

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

*Miles City Field Office*

**Adams Allotment**  
**Range Improvement Projects**

Environmental Assessment (EA)  
DOI-BLM-MT-C020-2013-0193-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



**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT**

**ENVIRONMENTAL ASSESSMENT REVIEW**

<b>OFFICE/AREA:</b> Miles City Field Office	<b>DOI-BLM-MT-C020-2013-0193-EA</b>
	<b>DATE POSTED:</b> 08/07/2013
<b>NAME:</b> Adams Allotment Projects	<b>DATE DUE:</b> 08/22/2013
	<b>FUNDING:</b> 8100
<b>LOCATION:</b> Rosebud County T8N, R41E: Section 14 T9N, R41E: Section 2, 20, 22 (See Attached Maps)	RIPS# 016441 RIPS# 016442 RIPS# 016443 RIPS# 016444

<b>ORIGINATOR DATE/INITIALS</b>	<b>TITLE</b>	<b>ASSIGNMENT</b>
Philip Reiersen	Rangeland Management Specialist	Completion

<b>REVIEWERS</b>	<b>TITLE</b>	<b>ASSIGNMENT</b>	<b>DATE/INITIALS</b>
Bobby Baker	Wildlife Biologist	Wildlife	8/23/13 BJB
Douglas Melton	Archeologist	Cultural / Paleontological Resources	08/21/13 DM Cultural Report MT-020-13-207
Reyer Rens	Supervisory Rangeland Management Specialist	Review	RR 9/12/2013



9/16/2013

\_\_\_\_\_  
**ENVIRONMENTAL COORDINATOR**

\_\_\_\_\_  
**DATE**

## ENVIRONMENTAL ASSESSMENT

EA NUMBER: DOI-BLM-MT-C020-2013-0193-EA

RIPS# 016441

GR# 2502000

RIPS# 016442

RIPS# 016443

RIPS# 016444

**PROPOSED ACTION/TITLE TYPE: Thoeny Pipeline and Fences**

**LOCATION OF PROPOSED ACTION:** Rosebud County

T8N, R41E: Section 14 (Pipeline)

T9N, R41E: Sec. 2 and 20 (Fence)

T9N, R41E: Section 22 (Pipeline)

(See Attached Maps)

**PREPARING OFFICE:** Miles City

**DATE OF PREPARATION:** 6/25/2013

**CONFORMANCE WITH APPLICABLE LAND USE PLAN:** This proposed action is in conformance with the Big Dry RMP ROD approved in 1996, as amended by the Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota, and South Dakota ROD approved in 1997. The Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota, and South Dakota ROD states on page 11 “guidelines are best management practices, treatments and techniques, and implementation of range improvements...” Page 14 of the Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota, and South Dakota ROD says “guidelines are provided to maintain or improve resource conditions in uplands and riparian habitats available to livestock grazing.”

**SCOPING:** This project was posted on Montana/Dakotas BLM webpage in August of 2013, for public information requests. Internal scoping identified the issues below. No additional issues were brought forth by the public. Included visiting with the permittee and Rosebud County NRCS.

### ISSUES IDENTIFIED THROUGH SCOPING:

- *Cultural:*
  - Effects to cultural sites, paleontological localities, or sacred sites of interest to Tribes
- *Livestock Grazing:*
  - Effects to level of permitted use
- *Grazing Administration:*
  - Effects to livestock management on the allotment
- *Wildlife:*
  - Effects to habitats of game and nongame wildlife species, emphasizing sage grouse
- *Vegetation:*
  - Effects to vegetative condition and meeting Standards for Rangeland Health

**PURPOSE AND NEED:** The purpose and need of the project is to ensure that the BLM lands within the Adams Allotment continue to meet the Standards for Rangeland Health; and to continue to provide for adequate livestock management through the construction of pipeline and a cross fence. The majority of the

stock water pits and reservoirs have silted in or blown over the past few years. The remaining water source is an existing pipeline and the remaining pits. The permittee and the NRCS developed a pipeline to provide a reliable water source throughout the allotment to replace the old stock water pits and reservoirs, improve livestock distribution and improve wildlife habitat within the Adams Allotment. The cross fences are needed to split two larger pastures in half to improve livestock distribution and shorten grazing duration to enhance vegetative conditions.

**PROPOSED ACTION:** The proposed action is to construct four projects within the Adams allotment. *Pipelines:* Authorize and inspect the construction of the NRCS Thoeny Pipeline 1 (RIPS #016441) and the NRCS Thoeny Pipeline 2 (RIPS #016442) across BLM administered land within the Adams Allotment (#00806). The NRCS Thoeny Pipeline 1 will tie onto an existing pipeline and enter BLM land in the T8N R41E Section 14 SW1/4; the total length of the pipeline on BLM would be approximately 1,400'. The NRCS Thoeny Pipeline 2 will tie onto an existing pipeline and enter BLM land in the T9N R41E Section 22, the total length of the pipeline on BLM would be approximately 6,000'. Each pipeline would have one stock tank located on BLM lands and both will contain wildlife escape ramps. Natural Resources Conservation Service (NRCS) would be responsible for all pipeline and stock tank designs. The permittee and NRCS would be responsible for all funding, materials and labor.

This project would be implemented under a cooperative agreement, with the permittee. The permittee and NRCS would provide materials and construction of the pipeline on public lands, and would be responsible for the storage and stock tanks and seasonal maintenance. Storage and stock tanks would be a neutral color to blend with the existing landscape. Wildlife escape ramps will be required in stock tanks on public lands. This project would be designed and installed to BLM specifications. Upon projects completion, the water rights would be applied for and held by the BLM.

*Fences:* The NRCS Cherry Creek Fence (RIPS #016444) and NRCS Tanhey Fence (RIPS #016443) would be solar powered two-wire electric fences. The fences would be built on BLM and deeded lands within the Adams Allotment (see attached maps). The total length of the fences constructed on BLM would be approximately 2,000'. Wire spacing for the fences would be 26" and 32" from the ground level. The bottom wire would be the ground (neutral) wire. All corner and gate posts would be wood. Gates would be constructed with barbed wire. The line posts would be a combination of flexible fiberglass and metal t-posts with insulators depending on the soils and terrain. Line post spacing may be up to 100' depending on soils and terrain. All power system components would be located on private land.

