

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

*Miles City Field Office*

**Friez Pipeline**  
**Range Improvement Project**

Environmental Assessment (EA)  
DOI-BLM-MT-C020-2013-0153-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-C020-2013-0153-EA</b>
	<b>DATE POSTED:</b> June 13, 2013
<b>NAME:</b> 130418_Friez Pipeline EA	<b>DATE DUE:</b> June 27, 2013
	<b>FUNDING:</b>
<b>LOCATION:</b> Rosebud Co. T. 4 N., R. 40 E. Section 10	

<b>ORIGINATOR DATE/INITIALS</b>	<b>TITLE</b>	<b>ASSIGNMENT</b>
Dawn Doran	RMS	DLD 6-13-13

<b>REVIEWERS</b>	<b>TITLE</b>	<b>ASSIGNMENT</b>	<b>DATE/INITIALS</b>
Dale Tribby	Lead Wildlife Biologist	Wildlife	06/13/2013 <i>dct</i>
Doug Melton	Archaeologist	Cultural	06/24/13 DM Cultural Resort MT-020-13-172
Dalice Landers	Realty Specialist	Lands/Realty	6/27/2013 <i>DDL</i>
Reyer Rens	Supervisory RMS	Review	RR 6/28/2013

  
**ENVIRONMENTAL COORDINATOR**

**7/1/2013**  
**DATE**

## ENVIRONMENTAL ASSESSMENT

**EA NUMBER: DOI-BLM-MT-C020-2013-0153-EA**

**RIPS#** 016435

**GR#** 2503333

**PROPOSED ACTION/TITLE TYPE:** Friez Pipeline EA

**LOCATION OF PROPOSED ACTION:** Rosebud Co.

T. 4 N., R. 40 E. Section 10

**PREPARING OFFICE:** Miles City Field Office

**DATE OF PREPARATION:** 5-21-13

**CONFORMANCE WITH APPLICABLE LAND USE PLAN:** This proposed action is in conformance with the Powder River RMP ROD approved in 1985, 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.”

**BACKGROUND:** The BLM grazing lessee is participating in an EQIP contract with the NRCS. Part of that contract is a prescribed grazing rotation. Successful implementation of a deferred rotation grazing system is dependent on reliable livestock water sources. The Friez Allotment was determined to be meeting the Standards for Rangeland Health in 1999 and confirmed by an interdisciplinary team in 2012.

**SCOPING:** This project was posted on Montana/Dakotas BLM webpage on 06/10/2013 for public information requests. Internal scoping identified the issues below. No additional issues were brought forth by the public.

### ISSUES IDENTIFIED THROUGH SCOPING:

- Cultural/Paleontology  
Effects to cultural sites, paleontological localities or sacred sites of interest to Tribes.
- Livestock Grazing  
Effects to level of permitted use.
- Vegetation  
Effects to vegetative condition and meeting Standards for Rangeland Health.
- Wildlife  
Effects to habitats of game and nongame wildlife species.

**PURPOSE AND NEED:** The purpose and need is to analyze the environmental effects of the proposed pipeline. This stockwater pipeline is needed to successfully implement the deferred rotation grazing system.

**PROPOSED ACTION:** Authorize installation of approximately 6,530 feet of buried stockwater pipeline (1 ½ inch HDPE pipe) across the public domain in Section 10, T. 4 N., R. 40 E. Much of the route will follow an existing bladed road. See map. The pipeline will be trenched in and will be buried to a 6 foot depth. After the pipeline is laid, the trench will be backfilled. One stocktank on the fenceline between Section 10 and Section 11 is planned for the public domain.

Timing restrictions from April 15 to July 15 will be imposed for the protection of migratory bird nesting and brood rearing activities.

The stockwater pipeline will cross two existing rights of way in the NW¼ of Section 10. The applicant has coordinated with WBI Energy Transmission, Inc. to cross a 12” gas pipeline, buried 45” deep. This pipeline is authorized under a right-of-way MTM-00766. WBI personnel must be onsite during installation of the stockwater pipeline when it crosses underneath the 12” gas pipeline. The location has been flagged. The applicant has also coordinated with Quest Corporation to cross a telephone line. This line is authorized under a right-of-way MTM-79096.

**ALTERNATIVE 1 - NO ACTION:** Approval would not be granted to install the proposed stockwater pipeline across the public domain section.

