

DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION

NORTHEASTERN LAND OFFICE

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SEP 24 2004

DNRC - Trust Land Management Division

DNRC NELO



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HAVRE UNIT OFFICE
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HAVRE, MONTANA 59501-0868

STATE OF MONTANA

September 20, 2004

MEMORANDUM

TO: Becky Shepard, Office Manager, Northeastern Land Office
Clive Rooney, Area Manager, Northeastern Land Office

FR: Dan Dobler, Havre Unit Manager, Northeastern Land Office

RE: Anchor Ranch, Inc.
C/o Bill Robinson
Land Use License #3208
2" Buried Water Pipeline
Blaine County, Montana

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SEP 24 2004

RECEIVED D.N.R.C.

SEP 28 2004

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

I have an application for a land use license from Bill Robinson of Anchor Ranch, Inc. Bill Robinson is the state's surface lessee on this tract of state land. Enclosed you will find the land use license application with receipt number written at the top, a copy of the transaction set, a copy of the check for the application fee, a copy of the deposit record, a copy of the deposit receipt, and an Environmental Assessment Checklist. I have attached a GIS map that shows the approximate location of the proposed water pipeline. Please review the EA Checklist, sign and date it, and return an executed copy to the Havre Unit Office. Please forward a copy of the EA Checklist to ~~Connie Danks~~ in Helena, so that she may forward it to the Environmental Quality Council.

Bill Robinson is proposing to bury a 2" water pipeline across portions of the S2NW4, NE¼SW¼, Sec. 16, Twn. 26.0N, Rge. 19.0E. Bill would like to connect the pipeline to an existing water pipeline that crosses this tract of state land and ultimately delivers the main source of water to the ranch headquarters located in the NE¼SE¼ of this section. The pipeline will provide additional water for human and livestock use. The buried water pipeline will cross approximately 1,509 feet over this tract of state grazing land. I'm recommending that the Department issue Anchor Ranch, Inc., C/o Bill Robinson a land use license for a one-time rental fee of \$150 for the installation of a 2" plastic water pipeline across this tract of state land.

The following should give you all the information you need.

Applicant: Anchor Ranch, Inc.
C/o Bill Robinson
HCR 73, Box 12
Lloyd, MT 59535-9702

Description: S2NW4, NE¼SW¼, Sec. 16, Twn. 26.0N, Rge. 19.0E
Blaine County, Montana

Rental: One-time rental of \$150

Duration: September 20, 2004 through February 28, 2015

Activity: The purpose of this LUL is for the installation of a 2" plastic water pipeline to provide additional water to an existing water pipeline that delivers the only source of water for the Anchor Ranch, Inc. headquarters.

Anchor Ranch, Inc.
C/o Bill Robinson
Land Use License #3208
Buried 2" Water Pipeline
Blaine County, Montana
Page 2

Stipulations:

The topsoil removed for the pipeline trench must be located upslope and used for covering the subsoil. Subsoil and excessive dirt must be located down-slope from the project and used first for fill to cover the pipeline.

Motorized vehicle use will only occur on dry or frozen ground. No activities will be allowed during muddy conditions.

No vehicle oil changes or petroleum disposal shall occur on the state land.

There will be no off road traffic other than that necessary to accomplish the pipeline installation.

Licensee shall not conduct any type of road construction activities without prior approval from the Havre Unit Office.

All refuse and garbage generated from the licensed activity will be removed from state land and properly disposed of.

The licensee shall be responsible for controlling any noxious weeds introduced by the licensee's activity on the state land and shall prevent or eradicate the spread of those noxious weeds onto deeded land adjoining the premises.

The licensee shall be responsible for controlling all annual weeds along the pipeline route across this tract of state grazing land.

