough Creek and Black Point Pastures will receive deferred rotation grazing by the permittee.

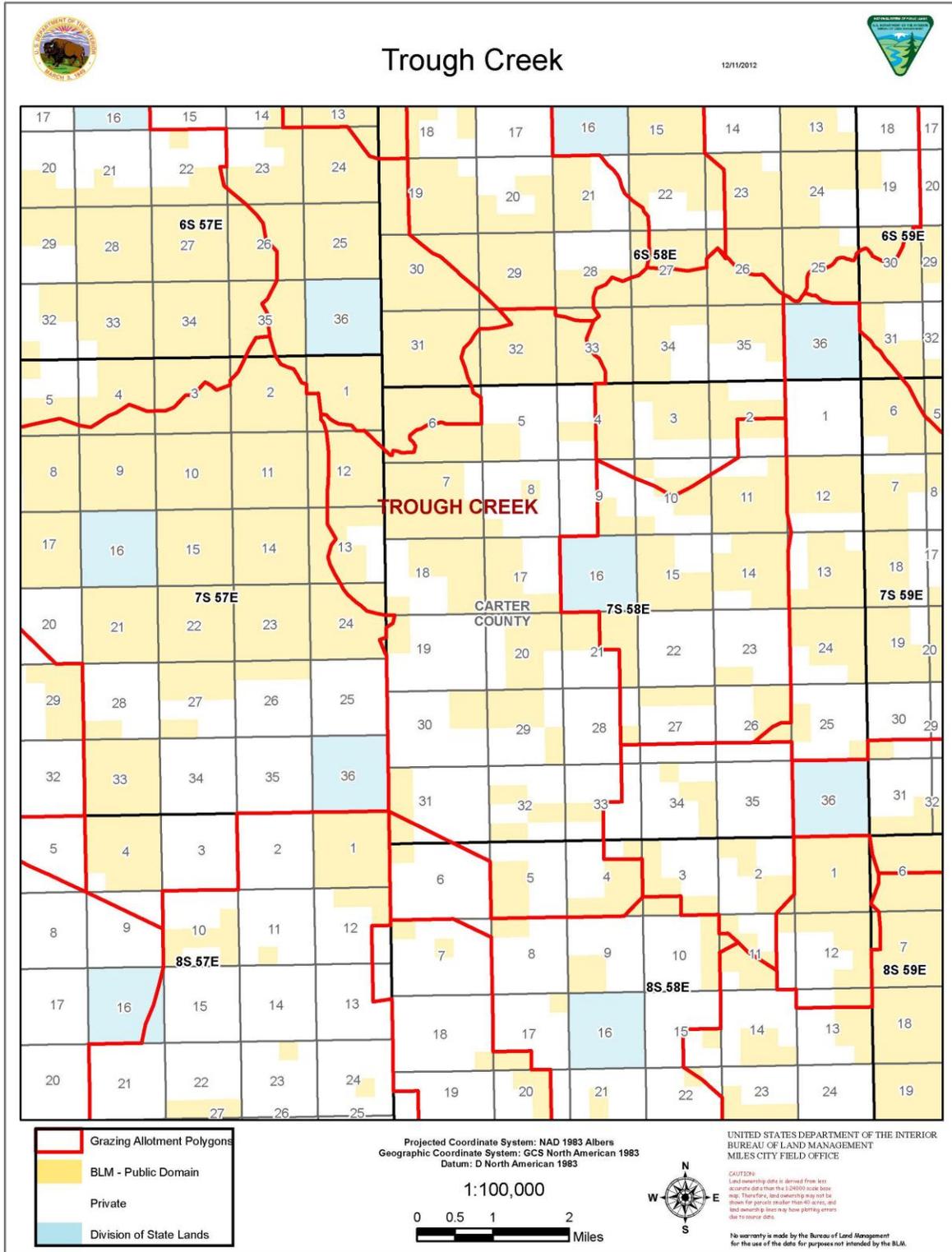
Line 6: Livestock will not be on the public land for the entire season in the Buck, Shed, Tate and Hay Pastures. Livestock numbers are not restricted.