No blade work would be authorized for the construction of the fence on BLM lands. The only surface disturbance occurring during the construction would be from pickup trucks and ATV's.

Upon completion of the fences, the revegetation of disturbed areas would be expected to occur over a period of one or two growing seasons. All materials and construction labor would be provided by the permittee and the Natural Resources Conservation Service (NRCS). Cooperative range improvement agreements would be signed and implemented prior to any construction occurring on BLM lands, with the permittee being assigned all future maintenance of the projects.

Project construction would not be authorized from December 1 to July 15 for the protection of big game use of winter range (December 1 to March 31); for the protection of sage grouse and sharp-tailed grouse breeding, nesting, and early brood-rearing activities (March 1 to June 15); and for the protection of migratory bird nesting and brood rearing activities (April 15 to July 15).

Upon completion of construction, BLM personnel would inspect the portion of both pipelines and fences on BLM lands.

**ALTERNATIVE 1 - NO ACTION:** Construction of the proposed range improvements would not be authorized. The permittee would continue to use existing fences and livestock water within the allotment. Livestock movements and distribution would remain as they currently exist.

**ALTERNATIVE 2** – Authorize and inspect the construction of the NRCS Thoeny Pipeline 1 (RIPS #016441) and the NRCS Thoeny Pipeline 2 (RIPS #016442) across BLM administered land within the Adams Allotment (#00806).

**ALTERNATIVE 3** – Authorize and inspect the construction of the NRCS Cherry Creek Fence (RIPS #016444) and NRCS Tanhey Fence (RIPS #016443) across BLM administered land within the Adams Allotment (#00806).

**AFFECTED ENVIRONMENT:**

The following critical resources have been evaluated and are not affected by the proposed action or the alternatives in this EA:

Mandatory Item	Potentially Impacted	No Impact	Not Present On Site
Threatened and Endangered Species			X
Floodplains			X
Wilderness Values			X
ACECs			X
Water Resources			X
Air Quality		X	
Cultural or Historical Values		X	
Prime or Unique Farmlands			X
Wild & Scenic Rivers			X
Wetland/Riparian			X
Native American Religious Concerns		X	
Wastes, Hazardous or Solids		X	
Invasive, Nonnative Species		X	
Environmental Justice		X	

*The following non-critical resources will not be impacted by this proposed action; therefore they will not be analyzed in detail by this Environmental Assessment: Forestry, Hydrology, Lands/Realty, Geology/Minerals, Recreation, and Socio-economics.*

**Cultural:** The proposed fences and pipelines were inventoried for cultural resources on 06/12/13 by NRCS Archaeologists. No cultural resources were found in the inventory of the two fences and Thoeny Pipeline No.2. Two isolated pieces of procellanite debitage were observed in the inventory of the Thoeny Pipeline No. 1. Neither of the isolated artifacts are considered eligible for listing on the National Register of Historic Places (See BLM Cultural Resource Reports MT-020-13-207). The proposed action would have no effect to cultural properties listed on or eligible for listing on the National Register of Historic Places. Geologically the proposed projects occur in the Tullock Member of the fort Union Formation and the Hell Creek

Formation., Both formations are known to produce vertebrate fossils and have PYFC classification of 4 and 5a. No paleontological resources were observed in the inventoried area.

Grazing Administration: The Adams Allotment consists of 4,381 acres of BLM land, 1,280 acres of State Land and 14,016 acres of private acres. The total active use on the Adams Allotment is 856 AUMs. The allotment is managed as a custodial allotment because the BLM land is scattered amongst larger blocks of deeded land. The current permit was issued as follows:

GR# 2502000

Adams Allotment	Livestock Number	Livestock Kind	Grazing Begin	Period End	%PL	Type Use	AUMs
Adams	71	Cattle	03/01	02/28	100	Custodial	852
Adams	1	Cattle	03/01	07/01	100	Active	4

Total Active AUMs: 856

**Terms and Conditions:**

- Grazing is authorized during the listed season for the recognized capacity of the public land. Cattle will not be on the public land continuously for the entire season. Livestock numbers are not restricted.
- Line 2: Is to authorize full preference.
- 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.

Livestock Grazing: The allotment has been historically grazed by cow/calf pairs. The typical season of use has been summer/fall grazing. Occasional early and/or late season grazing occurs with the majority of use during these times taking place on private lands on the west side of the allotment.

Vegetation: The allotment was analyzed and determined to be meeting the Standards for Rangeland Health in 1999. Plant species found within the allotment match what is expected for this portion of Rosebud County. The primary plant species include the following; western wheatgrass (*Pascopyrum smithii*), green needlegrass (*Nassella viridula*), needle and thread (*Hesperostipa comata*), bluebunch wheatgrass (*Pseudoroegneria spicata*), blue grama (*Bouteloua gracilis*), Wyoming big sagebrush (*Artemisia tridentata* ssp. *wyomingensis*) and silver sagebrush (*Artemisia cana*). No special status plants species are known to occur within the allotment.

VRM: The proposed projects are within a VRM Class IV. The objective of this class is to provide for management activities which require major modification of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.

Wildlife: Wildlife game species in the area include pronghorn, mule deer, sage-grouse, sharp-tailed grouse and white-tailed deer. Non-game species such as raptors, migratory birds, and various small mammals, reptiles and amphibians also inhabit or frequent the area. This allotment is located within the Preliminary Priority Habitat (PPH) polygon for sage grouse as delineated by Instruction Memorandum (IM) 043. (BLM, 2011) There are 8 known sage-grouse leks in or within 1 mile of the allotment. All leks were

surveyed at least once in 2010 with only one lek (RO-055) with birds in attendance, 2 males. Sage grouse have also been documented utilizing this allotment and an adjacent allotment during the winter season. Two sharp-tailed leks of unknown activity are located within the allotment. Two historic raptors nests; a golden eagle and the other is an “unknown” species, are located in T8N, R42E, Section 8 NW1/4. BLM Sensitive Species are known to inhabit or frequent the area; however no Threatened or Endangered species or habitat for such is known to exist. The majority of the allotment has been identified as providing mule deer winter range habitat.