All disturbed areas shall be seeded with State of Montana Certified or Registered seed. The seed mixture shall be planted in the amounts specified in pounds of pure live seed per acre (PLS/acre). The seed mixture shall consist of 4 lbs. PLS/acre 'Rosana' western wheatgrass, 4 lbs. PLS/acre 'Pryor' slender wheatgrass, 4 lbs. PLS/acre 'Lodorm' green needlegrass, and 1 lb. PLS/acre yellow sweetclover (seed poundage is to be doubled if area is broadcast seeded). The seeding will be repeated until a satisfactory stand is established as determined by the Havre Unit Office.

Enclosures

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Spring Development – (Improvement to State L#7123) & Water Pipeline – (LUL#3208)	Proposed Implementation Date: September 25, 2004
Proponent: Anchor Ranch, Inc., C/o Bill Robinson, HCR 73, Box 12, Lloyd, MT 59535-9702	
Type and Purpose of Action: The proponent would like to develop a spring and install a pipeline across the state land to connect to an existing water pipeline to provide additional water at his house and for his outbuildings for livestock use on his deeded land.	
Location: S½NW¼, NE¼SW¼, Sec. 16, T26N, R19E	County: Blaine County, Montana

I. PROJECT DEVELOPMENT

<p>1. PUBLIC INVOLVEMENT, AGENCIES, AND GROUPS OR INDIVIDUALS CONTACTED: Provide a brief chronology of the scoping and ongoing involvement for this project.</p>	<p>The Montana Department of Natural Resources and Conservation was contacted by the proponent for permission to develop a spring and install a water pipeline across the state land to provide additional water at his house and outbuildings for his livestock. The proponent will connect the pipeline to an existing water pipeline to provide additional water during times of low flow from an existing spring and drought. The Havre Unit Manager for the Montana DNRC has inspected the area of the proposed spring development and pipeline route and has no special concerns for this project.</p>
<p>2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:</p>	<p>The Montana DNRC is the only governmental agency that has jurisdiction for this type of project on School Trust Lands. The proponent is the surface lessee on this tract of School Trust land and will have to obtain permission from the Montana DNRC, prior to installing these improvements on the state land. The proponent will need to get a land use license from the Montana DNRC for the water pipeline across this tract.</p>
<p>3. ALTERNATIVES CONSIDERED:</p>	<p>Action Alternative: The Montana DNRC will consider the potential long-term impacts that this type of activity will have on the native grazing land. The Havre Unit Office will grant the lessee permission to develop a spring and install a water pipeline across this tract of state land.</p> <p>No Action Alternative: The Montana DNRC will not allow the proponent to develop a spring and install a water pipeline across this tract of state land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

RESOURCE	POTENTIAL IMPACTS
<p>4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactable or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations?</p>	<p>Action Alternative: The soils on this tract of native grazing land will be disturbed with this type of activity. The pipeline will be buried approximately six feet below the surface using a backhoe. These soils may experience some erosion if the area has intense thunderstorms until surrounding vegetation can reclaim this area. Mitigation measures will be used to maintain topsoil for capping the excavated dirt.</p> <p>No Action Alternative: The soils on this tract of state land will not be disturbed. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>5. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Are there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?</p>	<p>Action Alternative: The water quality in this area will be improved with the addition of another spring development. The water quality standards will not be altered in this area. Water quantity and distribution will be increased to benefit the proponent by providing additional water to his house and outbuildings for livestock water. This project will not degrade water quality in this area. There will be no impact on drinking water maximum contaminant levels with this type of project.</p> <p>No Action Alternative: The water quality, quantity, and distribution will not be impacted on this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>6. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I air shed)?</p>	<p>Action Alternative: Air quality will not be impacted with this type of activity. No pollutants or particulates will be produced with the development of a spring and the installation of a water pipeline on this tract of state land. This project is not influenced by air quality regulations or zones.</p> <p>No Action Alternative: The air quality currently found on this tract of state land will not be altered. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