**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:*

**Cultural:** The route of the proposed pipeline across BLM Managed lands was inventoried for cultural and paleontological resources on 06/11/2013. One isolated find and no cultural resource sites or paleontological localities were observed in the inventoried area (See BLM Cultural Resources Report MT-020-13-172). The

isolate is not eligible for listing on the National Register of Historic Places. The proposed pipeline crossing BLM managed lands would have no effect to cultural properties listed on or eligible for listing on the National Register of Historic Places.

Lands/Realty: Two rights of way are in the project area. WBI Energy Transmission, Inc. operates a 12” gas pipeline. It is authorized under Right-of-way MTM-00766. This gas pipeline is buried approximately 45” deep. WBI Energy Transmission, Inc. requests the stockwater pipeline be installed below the gas pipeline. WBI personnel must be onsite during installation when the stockwater pipeline crosses the gas pipeline. The second right-of-way is MTM-79096 and is authorized to Quest Corporation for a buried telephone line. The stockwater pipeline will cross this line. Project proponent has coordinated with Quest.

Grazing Administration: Grazing is authorized from March 1 to February 28 to facilitate a deferred rotation grazing system.

Livestock Grazing: The grazing lessee’s ability to implement a deferred rotation grazing system is limited. Reservoirs are the current water source, but are unreliable.

Soils: The soils in the project area have developed in colluvium and residuum derived from the Tongue River Member of the Tertiary Fort Union Formation. Lithology of these units consists light to dark yellow and tan siltstone and sandstones with coal seams in a matrix of shale. In some areas, the near-surface coals have burned, baking the surrounding rock, producing red, hard fragments. Differences in lithology have produced the topographic and geomorphic variations seen in the area. Higher ridges and hills are often protected by an erosion-resistant cap of clinker or sandstone. Slopes may be as much as 75 percent though are generally 12 to 25 percent.

Much of the area is covered by the Cambert-cherry-cabba silt loams. These soils are moderately deep, deep and shallow soils with predominantly moderate and slight potential erosion hazards.

Other soil complexes found in the project area are the Lamedeer-cabba-ringling complex and the Armells-cabbart-kirby complex. These units cover the steepest parts of the landscape and contain soils developed in clinker.

On a general basis soils have surface and subsurface textures of silt loam and fine sandy loam, and generally provide for productive rangelands but are easily eroded and compacted. Soils on steeper slopes have severe potential for erosion and as slope decreases, so does the potential for erosion. Generally soils have low surface organic matter content.

Vegetation: The Friez Allotment was assessed for the Standards for Rangeland Health in 1999. The assessment determined the Standards for Rangeland Health were being met. An interdisciplinary team visit again in 2012, confirmed that determination. The plant community is dominated by a grass and shrub component. Some parcels have a heavy tree component. Dominant species include western wheatgrass, prairie junegrass, blue gramma, needle and thread, green needlegrass, buffalograss, and bluebunch wheatgrass. The shrub and shrub-like components are dominated by fringed sage, Wyoming big sagebrush, and silver sagebrush. Tree species present are Rocky Mountain Juniper and Ponderosa Pine.

Wildlife: This allotment provides habitat for game species such as mule deer, pronghorn, and sharp-tailed grouse. The allotment is marginal habitat for sage grouse. Non-game species that would be expected to utilize this area include a variety of songbirds, raptors, and small mammals. T&E species or habitats do not

exist within this allotment. Several BLM avian Special Status Species would be expected to nest in this habitat. The majority of these species, as well as most other bird species occupying the area are protected via the Migratory Bird Treaty Act. None of the project area located on BLM administered land is designated as crucial winter range.

## **ENVIRONMENTAL IMPACTS:**

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

Cultural: The proposed action would not impact cultural resources. Unanticipated discoveries of cultural resources would be subject to the cultural resource requirements in the cooperative agreement for the project.

Lands/Realty: WBI Energy Transmission, Inc. must be onsite during installation of the stockwater pipeline when it crosses the gas pipeline to ensure the gas pipeline is not compromised in any way. The project applicant is coordinating with Quest to maintain the operation of the telephone line

Livestock Grazing: Additional water would facilitate the desired deferred rotation grazing system the operators are trying to implement. . See attached pasture rotation and pasture map.