The authorized officer reserves the right to modify annual grazing authorizations as long as the modification is consistent with management objectives, standards for rangeland health and remains within the permitted AUMs and designated season of use.

Any changes in livestock numbers, turnout and removal dates, and livestock movements, other than those on the grazing permit, billing or grazing application, must be approved in advance by the BLM's authorized officer.

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

defined as feed that provides for improved livestock nutrition or rangeland management, but does not replace forage available from public lands.





United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Miles City Field Office

111 Garryowen Road

Miles City, Montana 59301-7000

www.blm.gov/mt

In Reply Refer To:
4100 (MT021)
GR# 2503737

June 20, 2013

Bruce Crago
10654 Albion RD.
Belle Fourche S.D. 57717

Certified Mail No: 70113500000345173828
Return Receipt Requested

NOTICE OF PROPOSED DECISION

BACKGROUND

The Trough Creek Allotment (#00461) is located approximately 17 miles northwest of Alzada, MT. in Carter County. The Trough Creek Allotment consists of 6,684 acres of BLM-Public Domain containing 1141 AUMs of authorized active use. The allotment also contains 7,212 acres of private land, 21 acres of State of Montana Lands and 80 acres other privately owned land.

The allotment was assessed for and met Land Health Standards in 1999. Subsequent field visits, monitoring, re-assessments indicate the allotment continues to meet the Standards.

Bruce Crago submitted a lease agreement for the base property for the Trough Creek Allotment. In addition, they submitted Form 4120-1 (Grazing Application-Grazing Schedule), Form 4130-1a (Grazing Application/Preference Summary), Form 4130-1b (Grazing Application-Supplemental Information), and Form 4120-8 (Assignment of Range Improvements).

In March 2013, a Miles City Field Office BLM interdisciplinary team initiated an Environmental Assessment (DOI-BLM-MT-C020-2012-0110-DNA) to analyze the issuance of the grazing permit to Bruce Crago for the above mentioned allotment. The Finding of No Significant Impact (FONSI) was signed by the authorized officer on 5/24/2013.

PROPOSED DECISION

Therefore, it is my proposed decision to issue a grazing permit, which will authorize the grazing of the Trough Creek Allotment (#00461) to Bruce Crago. The permit will be issued for a ten year term from 03/01/2013 through 02/28/2023. The permit will be issued as follows:

GR# 2503737

Allotment Name & Number	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
Trough Creek #00461 N. Breaks	204	C	05/15	10/03	63	A	600
House	110	C	05/15	10/02	33	A	168
Watts	49	C	05/15	10/02	27	A	61
Trough Creek	58	C	05/15	10/03	32	A	87
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800 Animal Units can only utilize the Trough Creek Pasture for 10 Days.

800 Animal Units can only utilize the Black PT Pasture for 7 Days.

Lines 1, 2, 3, 4, & 5: The Breaks, House, Watts, Trough Creek, and Black Point Pastures will receive deferred rotation grazing by the permittee.

Line 6: Livestock will not be on the public land for the entire season in the Buck, Shed, Tate, and Hay Pastures. Livestock numbers are not restricted.

The authorized officer reserves the right to modify annual grazing authorizations as long as the modification is consistent with management objectives, standards for rangeland health, and remains within the permitted AUMs and designated season of use.

Any changes in livestock numbers, turnout and removal dates, and livestock movements, other than those on the grazing permit, billing or grazing application, must be approved in advance by the BLM's authorized officer.

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 defined as feed that provides for improved livestock nutrition or rangeland management, but does not replace forage available from public lands.

RATIONALE

The issuance of the grazing permit is provided through a deed showing control of the base property for this allotment being submitted to the BLM. The deed contains the legal descriptions of the base property associated with this allotment.