<p>7. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present?</p>	<p>The vegetative communities found on the native rangeland include the following plant species: western wheatgrass (<i>Agropyron smithii</i>), needle-and-thread (<i>Stipa comata</i>), blue grama, (<i>Bouteloua gracilis</i>), green needlegrass (<i>Stipa viridula</i>), sedges (<i>Carex spp.</i>), prairie junegrass (<i>Koeleria pyramidata</i>), sandberg bluegrass (<i>Poa secunda</i>), cudweed sagewort (<i>Artemisia ludoviciana</i>), fringed sagewort (<i>Artemisia frigida</i>), dense clubmoss (<i>Selaginella densa</i>), big sagebrush (<i>Artemisia tridentata</i>), silver sagebrush (<i>Artemisia cana</i>) and Ponderosa pine (<i>Pinus ponderosa</i>).</p> <p>Action Alternative: The vegetative communities in the immediate area of the proposed disturbance will be temporarily altered with this type of project. However, if the proponent follows the mitigation measures outlined in the land use license, there will be a minimal disturbance. Reclamation efforts will ensure that all vegetative communities that are disturbed will be reclaimed to their natural state. The reclamation plan will provide erosion protection, support for the surrounding habitat types, and the return of the grazing land to its native potential.</p> <p>No Action Alternative: The native vegetation cover, quantity, and quality will not be altered on this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>Action Alternative: Antelope, mule deer, whitetail deer, upland birds, and songbirds often frequent this area. This project will not influence wildlife movement in this area. Wildlife habitat found in the immediate area of disturbance will not be impacted with the installation of a water pipeline. The disturbance will be minimal and the reclamation plan will ensure that the vegetative communities are restored to their natural status. Construction activities may temporarily displace some wildlife species found in this area. Wildlife species will not be permanently relocated with this type of activity. Wildlife species will return to normal activities once the spring development and water pipeline project has been completed.</p> <p>No Action Alternative: The terrestrial and avian life and their habitats associated with this tract of state land will not be impacted. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

9. **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:** Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Sensitive Species or Species of special concern?

Action Alternative: The proposed spring development and water pipeline will have a minimal impact on the unique, endangered, fragile, and limited environmental resources present in this area. There are no wetlands located in the area of disturbance. No sensitive species or species of special concern will be threatened by this project. Listed, threatened, or endangered species will be able to migrate through this area with minimal impact. There is no confirmed use of this area by threatened and endangered species. However, the potential of occasional use does exist.

No Action Alternative: Unique, endangered, fragile or limited environmental resources will not be negatively impacted on this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.

10. **HISTORICAL AND ARCHAEOLOGICAL SITES:** Are any historical, archaeological or pale ontological resources present?

Action Alternative: The Montana DNRC has conducted a cultural survey in the area of the proposed spring development and water pipeline. No cultural or archaeological resources were found in the area of the proposed disturbance. If cultural resources are discovered at any time during the construction of the spring development or the installation of the pipeline, the proponent will cease all activity and contact the MT DNRC's, Havre Unit Office.

No Action Alternative: There are no known historical and archaeological resources present in the area of the proposed disturbance. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

