

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

DOI-BLM-MT-C020-2016-0087-CX

March 23, 2016

TEMPORARY COURTNEY PIPELINE

Location: **Carter County**
T. 8 S. R. 62 E. Section 6
T. 7 S. R. 62 E. Section 31
T. 7 S. R. 61 E. Section 35 & 36

**U.S. Department of the Interior
Bureau of Land Management
Miles City Field Office
111 Garryowen Road
Miles City, MT 59301
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UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301

CATEGORICAL EXCLUSION REVIEW AND APPROVAL

A. Background

BLM Office: Miles City Field Office RIPS No: 016732

NEPA Number (if applicable): DOI-BLM-MT-C020-2016-0087-CX

Proposed Action Title/Type: Temporary above ground-Courtney Pipeline

Location of Proposed Action: Carter County - Township 8 S Range 62 E Section 6, Township 7 S, Range. 62 E, Section 31 and Township 7 S Range 61 E Section 35 & 36.

Description of Proposed Action: The proposed action is to authorize a temporary above ground pipeline approximately 2.5 miles in length and place one temporary tank on Bureau of Land Management (BLM) administered public lands. The temporary tank will be placed in section 35 next to a dam within the footprint of a dry reservoir.

This project is located in Township 8S, Range 62 E., Section 6, Township 7S, Range 62 E., Section 31, and Township 7S, Range 61 E in Section 35 & 36 in the West North Pasture of the Courtney Allotment (10232). The pipeline would connect to an existing private pipeline in Township 7S, Range 62 E., Section 8 NW ¼, and extend across BLM administered lands (Figure 1). The pipeline would lie above ground approximately 1.3 miles near a two-track before turning west/northwest for the remaining 1.2 miles.

The temporary pipeline is needed in the West North Pasture until the BLM can analyze installation of a permanent pipeline (Sections 6, 31, 35, & 36) Figure 1. It is expected that it will take two grazing seasons for the BLM to complete the analysis of the installation of a permanent pipeline.

Currently, only reservoirs in the extreme northwest and southwest corners are being used by livestock. This in turn has created heavy impacts to primary habitat for the greater sage grouse.

The goal of this project is to remove the heavy impact to nesting, brood rearing and winter habitat for greater sage grouse by dispersing the livestock usage to the east side of the pasture.

There would be no new ground disturbance with this proposed project.

B. Land Use Plan Conformance

Land Use Plan Name: Miles City Field Office ARMP, ROD
 Date Approved/Amended: September, 2015

Other document** Standards for Rangeland Health and Guidelines for Livestock Grazing for Montana, North Dakota and South Dakota, approved in 1997

This proposed action is in accordance with the BLM 2015 Miles City Field Office Approved Resource Management Plan (ARMP), The ARMP states on page 3-11, Livestock Grazing Authorization, MD LG 7 “Approximately 2,700,000 acres and an estimated 546,496 animal unit months (AUMs) are available for livestock grazing; and page 3-10, MD LG 2: “The BLM will follow the BLM’s 1997 Record of Decision for Standards for Rangeland Health and Guidelines for Livestock Grazing Management Final Environmental Impact Statement for Montana and North and South Dakota.”

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9E (18) for temporary placement of a pipeline above ground.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and, as documented below, none of the extraordinary circumstances described in 516 DM2 apply.

Extraordinary Circumstances		
The project would:		
1. Have significant impacts on public health or safety.		
Yes	No X	Rationale: <i>The project would not have significant impacts on public health and safety. JDD 3/23/2016</i>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No X	Rationale: <i>Impacts would not be significant as the proposed action is to cross public lands with less than 3.3 miles of a temporary 2.0” HDPE pipeline above ground. The pipeline would run from a tank on private land and cross public land and into a tank on public land, next to an existing stock dam (that is nearly dry) or into a tank on state land. There are no Wilderness Study Areas, Areas of Critical Environmental Concern, Monuments, and other areas with special designation involved with this proposal. The proposed action would not occur in a floodplain or</i>

		<i>wetland area. The act of authorizing less than 3.3 miles of an above ground pipeline would not affect migratory birds; the pipeline would connect an already existing pipeline and water tanks to new well on private. JDD 03/23/2016</i>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No X	Rationale: <i>No controversial environmental effects or unresolved conflicts. JDD 03/23/2016</i>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No X	Rationale: <i>No highly uncertain and potentially significant environmental effects or unique or unknown environmental risks. JDD 03/23/2016</i>
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No X	Rationale: <i>This action is not connected to another action that would require further environmental analysis nor will it set a precedent for future actions that would normally require environmental analysis. JDD 03/03/2016</i>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No X	Rationale: <i>This action does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. JDD 03/03/2016</i>
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		
Yes	No X	<p>Rationale: <i>Confirm that cultural surveys have been completed; the appropriate data bases have been reviewed; and appropriate concurrence from SHPO and tribes have been received indicating that significant impacts are not expected.</i></p> <p>The route of the proposed pipeline was examined for cultural and paleontological resources in November 2013 and June 2014. No vertebrate paleontological localities and no cultural sites were observed in the inventoried area. Four isolated finds were observed in 2013. None of the isolated finds are eligible for listing on the National Register (See BLM Cultural Resources Report MT-020-13-159, MT-020-14-166/MT-020-16-089). The proposed pipeline would have no effect to historic properties.</p> <p>DM 04/25/16</p>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
Yes	No X	Rationale: <i>Habitat does not exist for threatened or endangered species in the project area. FAP 04/14/2016</i>
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		

