

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

DECISION RECORD
DOI-BLM-MT-C020-2016-0030-DNA
1/8/2016

Cottonwood Storage Tank
Range Improvement Project

Location: **Prairie County**
T. 13 N., R. 51 E. Section 4

U.S. Department of the Interior
Bureau of Land Management
Miles City Field Office
111 Garryowen Road
Miles City, MT 59301
Phone: 406-233-2800
FAX: 406-233-2921



**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MILES CITY FIELD OFFICE
DECISION RECORD
Cottonwood Storage Tank
DOI-BLM-MT-C020-2016-0016-DNA**

DECISION

It is my decision to authorize the installation of the Cottonwood Storage Tank as described in the proposed action of DNA **DOI-BLM-MT-C020-2016-0016**. The referenced EAs and the FONSI's analyzed the same proposed action and found no significant impacts. All design features identified in the EA will be implemented. The selected alternative is in conformance with the BLM 2015 Miles City Field Office Approved Resource Management Plan.

ALTERNATIVES

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

RATIONALE FOR SELECTION

The purpose of the action is to install a storage tank on an existing pipeline to ensure there is an adequate water supply to winter pastures in the Cottonwood Allotment (#01288). The pipeline was installed to enhance wildlife habitat with improved livestock distribution and utilization in three pastures. This action would aid the allotment in continuing to meet standards for rangeland health. The selected alternative would most effectively meet the purpose of the action ensuring a functional pipeline.

CONSULTATION AND COORDINATION

Patrick O'Neil, permittee of the Cottonwood Allotment (#01288), was consulted. The Cottonwood Storage Tank DNA was made available online via the Miles City Field Office NEPA log.

IMPLEMENTATION

After the Decision Record is signed by the Authorized Officer, a Cooperative Range Improvement Agreement would be signed with the cooperator and the storage tank would be installed.

ADMINISTRATIVE REVIEW OPPORTUNITIES

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:

Wendy M. Warren, Acting 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 (43 CFR 4160.3(a)). 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 and 43 CFR 4.471, pending final determination of an appeal. The BLM does not accept appeals by facsimile or email. 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, 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 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. 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.

/s/ Wendy M. Warren

Wendy M. Warren
Acting Field Manager
Miles City Field Office

1/8/2016

Date