## **ENVIRONMENTAL IMPACTS:**

### **DESCRIPTION OF IMPACTS FROM PROPOSED ACTION:**

Cultural: There will be no impact to cultural or paleontological resources through the proposed action. Unanticipated discoveries of cultural and paleontological resources found during construction would be handled through the cultural resource requirements in the cooperative agreement authorizing the action on BLM lands.

Grazing Administration: There would be no changes to the permit.

Livestock Grazing: The installation of the pipeline and associated stock tanks on deeded, as well as the proposed fences would improve livestock management/distribution and decrease grazing pressure in heavier use areas on the allotment. The cross fencing would force livestock to utilize areas that are currently receiving light to no use and relieve areas that are receiving moderate to heavy use. The available water primarily consists of reservoirs and existing pipeline and stock tanks. Due to the nature of the erosive soils, many of the reservoirs have become silted in leaving little to no water storage. The implementation of these projects would provide for improved livestock distribution and a more reliable source of livestock water.

Vegetation: Localized vegetative disturbance would occur on pipeline route; however this impact would heal itself and become less evident with time, usually within 1 to 2 growing seasons. The area around the stock tanks would receive disturbance when the pump and hydrants are open for livestock watering. These areas may become weedy with annual vegetation as a result of the livestock use, however the disturbance is considered minimal. In addition, the vegetative area in the proximity of the livestock tanks would receive heavier livestock grazing pressure. This use would be expected to be within allowable use parameters and those areas that have had past heavy grazing pressure would also be expected to move into the allowable use levels.

Localized vegetative disturbance would occur along the fence route however this impact should become less evident with time, usually within the current growing seasons. These areas may become weedy with annual vegetation, however that is not expected. No blading is allowed, but increased traffic along the fence line is anticipated during construction. Construction of the fence would allow a shortened grazing duration therefore limiting re-grazing of individual plants reducing the impacts on the vegetative community as a whole.

VRM: The proposed pipeline and fences would create surface disturbance affecting the visual texture of the area; however this should not dominate the view of the casual observer. This disturbance would be short term as natural re-vegetation would occur with time. Visual intrusions such as stockwater tanks would be of a neutral color to blend with the existing landscape to reduce contrast between tanks and the natural landscape. Even though this project is allowed within the Class IV VRM objective, every attempt would be

made to have minimal disturbance as to not detract from the existing character of the natural landscape

Wildlife: Most wildlife species would be displaced during construction activities; however, diversity and distribution of wildlife would be expected to return to normal shortly thereafter. The proposed pipelines would also remove some sagebrush grasslands habitat. Re-vegetation of grasses would occur over one or two years, but any removed sagebrush would likely take many years to re-establish. However, the impacts to wildlife from the localized loss of sagebrush associated with these projects would be expected to be minimal, as sagebrush is scattered throughout this allotment. Construction would not occur during critical time periods for wildlife species as noted in the proposed action. Stock tanks have been documented to drown birds and small mammals, and wildlife escape ramps would be required to minimize this potential.

Additional watering sources would disperse utilization by livestock within this allotment. The increased distribution of livestock would relieve grazing pressures on historical high use areas, while areas of the allotment that only received light utilization in the past would be utilized to a greater extent. The increase in livestock utilization adjacent to new water sources may force some re-distribution of some wildlife species nesting/fawning to areas with more residual cover; however, the proposed grazing plan and terms and conditions should maintain overall habitat conditions within this allotment.

#### **DESCRIPTION OF IMPACTS FROM ALTERNATIVE 1 - NO ACTION:**

Cultural: No impacts through the No Action Alternative

Grazing Administration: There would be no changes to the grazing permit.

Livestock Grazing: Livestock grazing would continue as usual without dependable water throughout the allotment. Current livestock water sources would continue to age and lose reliability. Management flexibility would be maintained at the current level for now and decrease over time. Areas adjacent to the existing water sources would be utilized at the current degree, being heavy in some instances, increasing over time.

Vegetation: The vegetation within the allotment would not be expected to change under this alternative. Livestock distribution would continue to be centered on existing sources of water. The Williams Allotment would be expected to continue to meet the Standards for Rangeland Health.

VRM: The landscape will have no short term or long term affect to the visual value of the landscape on the public land.

Wildlife: No changes to the existing conditions would occur. Higher use levels by livestock would continue to be centered on existing sources of water in draws used by wildlife.

#### **DESCRIPTION OF IMPACTS FROM ALTERNATIVE 2:**

Cultural: There will be no impact to cultural or paleontological resources through the proposed action. Unanticipated discoveries of cultural and paleontological resources found during construction would be handled through the cultural resource requirements in the cooperative agreement authorizing the action on BLM lands.

Grazing Administration: There would be no changes to the permit.

Livestock Grazing: The installation of the pipeline and associated stock tanks would improve livestock management/distribution and decrease grazing pressure in key areas, on the allotment. The available water primarily consists of pits and reservoirs. Due to the nature of the erosive soils, many of the reservoir and pits have become silted in leaving little to no water storage. The implementation of these projects would provide for improved livestock distribution and a more reliable source of livestock water.

Vegetation: Localized vegetative disturbance would occur along the pipeline route; however this impact would heal itself and become less evident with time, usually within 1 to 2 growing seasons. The overall condition of the vegetation would remain stable with increased livestock distribution from associated stock tanks. The Adams Allotment would be expected to continue to meet the Standards for Rangeland Health.