Soils: Soil erosion from wind and water could occur during and shortly after project construction. Compaction of adjacent soils would occur due to equipment operation. Once construction is completed and vegetation is reestablished, erosion and compaction should return to natural conditions. Construction may run into problems not apparent at initial field inspection and may require modification of excavation techniques or lining of porous lenses and strata with impermeable material.

Vegetation: Implementation of the desired deferred rotation grazing system would increase the amount of growing season rest thereby improving the condition of the vegetative resource. See attached pasture rotation and pasture map.

Wildlife: Wildlife would be displaced during construction activities; however, diversity and distribution of wildlife would be expected to return to normal shortly thereafter. Overall, a deferred grazing system would be expected to improve habitat conditions for the majority of wildlife species in this area.

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

Livestock Grazing: Livestock would be split into smaller herds to balance with the available water. A deferred rotation grazing system would be implemented to the extent desired.

Vegetation: It is anticipated the Friez Allotment would continue to meet Health Standards; however, vegetative resource conditions would not reach the quality they would attain with the implementation of the desired grazing plan.

Wildlife: No changes to the existing conditions would occur.

## **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:**

**CONSULTATION/COORDINATION:**

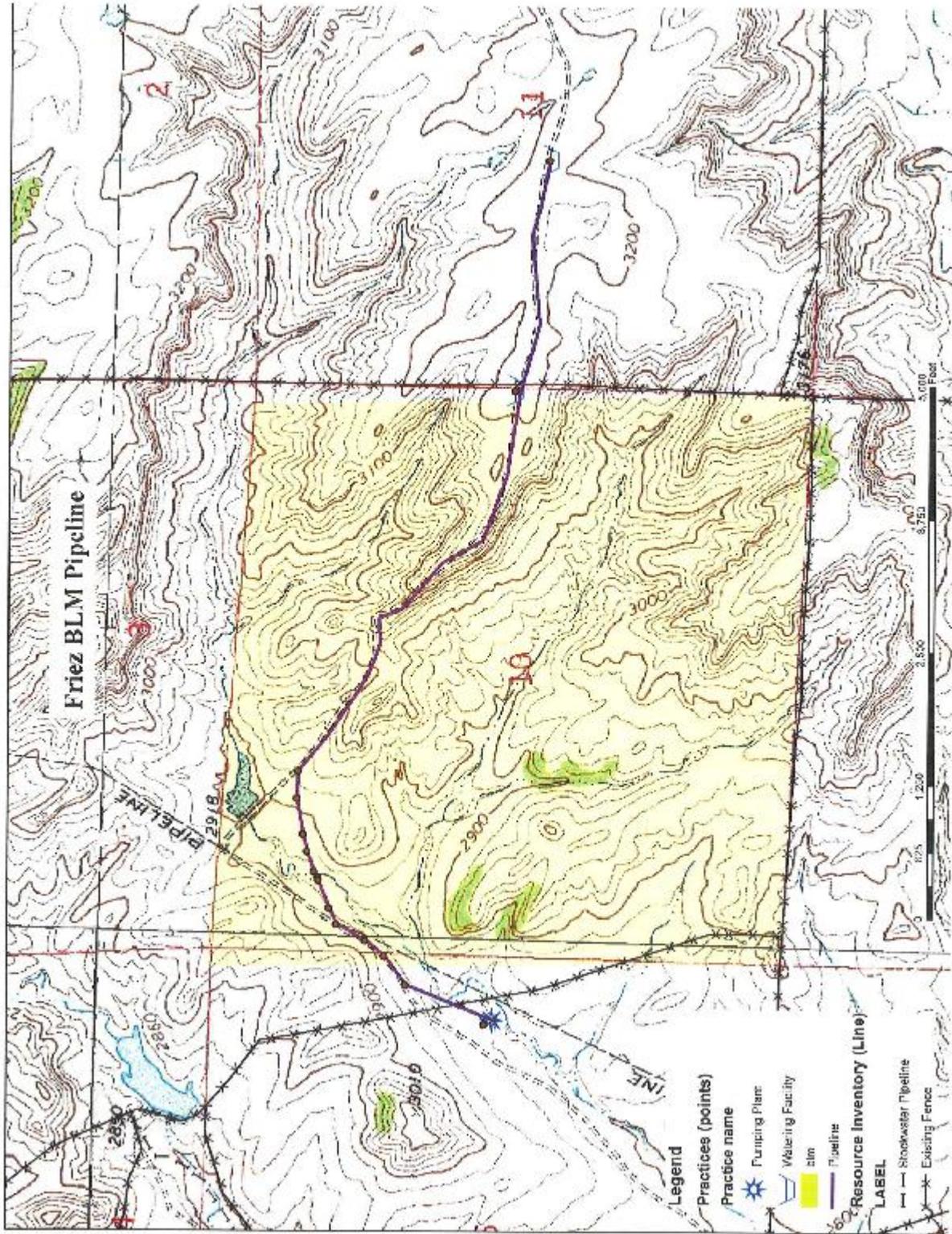