Upon receiving all forms, the Miles City BLM Field Office interdisciplinary team initiated an Environmental Assessment (DOI-BLM-MT-C020-2012-0110-DNA) to analyze the issuance of the grazing permit for the allotment. The Finding of No Significant Impact (FONSI) was signed by the authorized officer on 5/24/2013. Existing information indicates the allotment is meeting the Standards for Rangeland Health (43 CFR 4180).

The BLM determined that Bruce Crago meets the qualifications to be an applicant to hold the grazing permit. The issuance of the permit complies with 43 CFR §4110.1, 4110.2-1, and 4110.2-2.

AUTHORITY

The following sections of the Code of Federal Regulations, Chapter 43, provide authority for the actions proposed in this grazing decision. The language of the cited sections can be found at a library designated as a federal depository or at the following web address:

http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/im_attachments/2007.Par.69047.File.dat/IM2007-137_att1.pdf

§4110.1 Mandatory qualifications

§4110.2-1 Base property.

§4110.2-2 Specifying permitted use.

§4130.2 Grazing permits or leases

§ 4120.2 Allotment management plans and resource activity plans.

§ 4120.3-2 Cooperative range improvement agreements.

§4130.3 Terms and conditions

§4130.3-1 Mandatory terms and conditions

§4130.3-2 Other terms and conditions

§4130.3-3 Modification of permits and leases

§4160.1 Proposed decisions

§4160.2 Protests

§4160.3 Final decisions

§4160.4 Appeals

RIGHT OF PROTEST AND APPEAL

Protest:

Any applicant, permittee, lessee, or other affected interest may protest a proposed decision under Sec. 43 CFR§4160.1. Any protest shall be made in person or in writing within 15 days after receipt of this proposed decision to:

Todd D. Yeager, Field Manager
Bureau of Land Management, Miles City Field Office
111 Garryowen Road
Miles City, MT 59301

The protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error. In the absence of a protest, the proposed decision will become my final decision without further notice. A written protest electronically transmitted (e.g., email, facsimile, or social media) will not be accepted as a protest. A written protest must be on paper.

Appeal:

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file an appeal in accordance with 43 CFR 4.470 and 43 CFR 4160.4. The appeal may be accompanied by a petition for stay of the decision in accordance with CFR 4.21 9 and 43 CFR 4.471, pending final determination of an appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final (43 CFR 4160.4).

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and otherwise comply with the provisions of 43 CFR 4.470, which is available from the BLM office for your use in a BLM office.

The appeal, or the appeal and petition for stay, must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Miles City Field Office as noted above. The BLM does not accept appeals by facsimile or email.

In accordance with 43 CFR§4.21(b) (1), a petition for stay, if filed, must show sufficient justification based on the following standards:

- 1) The relative harm to the parties if the stay is granted or denied.
- 2) The likelihood of the appellant's success on the merits.
- 3) The likelihood of immediate and irreparable harm if the stay is not granted.
- 4) Whether the public interest favors granting the stay.

ENCLOSURES FOR REPLY

Find enclosed two copies of your grazing permit. Please sign both copies and promptly return them both to the Miles City Field Office. Once officially signed by the authorized officer, you will be provided with a signed copy for your records.

Also enclosed is a copy of your BLM allotment map. Review the enclosed map and notify this office of any inaccuracies. Please mark fenceline locations and return the edited map to the office.

If you have any questions on this document please contact Patrick Merrill, Range Technician, at (406) 233-2843 or Reyer Rens, Supervisory Rangeland Management Specialist, at (406) 233-2866.

Sincerely,



Todd D. Yeager
Field Manager

Enclosed:

- 1) BLM Grazing Permit (2 copies: please sign and return to the Miles City Field Office)
- 2) Allotment Map

Merrill:lrn:6/5/13:Bruce_Crago_Name_Change_Decision_Merrill_2013