VRM: The proposed pipeline would create surface disturbance affecting the visual texture of the area; however this should not dominate the view of the casual observer. This disturbance would be short term as natural re-vegetation would occur with time. Visual intrusions such as stockwater tanks would be of a neutral color to blend with the existing landscape to reduce contrast between tanks and the natural landscape. Even though this project is allowed within the Class IV VRM objective, every attempt would be made to have minimal disturbance as to not detract from the existing character of the natural landscape

Wildlife: Most wildlife species would be displaced during construction activities; however, diversity and distribution of wildlife would be expected to return to normal shortly thereafter. Project construction would not occur during critical timeframes for wildlife as noted in the proposed action. Habitat near new water sources would most likely be utilized at an increased level by livestock, although habitats in other areas with historically higher utilization would improve in condition.

### **DESCRIPTION OF IMPACTS FROM ALTERNATIVE 3:**

Cultural: There will be no affect to cultural or paleontological resources through the proposed action.

Grazing Administration: There would be no changes to the permit.

Livestock Grazing: The installation of the fence would improve livestock management/distribution and decrease grazing pressure in key areas, on the allotment. The cross fencing would force livestock to utilize areas that are currently receiving light to no use and relieve areas that are receiving moderate to heavy use.

Vegetation: Localized vegetative disturbance would occur along the fence routes; however this impact would heal itself and become less evident with time, usually within 1 to 2 growing seasons. The overall condition of the vegetation would remain stable with increased livestock distribution from the fence. The Adams Allotment would be expected to continue to meet the Standards for Rangeland Health.

VRM: Vegetation along the fence would recover within one to two growing seasons. Until then there may be short term detraction for the existing landscape. Long term effects of the project will not change the characteristic of the landscape.

Wildlife: Most wildlife species would be displaced during construction activities; however, diversity and distribution of wildlife would be expected to return to normal shortly thereafter. Project construction would not occur during critical timeframes for wildlife as noted in the proposed action. Fence construction may inhibit wildlife movements and/or result in lines strike mortality of avian species, and hang-up

mortality of big game; however, the electric fences with the proposed spacing should minimize these types of impacts. Fence construction combined with an improved grazing system would result in improved habitat conditions within the allotment.

### **CUMULATIVE IMPACTS**

There will be no other 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 1997. Those cumulative impacts include population increase or decrease, agricultural subsidies, economic competition, and restructuring, wildlife use, management practices and land use changes such as increase recreation use. A detailed discussion of these cumulative impacts can be found on Pages 27 and 28 of the Standards and Guidelines EIS.

### **MITIGATION:**

Noxious Weeds/Invasive Species All vehicles and equipment used in conjunction with the construction activities will be cleaned of all vegetation, plant parts and soil prior to entering BLM lands. If weeds are located prior to construction, BLM will initiate control measures. If noxious weeds are present after construction, BLM will map and document weeds and coordinate with the permittee to initiate control measures.

Wildlife: Project construction would not be authorized from December 1 to July 15 for the protection of big game use of winter range (December 1 to March 31); for the protection of sage grouse and sharp-tailed grouse breeding, nesting, and early brood-rearing activities (March 1 to June 15); and for the protection of migratory bird nesting and brood rearing activities (April 15 to July 15).