Sorenson Farms of Montana

**LIST OF PREPARERS:**

Dawn Doran, Rangeland Management Specialist

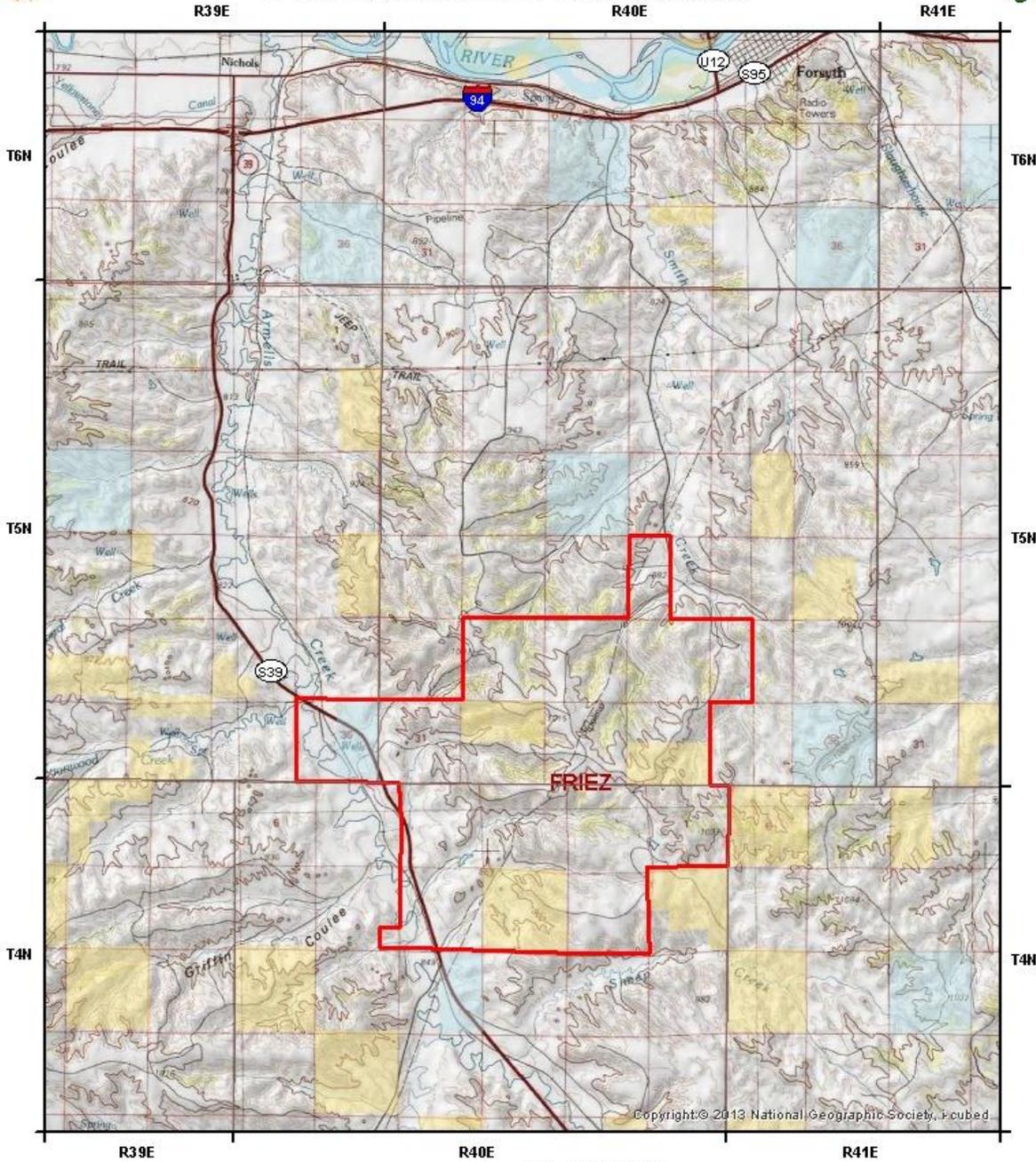
Dale Tribby, Lead Wildlife Biologist

Doug Melton, Archaeologist





# Friez Allotment No. 00036



### Legend

- Grazing Allotment Polygons
- BLM
- Private
- State
- Water

Date: 6/12/2013

No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.

1:100,000

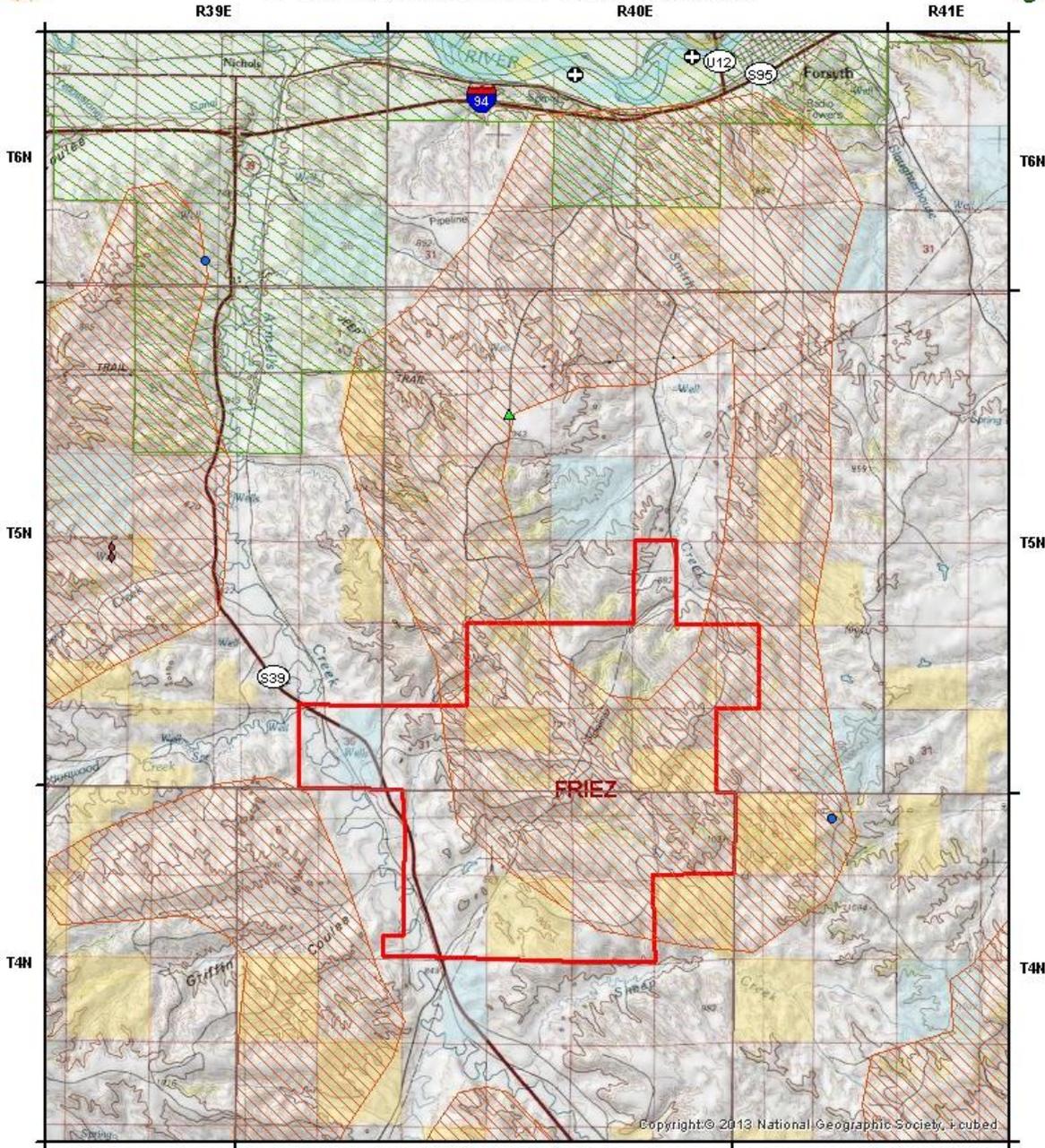


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BUREAU OF LAND MANAGEMENT  
MILES CITY FIELD OFFICE

**CAUTION:**  
Land ownership data is derived from less accurate data than the 1:24000 scale base map. Therefore, land ownership may not be shown for parcels smaller than 40 acres, and land ownership lines may have plotting errors due to source data.



