

United States
Department of the Interior
Bureau of Land Management

Miles City Field Office

C-M Allotment
Grazing Transfer

Environmental Assessment (EA)
DOI-BLM-MT-C020-2013-0131-EA

For Further Information Please Contact:

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

BLM



PROPOSED ACTION: The proposed action is to transfer the grazing permit for the C-M allotment (#01381) and issue it for a term of ten years, March 01, 2013 through February 28, 2023. The grazing permit would be issued as follows:

GR# 2502891

Allotment	Pasture	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
C-M Allotment (#01381)		43	Cattle	05/15	11/01	100	Custodial	242
		1	Cattle	05/15	6/18	100	Custodial	1

Total Active AUMs: 243

Terms and Conditions

The permittee will follow the grazing rotation stipulated in the upland game bird habitat agreement signed 2002.

Supplemental feed (includes salting) would not be placed within on quarter of a mile from livestock watering facilities, riparian zones, hardwood draws or wetlands. Supplemental feeds defined as feed that provides for improved livestock nutrition or rangeland management, but does not replace forage available for public land.



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 (10200000)
GR# 2502891

July 05, 2013

Cullinan Ranch LLC
C/O Eloise Cullinan
840 Road 315
Glendive, MT 59330

Certified Mail No: 70113500000345173491
Return Receipt Requested

NOTICE OF PROPOSED DECISION

BACKGROUND

The C-M Allotment (#01381) is located approximately 11 miles Northeast of Glendive in Dawson County. The C-M Allotment consists of 1280 acres of BLM-Public Domain containing 243 AUMs of authorized active use, 9,790 acres of private land and 1,200 acres of state land. This was a common allotment, which is being transferred to Cullinan Ranch LLC and issued under one grazing permit instead of two.

The allotment was assessed for and met Land Health Standards in 2013. Cullinan Ranch LLC submitted a deed for the base property for the C-M Allotment. In addition, they submitted Form 4130-1 (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 2013 an Environmental Assessment (DOI-BLM-MT-C020-2013-0131-EA) was conducted to analyze the issuance of the grazing permit to Cullinan Ranch LLC for the above mentioned allotment. The Finding of No Significant Impact (FONSI) was signed by the authorized officer on May 20, 2013.

PROPOSED DECISION

Therefore, it is my proposed decision to issue a grazing permit, which will authorize the grazing of the C-M Allotment (#01381) to Cullinan Ranch LLC under active use. The permit would be issued for a ten year term from 03/01/2014 through 02/28/2024. The permit would be issued as follows:

GR# 2502891

Allotment Name & Number	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
C-M Allotment (#01381)	43	Cattle	05/15	11/01	100	Active	242
	1	Cattle	05/15	06/18	100	Active	1

Livestock Kind C: Cattle, H: Horse, S: Sheep; Type use A: Active; C: Custodial

Total Active AUMs: 243

Terms and Conditions:

The permittee will follow the grazing rotation stipulated in the upland game bird habitat agreement between Cullinan Ranch and FWP signed in 2002.

Supplemental feed (includes salting) will not be placed within on quarter of a mile from livestock watering facilities, riparian zones, hardwood draws or wetlands. Supplemental feeds defined as feed that provides for improved livestock nutrition or rangeland management, but does not replace forage available for public land.

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, an Environmental Assessment (DOI-BLM-MT-C020-2013-0131-EA) was conducted 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 May 20, 2013. Existing information indicates the allotment is meeting the Standards for Rangeland Health (43 CFR 4180).

The BLM determined that Cullinan Ranch LLC 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 Josh Halpin, Rangeland Management Specialist, at (406) 233-3168 or Reyer Rens, Supervisory Rangeland Management Specialist, at (406) 233-2866.