### **CONSULTATION/COORDINATION:**

Permittee, Natural Resources Conservation Service

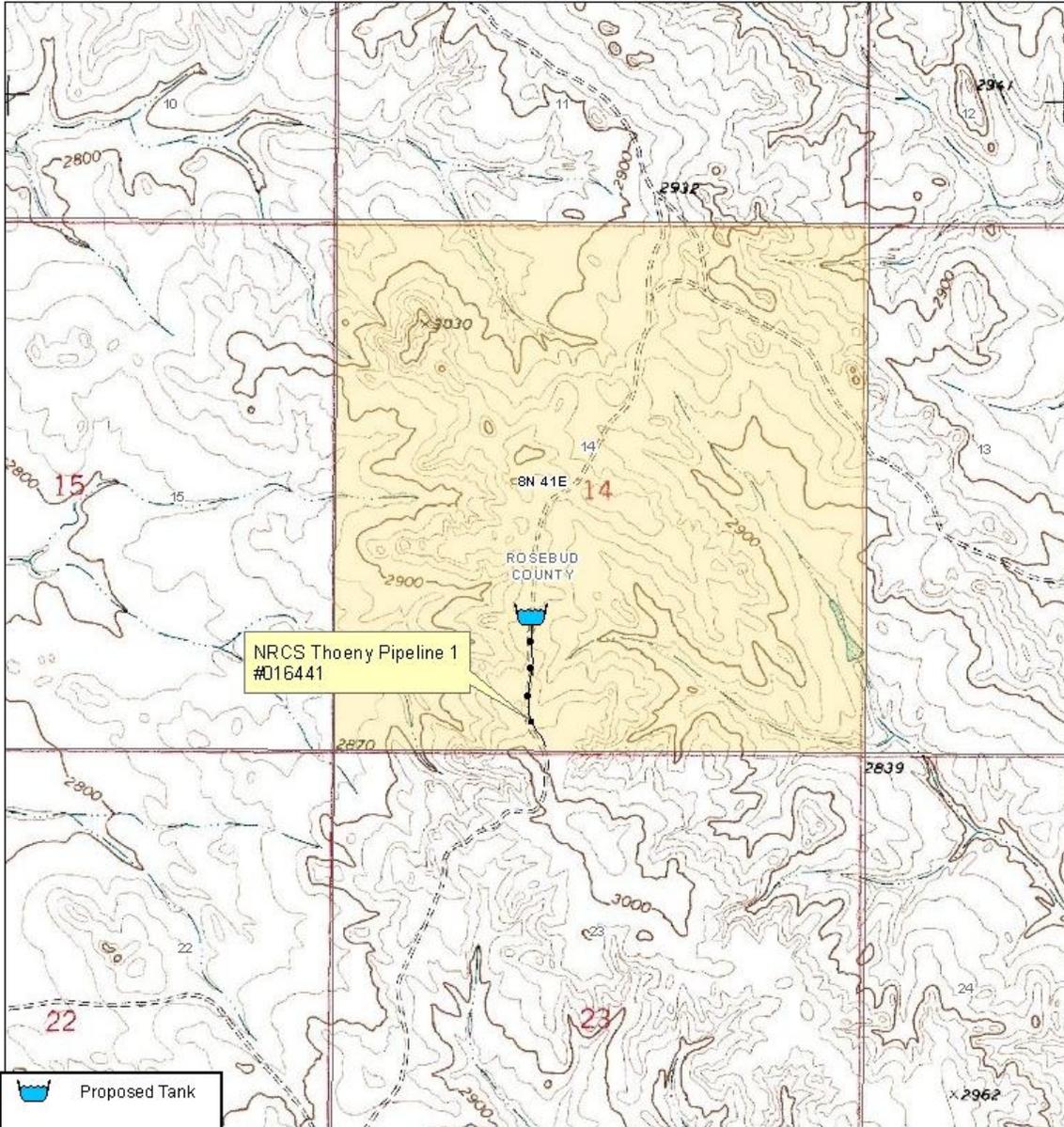
### **LIST OF PREPARERS:**

Philip Reiersen, Rangeland Management Specialist  
Bobby Baker, Wildlife Biologist  
Douglas Melton, Archeologist  
Reyer Rens, Supervisory Rangeland Management Specialist  
Kathleen Bockness, Environmental Coordinator



# NRCS Thoeny Pipeline 1 016441

User Name: preerso  
Date: 5/2/2013



	Proposed Tank
	Proposed Pipeline
	BLM
	Private

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

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

1:16,000



**CAUTION:**  
This document contains neither  
recommendations nor conclusions of the  
Bureau of Land Management. It is the  
property of the Bureau and is loaned to  
your agency; it and its contents are not  
to be distributed outside your agency.

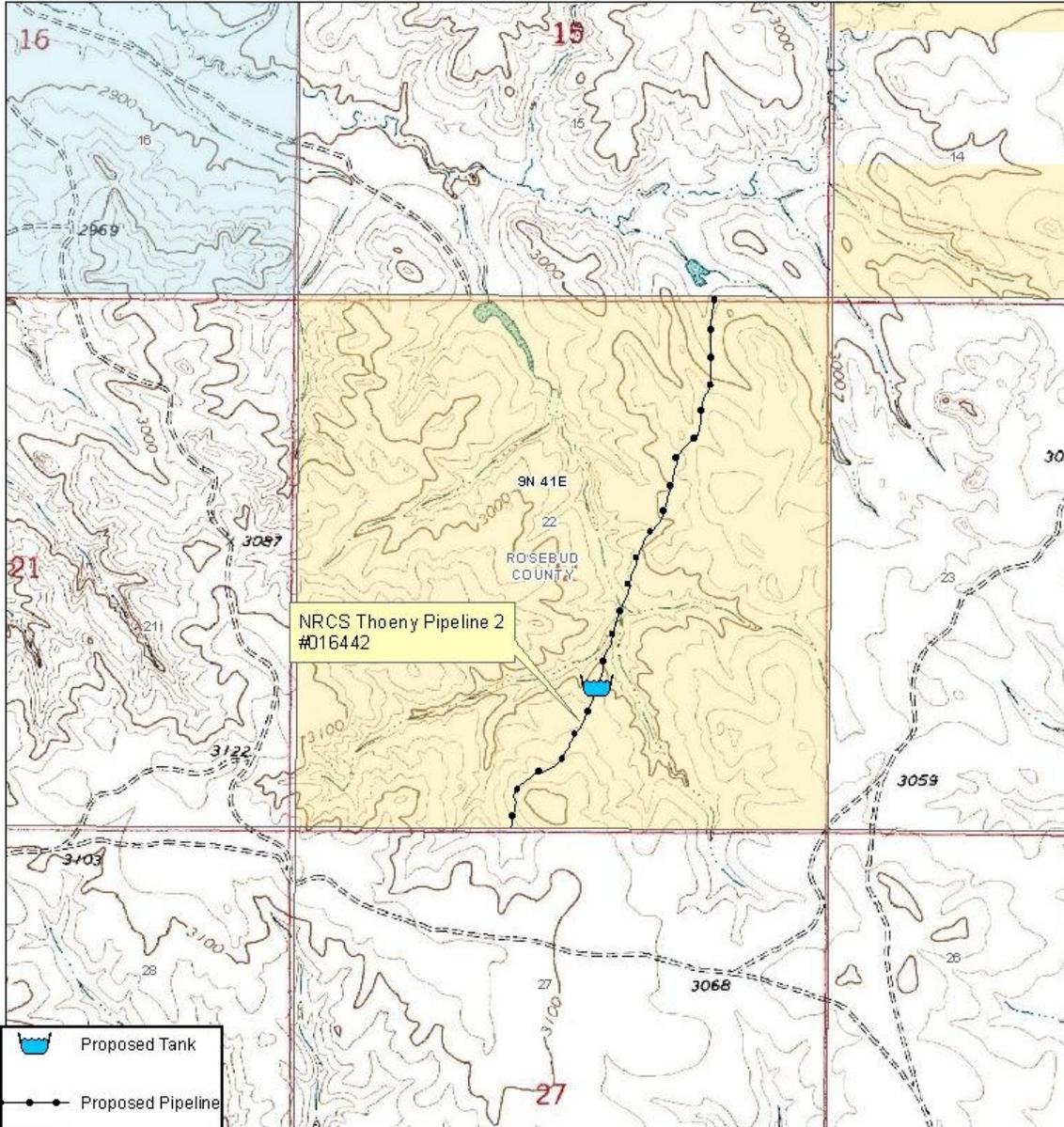


All numbers are made to the best of our knowledge and belief by the Bureau of Land Management.



# NRCS Thoeny Pipeline 2 016442

User Name: preerso  
Date: 5/2/2013



	Proposed Tank
	Proposed Pipeline
	BLM
	Private
	State

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

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

1:15,927



**DISCLAIMER:**  
This document is a technical drawing and is not a contract. It is intended for informational purposes only. It is not to be used for any other purpose without the express written consent of the Bureau of Land Management.