# Friez Allotment No. 00036



- Legend**
- Sagegrouse\_LEKS
  - Sharp-shinGrouse\_LEK\_BLM-MCFO
  - RaportWesls\_BLM-MCFO
  - HeronRookeries
  - BLM
  - Private
  - State
  - Water
  - Mule Deer\_Winter Range
  - White Tail Deer\_Winter Range
  - Grazing Allotment Polygons

**R39E** **R40E** **R41E**

Date: 6/12/2013

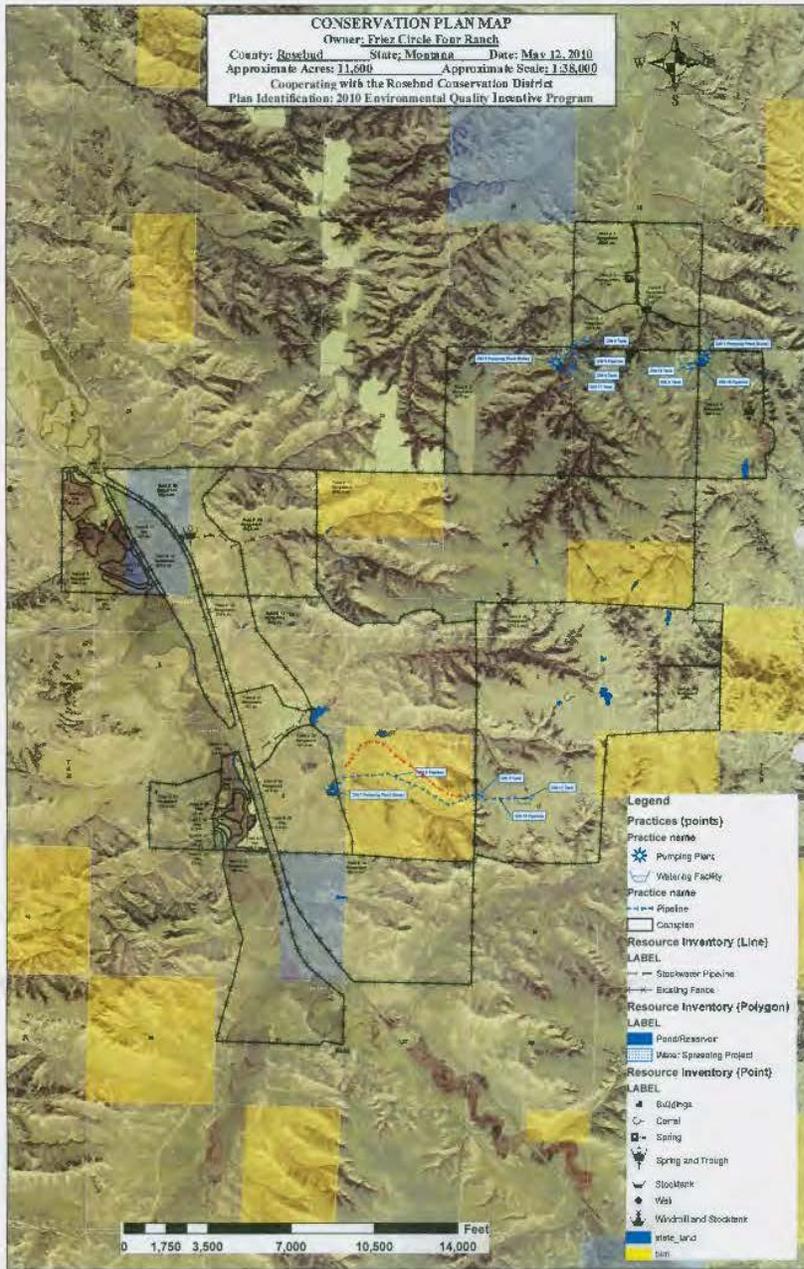
No warranty is made by the Bureau of Land Management for the use of the data for purposes not intended by the BLM.

