

United States
Department of the Interior
Bureau of Land Management

Miles City Field Office

Taylor Ranch AMP
Grazing Permit

Environmental Assessment (EA)
DOI-BLM-MT-C020-2013-0080-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 issue the permit for the Taylor Ranch AMP Allotment (#00376) and issue the permit to the current applicant for a ten year term. The term of the permit will run from March 01, 2013 through February 28, 2023. A line will be added to the permit to track an exchange of use. Under the proposed action the terms and conditions will be issued as outlined below.

GR# 2502334

Taylor Ranch AMP Allotment #00376	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
Taylor Ranch AMP	159	Cattle	5/15	11/28	84	Active	869
AI Pasture	21	Cattle	5/01	11/30	52	Active	77
Murnion Exchange	6	Cattle	3/01	2/28	100	Custodial	71

Total Active AUMs: 1,017 AUMs

Terms and Conditions:

Line 1: Grazing is in accordance with the Taylor Ranch AMP dated 1/30/70 and submitted actual use records.

Line 2: Refers to the AI pasture. Use not to exceed recognized capacity of the public land.

Line 3: Exchange of use with Murnion in Gilbert Creek Common Allotment #00065. Paid for by McDonald, used by Murnion in exchange for private land in T22N R40E Sec. 25 & 28 fenced in to Taylor Ranch AMP allotment.



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 (MTC021)
GR# 2502334

May 07, 2013

Donald McDonald
430 Old Flat Creek Road
Jordan, MT 59337

Certified Mail Number: 7011350000345172500
Return Receipt Requested

NOTICE OF PROPOSED DECISION

BACKGROUND

The Taylor Ranch AMP Allotment (#00376) is located approximately 30 miles northeast of Jordan, Montana in Garfield County. The Taylor Ranch AMP Allotment consists of 4,167 acres of BLM administered lands containing 1,017 AUMs of authorized active use, 640 acres of state lands, and 2,191 acres of private lands.

The allotment was assessed for and met Land Health Standards in 1999 and subsequent field visits have confirmed that the standards are being met.

Donald McDonald has submitted to the Miles City BLM Field Office a deed showing control of the base property associated with this allotment and all other required forms have been submitted and accepted by the Miles City Field Office.

In February 2013, a Miles City Field Office BLM interdisciplinary team initiated an environmental assessment (MT-C020-2013-0080-EA) to analyze the issuance of the grazing permit to Donald McDonald for the above mentioned allotment. A Finding of No Significant Impact (FONSI) was signed by the authorized officer on April 15, 2013.

PROPOSED DECISION

Therefore, it is my proposed decision to issue a grazing permit, which will authorize the grazing of the Taylor Ranch AMP Allotment (#00376) to Donald McDonald. The permit will be issued for a ten year term from March 1, 2013 through February 28, 2023. The permit will be issued as follows:

GR# 2502334

Taylor Ranch AMP Allotment #00376	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
Taylor Ranch AMP	159	Cattle	5/15	11/28	84	Active	869
AI Pasture	21	Cattle	5/01	11/30	52	Active	77
Murnion Exchange	6	Cattle	3/01	2/28	100	Custodial	71

Total Active AUMs: 1,017 AUMs

Terms and Conditions:

Line 1: Grazing is in accordance with the Taylor Ranch AMP dated 1/30/70.

Actual use report is due no later than 15 days after grazing is ended on the AMP or permittee will be billed for the total preference and the actual use report will still be required.

Line 2: Refers to the AI pasture. Use not to exceed recognized capacity of the public land.
Line 3: Exchange of use with Murnion in Gilbert Creek Common Allotment #00065. Paid for by McDonald, used by Murnion in exchange for private land in T22N R40E Sec. 24, 25 & 28 fenced into Taylor Ranch AMP allotment.

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 (MT-C020-2013-0080-EA) 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 April 15, 2013. Existing information indicates the allotment is meeting the Standards for Rangeland Health (43 CFR 4180).

The BLM determined that Donald McDonald 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.

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 Kirk Anderson, Rangeland Management Specialist, at (406) 233-3140 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

AndersonK:lrn:5/6/13:Taylor_Ranch_Decision_Letter_AndersonK_201