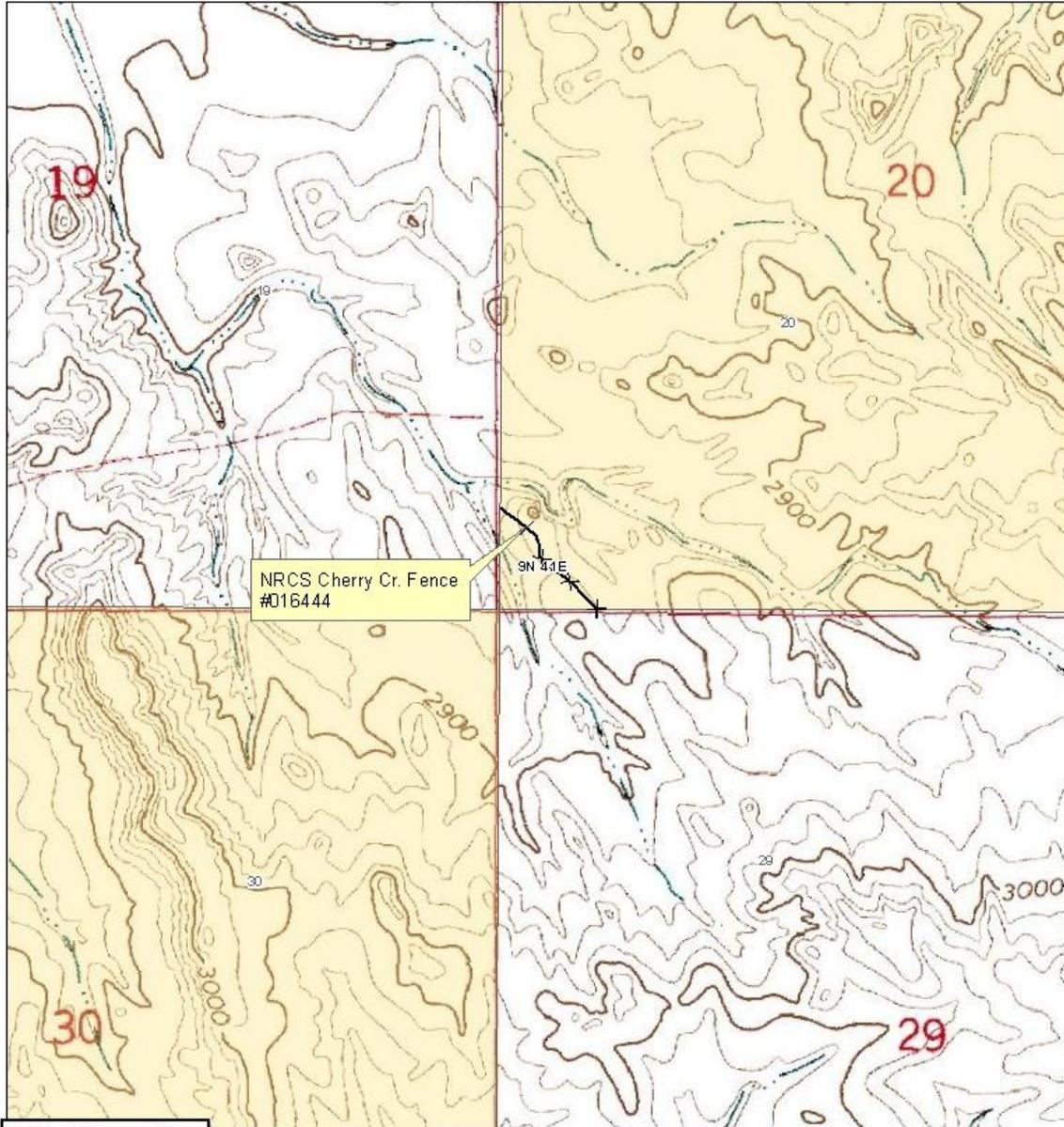


All numbers are made to the best of the knowledge of the Bureau of Land Management.



# NRCS Cherry Creek Fence 016444

User Name: preierso  
Date: 5/2/2013



	Proposed Fence
	BLM
	Private

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

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

1:10,000



**DISCLAIMER:**  
This document is a descriptive field note  
and does not constitute a BLM field note  
or any other official BLM document. It is  
not to be used for any other purpose  
without the express written approval  
of the BLM.