1:100,000

0 0.25 0.5 1 1.5 Miles

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

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

**Friez Pipeline  
DOI-BLM-MT-C020-2013-0153-EA**

**BACKGROUND**

The origin of the environmental assessment was due to a request from the grazing lessee to construct a stockwater pipeline project across the public domain in Section 10, T. 4 N., R. 40 E.. The BLM grazing lessee is participating in an EQIP contract with the NRCS. Part of that contract is a prescribed grazing rotation. Successful implementation of a deferred rotation grazing system is dependent on reliable livestock water sources. The Friez Allotment was determined to be meeting the Standards for Rangeland Health in 1999 and confirmed by an interdisciplinary team in 2012.

**FINDING OF NO SIGNIFICANT IMPACT**

On the basis of the information contained in the EA (DOI-BLM-MT-C020-2013-0153-EA), and all other information available to me, it is my determination that:

- (1) The implementation of the Proposed Action or alternatives 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 is a site-specific action directly involving less than 2 acres of land administered by the BLM, which by itself does not have international, national, regional, or state-wide importance. The proposed action would occur in the Friez Allotment No. 00036, designated as available for livestock grazing in the Powder River 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 Powder River RMP.

Under the Proposed Action:

Authorize installation of approximately 6,530 feet of buried stockwater pipeline (1 ½ inch HDPE pipe) across the public domain in Section 10, T. 4 N., R. 40 E. Much of the route will follow an existing bladed road. See map. The pipeline will be trenched in and will be buried to a 6 foot depth. After the pipeline is laid, the trench will be backfilled. One stocktank, on the fenceline between Section 10 and Section 11, is planned for the public domain.

Timing restrictions from April 15 to July 15 will be imposed for the protection of migratory bird nesting and brood rearing activities.

The stockwater pipeline will cross two existing rights of way in the NW¼ of Section 10. The applicant has coordinated with WBI Energy Transmission Co. to cross a 12" gas pipeline, buried 45" deep. WBI Energy Transmission Co. must be onsite during installation of the stockwater pipeline when it crosses underneath the 12" gas pipeline. The location has been flagged. The applicant has also coordinated with Quest to cross a telephone line.

### **Intensity**

I have considered the potential intensity/severity of the impacts anticipated from the proposed action and all alternatives 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 (See EA Table 1, page 3). None of the effects are beyond the range of effects analyzed in the Powder River Resource Management Plan, 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. The proposed project would have no effect to cultural properties listed on or eligible for listing on the National Register of Historic Places (see report number listed in the EA). 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 or alternatives are similar to many other rangeland improvement projects implemented within the scope of the Powder River 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 Powder River 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 Powder River 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 (EA, page3).

**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.



7/5/2013

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Todd D. Yeager  
Field Manager  
Miles City Field Office

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Date



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

**DOI-BLM-MT-C020-2013-0153-EA**

**DECISION**

It is my decision to select the Proposed Action Alternative as described in the Friez Pipeline 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 a stockwater pipeline on public lands within the Friez Allotment No. 00036. All design features identified in the EA will be implemented. The selected alternative is in conformance with the Powder River Resource Management Plan, as amended.

**ALTERNATIVES**

In addition to the selected alternative, the EA considered 1 other alternative. Alternative 2 is the "No Action" alternative, and would carry out no management activities at this time.

**RATIONALE FOR SELECTION**

The purpose of the action is to create reliable water to provide for livestock grazing in a manner that will allow the allotment to continue to meet the Standards for Rangeland Health. The selected alternative would most effectively meet the purpose of the action. It would provide reliable water. The No Action Alternative would carry out no management actions thus not meeting the purpose and need of providing reliable water 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**

Sorenson Farms of Montana The Friez Pipeline EA was made available online via the Miles City Field Office NEPA log Friez Pipeline EA FONSI and Decision Record are approved, a Cooperative Range Improvement Agreement would be signed with the Cooperator for the stockwater pipeline. Once this Cooperative Range Improvement Agreement is 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).

**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.



7/5/2013

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Todd D. Yeager  
Field Manager  
Miles City Field Office

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Date