Yes	No X	Rationale: <i>No laws are being violated by this action. JDD 03/03/2016</i>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No X	Rationale: <i>Does not have a disproportionately high and adverse effect on low income or minority populations. JDD 03/03/2016</i>
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
Yes	No X	Rationale: <i>Consultation with tribes regarding Indian sacred sites must take place</i> The proposed action would not affect use or access to public lands. Inventory did not locate cultural sites. The Ethnographic Overview of Southeast Montana does not list any sites of concern in the vicinity of the proposed pipeline. DM 04/25/2016
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		
Yes	No X	Rationale: <i>The proposed action will not contribute to the introduction or spread of noxious weeds BSW 04/14/2016</i>

/s/ **Kathy Bockness**
Environmental Coordinator

5/17/2016
Date

I considered this proposed action for the above ground pipeline. It does not cause any significant impacts. Use of this CX is appropriate.

Administrative Review or Appeal Opportunities

This decision is not subject to administrative appeal.

D: Signature

/s/ **Wendy Warren**
Wendy Warren
Acting Field Manager
Miles City Field Office

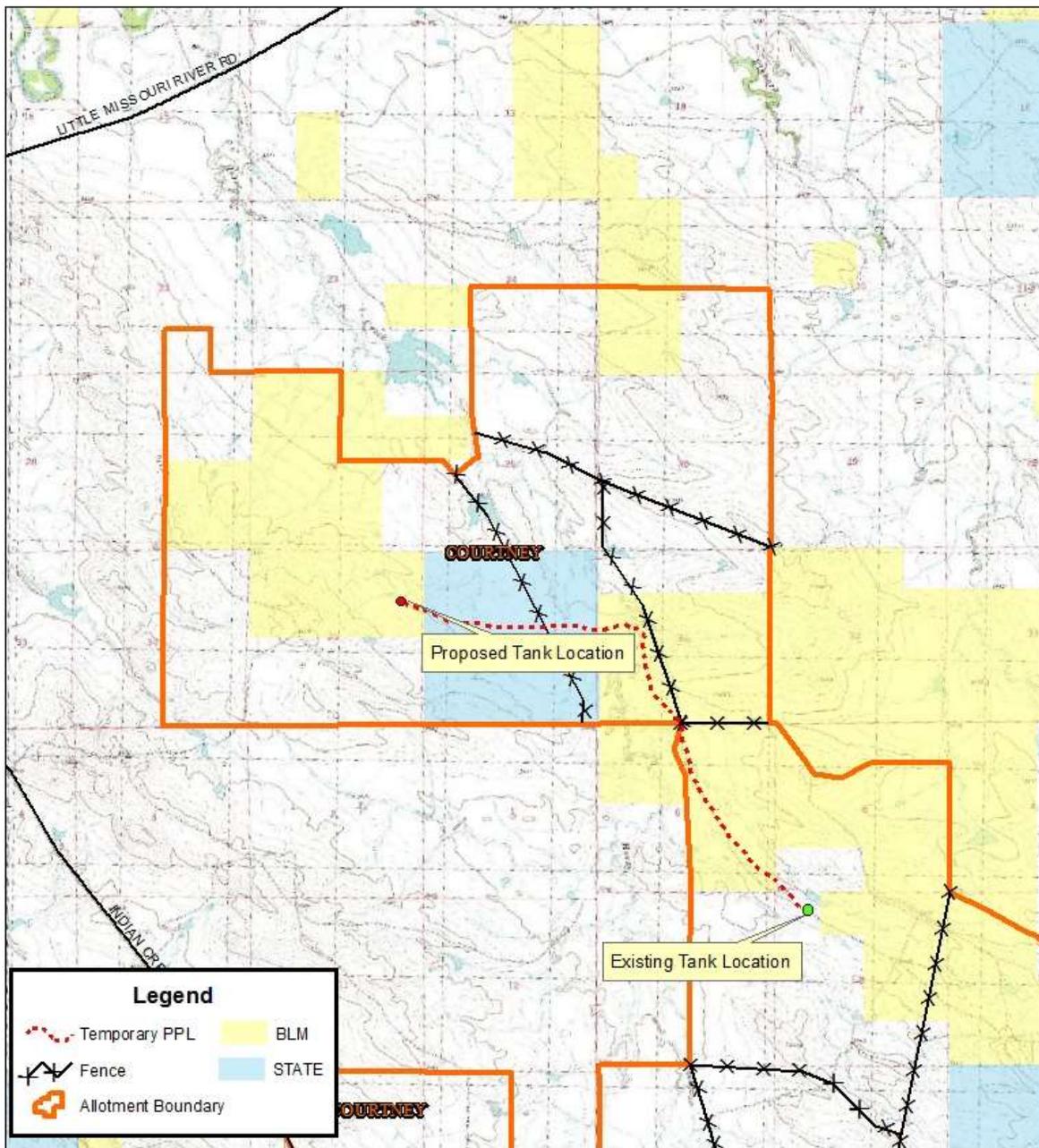
5/18/2016
Date

Contact Person

J. Dean Dolatta
Rangeland Management Specialist
Miles City Field Office, Miles City, Montana
406-233-2835



Figure 1. Courtney Temporary Pipeline Project



Legend

- Temporary PPL
- Fence
- Allotment Boundary
- BLM
- STATE

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

0 0.2 0.4 0.8 1.2 1.6 Miles

1:47,701

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 accurate data.

User Name: jolatta Date: 4/14/2016