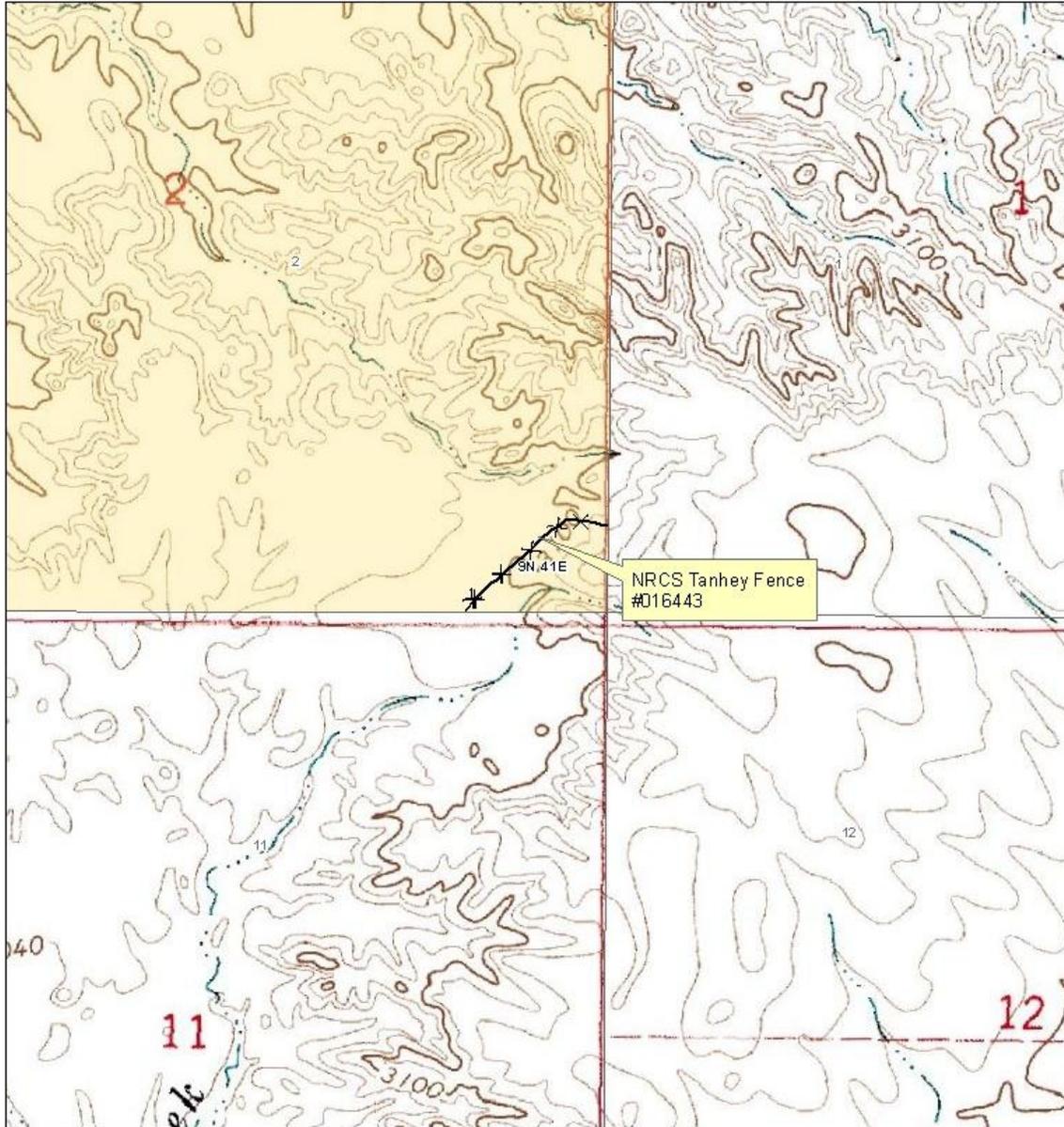


All materials made by the Bureau of Land Management  
are the property of the U.S. Department of the Interior.



# NRCS Tanhey Fence 016443

User Name: preierso  
Date: 5/2/2013



	Proposed Fence
	BLM
	Private

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

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

1:10,000

0 0.03 0.06 0.12 0.18 0.24

Miles

**CAUTION:**  
This document is a technical drawing and is not a legal document. It is intended for use as a guide only. It is not to be used for any other purpose without the express written consent of the BLM.



All numbers are made to the best of the knowledge of the BLM.

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
MILES CITY FIELD OFFICE  
FINDING OF NO SIGNIFICANT IMPACT**

**Adams Allotment Projects  
DOI-BLM-MT-C020-2013-0193-EA**

**BACKGROUND**

The origin of the environmental assessment was due to a request from a grazing permittee to construct a stockwater pipeline and cross fence across public.

**FINDING OF NO SIGNIFICANT IMPACT**

On the basis of the information contained in the EA (DOI-BLM-MT-C020-2013-0193-EA), and all other information available to me, it is my determination that:

- (1) The implementation of the Proposed Action or alternatives with the applied cultural stipulations will not have significant environmental impacts beyond those already addressed in the Powder River Resource Management Plan, as amended by the Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota, and South Dakota Record of Decision approved in 1997.
- (2) The Proposed Action is in conformance with the Record of Decision for the Powder River Resource Management Plan as amended; and
- (3) The Proposed Action does not constitute a major federal action having a significant effect on the human environment.

Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR '1508.27), both with regard to the context and to the intensity of the impacts described in the EA.

**Context**

The proposed action would occur in the Adams Allotment No. 00806, designated as available for livestock grazing in the Big Dry RMP, as amended. The RMP, as amended, anticipated that rangeland improvements, such as water development, fencing, etc., would occur to maintain or improve resource conditions in uplands and riparian habitats available to livestock grazing. The proposed action is in accordance with the Big Dry RMP.

*Pipelines:* Authorize and inspect the construction of the NRCS Thoeny Pipeline 1 (RIPS #016441) and the NRCS Thoeny Pipeline 2 (RIPS #016442) across BLM administered land within the Adams Allotment (#00806). The NRCS Thoeny Pipeline 1 will tie onto an existing pipeline and enter BLM land in the T8N R41E Section 14 SW1/4; the total length of the pipeline on BLM would be approximately 1,400'. The NRCS Thoeny Pipeline 2 will tie onto an existing pipeline and enter BLM land in the T9N R41E Section 22, the total length of the pipeline on BLM would be approximately 6,000'. Each pipeline would have one

stock tank located on BLM lands and both will contain wildlife escape ramps. Natural Resources Conservation Service (NRCS) would be responsible for all pipeline and stock tank designs. The permittee and NRCS would be responsible for all funding, materials and labor.

This project would be implemented under a cooperative agreement, with the permittee. The permittee and NRCS would provide materials and construction of the pipeline on public lands, and would be responsible for the storage and stock tanks and seasonal maintenance. Storage and stock tanks would be a neutral color to blend with the existing landscape. Wildlife escape ramps will be required in stock tanks on public lands. This project would be designed and installed to BLM specifications. Upon projects completion, the water rights would be applied for and held by the BLM.

*Fences:* The NRCS Cherry Creek Fence (RIPS #016444) and NRCS Tanhey Fence (RIPS #016443) would be solar powered two-wire electric fences. The fences would be built on BLM and deeded lands within the Adams Allotment (see attached maps). The total length of the fences constructed on BLM would be approximately 2,000'. Wire spacing for the fences would be 26" and 32" from the ground level. The bottom wire would be the ground (neutral) wire. All corner and gate posts would be wood. Gates would be constructed with barbed wire. The line posts would be a combination of flexible fiberglass and metal t-posts with insulators depending on the soils and terrain. Line post spacing may be up to 100' depending on soils and terrain. All power system components would be located on private land.

