

NOTICE OF AVAILABLE FORAGE FOR APPLICATION:

The Miles City Field Office has determined that livestock grazing use is available and invites interested parties to submit a grazing application for public lands located on the Pumpkin Creek area. The lands are located in Township 5 North, Ranges 48 and 49 East and contain approximately 19,398 acres and 2,977 Animal Unit Months (AUMs), (2,552 AUMs on the west side of Montana Highway 59 and approximately 425 AUMs on the east side of Montana Highway 59). For evaluation of management plan purposes, the area has been broken into five individual units as identified on available maps.

The grazing application will consist of completed forms 4130-1, 4130-1a, 4130-1b and documentary evidence of control of land that will be used in conjunction with the public land grazing use. Applicants may apply for all or part of the permitted use being offered by applying for one or more of the 5 units.

Use will be subject to all applicable public land law and regulation. The successful applicant(s) will be required to maintain, construct or remove existing public land range improvements, as the case may be, and otherwise comply with all requirements applicable to the public lands. Applicants must own or control land that meets the definition of base property (see 43 CFR §4100.0-5 and 4110.2-1(a)) and offer that property in support of their application as well as meet other qualifications for grazing use on public land (see 43 CFR §4110.1).

Mandatory and other terms and conditions of the grazing use:

- Name of Allotment: Pumpkin Creek
- Estimated carrying capacity being offered: 2,977 AUMs total and further defined by the following units
 - Unit 1 – 322 Active AUMs (103 Suspended for restoration efforts)
 - Unit 2 – 524 Active AUMs
 - Unit 3 – 501 Active AUMs
 - Unit 4 – 560 Active AUMs
 - Unit 5 – 967 Active AUMs
- Kind of Livestock
- Number of Livestock
- Season(s) of use

Who may apply:

- Applicants must meet the mandatory qualifications found in 43 CFR §4110.1, including:
- They must own or control base property
- They must be a citizen of the United States or have properly filed a valid declaration of intention to become a citizen or a valid petition for naturalization; or
- They must be a group or association authorized to conduct business in Montana, all members of which own or control base property; or
- They must be a corporation authorized to conduct business in Montana; and
- They must be deemed by the authorized officer to have a satisfactory record of performance

Where application forms (4130-1, 4130-1a, 4130-1b) can be obtained:

- <http://www.blm.gov/noc/st/en/business/eForms/rangeland.html>

Where Maps can be obtained:

Miles City Field Office
111 Garryowen Rd.
Miles City, MT 59301

When applications must be submitted:

- Applications must be delivered or postmarked no later than December 24, 2015. This is an extension from the original deadline of December 9, 2015.

Where and to whom the application should be submitted:

Miles City Field Office
Attn: Reyer Rens
111 Garryowen Rd.
Miles City, MT 59301

Consideration of Applications:

BLM will evaluate each application based on the following considerations as they relate to the orderly administration and use of rangeland resources:

- Applicant's historical use of the public lands;
- Proper use of rangeland resources;
- Needs of the applicants' livestock operations;
- Whether an applicant is willing to allow public ingress and egress across their owned or controlled private lands to public lands;
- Topography;
- Other land use management requirements unique to the situation; and
- An applicant's demonstrated stewardship to improve or maintain and protect the rangeland ecosystem.

BLM will also weight applications most heavily based on proper use of rangeland resources and use that meets the objectives identified below. BLM is requiring that applicants submit as part of their application a narrative statement or allotment management plan (e.g. grazing plan) that addresses the following factors that BLM will consider when evaluating the applications:

Entire Pumpkin Creek Area

- Manage noxious weeds in accordance with BLM, State of Montana, and Custer County guidelines
- Maintain or improve on Rangeland Health Conditions – specifically
 - Natural Diversity of plant species
 - Riparian areas at proper functioning condition
 - Natural diversity of native wildlife habitats

- Emphasis on special status species including ground nesting birds and raptors
- Provide for dispersed recreation
- Have maximum benefit for the Pumpkin Creek and Tongue River watersheds

Relevant Areas within Pumpkin Creek Area

- Provide for the maintenance and improvement of deer and antelope habitats
 - Specific focus on the critical big game winter range area
- Provide for the maintenance and improvement of greater sage-grouse habitat
 - Breeding/Nesting/Brood-rearing/Winter
- Provide for the maintenance and improvement of sharp-tailed grouse habitat
 - Breeding/Nesting/Brood-rearing/Winter
- Provide for the maintenance and improvement of prairie dog habitat in order to maintain species presence during natural fluctuations due to disease
- Improve riparian and wetland areas toward Proper Functioning Condition or a higher ecological status.
- Manage for the restoration of uplands and riparian areas including Pumpkin Creek, North and East of Montana Highway 59, in conjunction with BLM and cooperator efforts and timelines.
- Manage Pumpkin Creek to not add to the impairment of Pumpkin Creek as identified on Montana DEQ's 303(d) list.
- Reestablish historic healthy riparian and upland areas along Pumpkin Creek that support fish, amphibian, and reptile wildlife habitats with special emphasis on special status species.
- Manage riparian and wetland systems to be healthy, diverse, and functional.
- Maintain, restore, or enhance recreation opportunities to accommodate existing and future uses, for a primitive recreational site.
- Maintain or enhance a diversity of recreational opportunities and benefits.
- Manage conflicts with other resource values and uses in coordination and cooperation with affected interests in a healthy and safe manner.

BLM will evaluate applications and develop management alternatives for analysis of environmental effects so the authorized officer can make an informed decision regarding allocation of permitted use on the Pumpkin Creek area. Amount of permitted use authorized may be adjusted through the NEPA process. BLM may issue a single combined proposed decision for all applicants that describes the action that BLM intends to take with respect to the granting use of the forage. The decision will contain rationale used by BLM to evaluate applications.

The lack of completing and submitting a properly executed application by the date specified in this notice is grounds for the BLM to reject the application by decision issued under 43 CFR §4160.

Whether to authorize one or more of the applicants to use the additional forage for livestock is a BLM discretionary action. Once a grazing authorization is issued, however, the successful applicant(s) are entitled to a preference right to renewal of that authorization, assuming they continue to qualify for grazing use on public lands under 43 CFR §4110.1 (a) and (b).