Sincerely,



Todd D. Yeager
Field Manager

Enclosed:

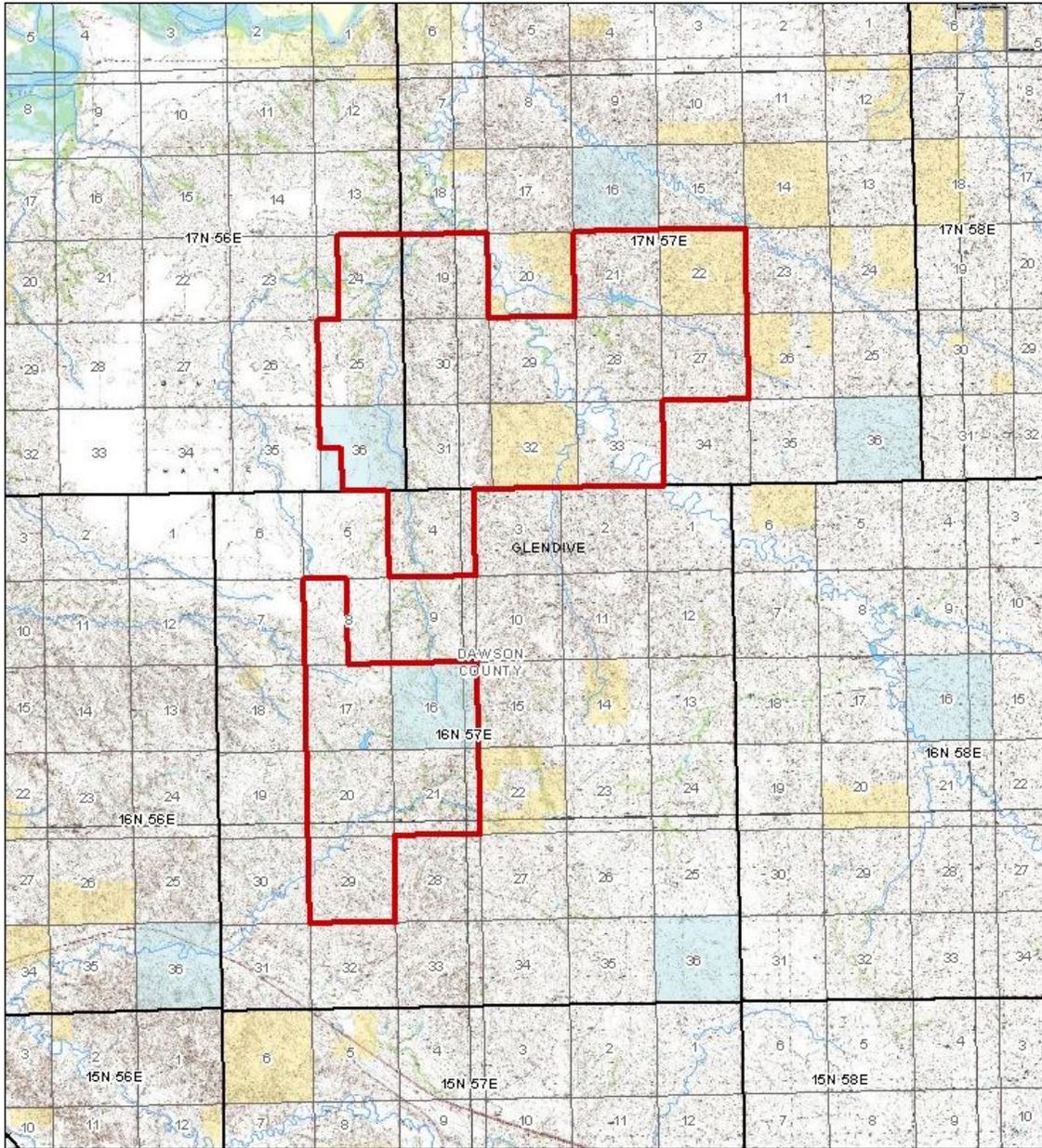
- 1) BLM Grazing Permit (2 copies: please sign and return to the Miles City Field Office)
- 2) Allotment Map

Halpin:lrn:7/3/13:130320_CM_Allotment_Transfer_Letter_Halpin_2013



C-M Allotment

2013/03/20



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

1:100,000



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

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 prepared for the BLM. It is not
 intended for general use. It is not
 intended to be used for any other
 purpose.

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 Grazing Pasture Polygons