No blade work would be authorized for the construction of the fence on BLM lands. The only surface disturbance occurring during the construction would be from pickup trucks and ATV's.

Upon completion of the fences, the revegetation of disturbed areas would be expected to occur over a period of one or two growing seasons. All materials and construction labor would be provided by the permittee and the Natural Resources Conservation Service (NRCS). Cooperative range improvement agreements would be signed and implemented prior to any construction occurring on BLM lands, with the permittee being assigned all future maintenance of the projects.

Timing restrictions from December 1 to March 31 would be enacted for the protection of big game winter range; and April 15 to July 15 for the protection of migratory bird nesting and brood rearing activities.

### **Intensity**

I have considered the potential intensity/severity of the impacts anticipated from the Ridge Pipeline decision relative to each of the ten areas suggested for consideration by the CEQ.

- 1. Impacts that may be both beneficial and adverse.** The EA considered both potential beneficial and adverse effects. None of the effects are beyond the range of effects analyzed in the Big Dry RMP, as amended, to which the EA is tiered.
- 2. The degree to which the proposed action affects public health and safety.** No aspect of the proposed action would have an effect on public health and safety.
- 3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** There are no known historic or cultural resource sites that would be affected by the proposed action. A pre-project

cultural resource survey was conducted in conjunction with the location of the EA and did not result in the discovery of significant cultural properties (see report number listed in the EA). The proposed action would have no effect to cultural properties. There are no parks, prime farmlands, or wild and scenic rivers in the planning area. .

**4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects of the actions planned under the proposed action are similar to many other rangeland improvement projects implemented within the scope of the Big Dry RMP, as amended. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action.

**5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The analysis has not shown that there would be any unique or unknown risks to the human environment not previously considered and analyzed in EISs to which this EA is tiered. Rangeland Improvements have been pursued and accomplished for many years in the various vegetation types of the RMP.

**6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** This project neither establishes a precedent nor represents a decision in principle about future actions. The proposed action is consistent with actions appropriate for the area as designated by the Big Dry RMP, as amended. Additionally, rangeland improvements within grazing allotments are expected activities within the RMP.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the EISs which accompanied the Big Dry RMP, as amended.

**8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.** The proposed action will not adversely affect any district, site, highway, structure, or object listed or eligible for listing in the National Register of Historic Places or cause loss or destruction of significant scientific, cultural, or historic resources.

**9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** There are no threatened or endangered species or habitat in the area of the proposed action. There are no threatened or endangered plant species or habitat in the area.

**10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.** The proposed action does not threaten to violate any Federal, State, or local law.



---

Todd D. Yeager  
Field Manager  
Miles City Field Office

9/18/2013

---

Date



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

**Adams Allotment Projects  
DOI-BLM-MT-C020-2013-0193-EA**

**DECISION**

It is my decision to select the Proposed Action Alternative as described in the Adams Allotment Projects EA. The EA and the FONSI analyzed the selected alternative and found no significant impacts. Implementation of this decision will result in rangeland improvement activities, including the installation of pipeline and fence on public lands within the Adams Allotment No. 00806. All design features identified in the EA will be implemented. The selected alternative is in conformance with the Big Dry Resource Management Plan, as amended.

**ALTERNATIVES**

In addition to the selected alternative, the EA considered a "No Action" alternative (Alternative 1), an alternative with only the pipeline installation (Alternative 2), and an alternative with only the fence installation (Alternative 3).

**RATIONALE FOR SELECTION** The purpose of the action is to further distribute livestock water and livestock use, enhance rangeland health and maintain wildlife habitat in the Adams Allotment. This action would ensure the allotment would continue to meet the Standards for Rangeland Health. The selected alternative would most effectively meet the purpose of the action. It would enhance landscape health, improve livestock distribution, and maintain wildlife habitat by increasing management options and improve livestock distribution. Use around previously existing water sources would decrease with beneficial effects to habitats in those areas.

The No Action Alternative would carry out current management actions thus not meeting the purpose and need of improving water distribution and shortening grazing duration on the allotment so that livestock grazing would occur in such a manner that would allow the allotment to continue to meet the Standards for Rangeland Health.

Alternative 2 would allow for the construction of the stockwater pipelines but not authorize the construction the cross fences which would not meet the purpose and need of shortening grazing duration to enhance vegetative conditions on the allotment which would allow the allotment to continue to meet the Standards for Rangeland Health.

Alternative 3 would authorize the construction of the cross fences but not authorize the construction of the stockwater pipeline which would not meet the purpose and need of improving water distribution so that livestock grazing would occur in such a manner that would allow the allotment to continue to meet the Standards for Rangeland Health.

**CONSULTATION AND COORDINATION**

The permittee of the Adams Allotment No. 00806 as well as the Rosebud County NRCS were consulted. The Adams Allotment Projects EA was made available online via the Miles City Field Office NEPA log.

### **IMPLEMENTATION**

Once the Adams Allotment Projects EA FONSI and Decision Record are approved, Cooperative Range Improvement Agreements would be signed with the Cooperator. Once these Cooperative Range Improvement Agreements are approved by the Authorized Officer, this gives the Cooperator authorization to proceed with the project.

### **ADMINISTRATIVE REVIEW OPPORTUNITIES**

The following sections of the Code of Federal Regulations, chapter 43- §4120 and §4160 provide authority for the actions proposed in this 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](http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/im_attachments/2007.Par.69047.File.dat/IM2007-137_att1.pdf)

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 Office 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 4160.1-4. The appeal may be accompanied by a petition for stay of the decision in accordance with CFR 4.21, pending final determination of an appeal. The appeal and decision 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.

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, and
- 4) Whether the public interest favors granting the stay.



---

Todd D. Yeager  
Field Manager  
Miles City Field Office

9/18/2013

---

Date