<p>11. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?</p>	<p>Action Alternative: The proposed project is not located on a prominent topographic feature. The proposed spring development and pipeline will not be visible to the public. The project is located approximately 41 miles south of Chinook, Montana in Blaine County. This tract of state land is used primarily for livestock grazing purposes and wildlife habitat. Developing a spring and burying a water pipeline may create some excessive noise in this area, during the installation process. However, once the pipeline is buried it will not create any excessive noise or light disturbances. The aesthetic character found on this tract of state land will not be diminished.</p> <p>No Action Alternative: The aesthetics currently found on this tract of native grazing land will not be altered. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?</p>	<p>Action Alternative: This project will demand the environmental resource of water to be used by the proponent's family and his livestock. There will be a small portion of land disturbed to develop the spring and to bury the pipeline. There will be no other demands on the environmental resources air or energy.</p> <p>No Action Alternative: There will be no additional demands on the environmental resources that are currently found on this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: Are there other studies, plans or projects on this tract?</p>	<p>Action Alternative: The Montana DNRC will continue to evaluate this tract of School Trust Land every ten years to monitor grazing management activities, set stocking rates, and to determine range trend on this tract of native grazing land.</p> <p>No Action Alternative: The project will not impact other studies, plans, or projects that the Montana DNRC may have for this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES
<p>14. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?</p>	<p>Action Alternative: The lessee understands the risks associated with the installation of a water pipeline and developing a spring. Anchor Ranch, Inc. assumes the risk for this type project as an occupational hazard</p> <p>No Action Alternative: The project will not add to the health and human safety risks found in this area. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?</p>	<p>Action Alternative: This project will not alter the long-term productivity of the grazing land. The project will provide Anchor Ranch, Inc. will reliable water at the ranch headquarters and for livestock at the main set of corrals. The industrial and grazing activities currently taking place on the state land will not be altered.</p> <p>No Action Alternative: The project will not have any impact on the industrial or livestock grazing activities that are currently taking place on this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.</p>	<p>Action Alternative: The project will not create, move, or eliminate jobs within the surrounding area. The quantity and distribution of employment will not be impacted.</p> <p>No Action Alternative: The project will not impact the quantity and distribution of employment in this area. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>17. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?</p>	<p>Action Alternative: The project will not create or eliminate tax revenue in Blaine County. The local and state tax base will not change as a result of this project.</p> <p>No Action Alternative: The project will have no impacts on the local and state tax base or tax revenues within Blaine County. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

<p>18. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?</p>	<p>Action Alternative: The project will not add substantial traffic to any of the existing roads on this tract of state land. There will be no demand for any government services with the installation of a water pipeline and a spring development on this tract of state land.</p> <p>No Action Alternative: This project will not create a demand for any government services. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?</p>	<p>Action Alternative: There are no locally adopted environmental plans or goals for the proposed activity of installing a water pipeline and developing a spring on grazing land. The Montana DNRC will continue to monitor this tract of state land every ten years for grazing management and natural gas development purposes.</p> <p>No Action Alternative: There are no locally adopted environmental plans or goals for this tract of state land other than the DNRC's current management. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?</p>	<p>Action Alternative: This tract of state land does have a perfected legal access provided by a county road that is considered open for recreational purposes by the Montana DNRC. Recreational activities will continue to take place on this tract of state land. This project will not influence any recreational areas nearby.</p> <p>No Action Alternative: Hunting and hiking will continue to be the main recreational activities that will occur on this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?</p>	<p>Action Alternative: This project will not impact the density and distribution of population and housing in this area. This area consists primarily of remote ranching families.</p> <p>No Action Alternative: The project will not add to the population or require additional housing. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

<p>22. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?</p>	<p>Action Alternative: The native and traditional lifestyles in this area will not be impacted by this project. Anchor Ranch, Inc. is dependent upon water for their ranch headquarters and for their livestock. The social structures and mores will not be impacted by installing a water pipeline and developing a spring to provide additional water to the ranch headquarters.</p> <p>No Action Alternative: The project will not impact the social structures and mores found in this area. This project is very important to the existence of Anchor Ranch, Inc.'s way of life and their livestock. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>
<p>23. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?</p>	<p>Action Alternative: The installation of a water pipeline and the development of one spring will not change the cultural uniqueness and/or the diversity of the people in this area. The proponent has the only family around for a three mile radius.</p> <p>No Action Alternative: The cultural uniqueness and diversity of the land and its people will not shift in anyway. The state land will continue to be used for livestock grazing and recreational purposes.</p>
<p>24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:</p>	<p>Action Alternative: The proponent is trying to improve water availability at the ranch headquarters and for livestock they manage. Developing a new water source will make his operation function better.</p> <p>No Action Alternative: The DNRC will continue to monitor this tract every ten years to evaluate grazing management practices on this tract of state land. The proponent will not be allowed to develop a spring for additional water for his house and outbuildings on his deeded land. The Montana DNRC will not issue Anchor Ranch, Inc. a land use license to bury a water pipeline across this tract of state land.</p>

EA Checklist Prepared By: Dan Dobler
Name

 Havre Unit Manager, NELO
Title


Signature

 September 17th, 2004
Date

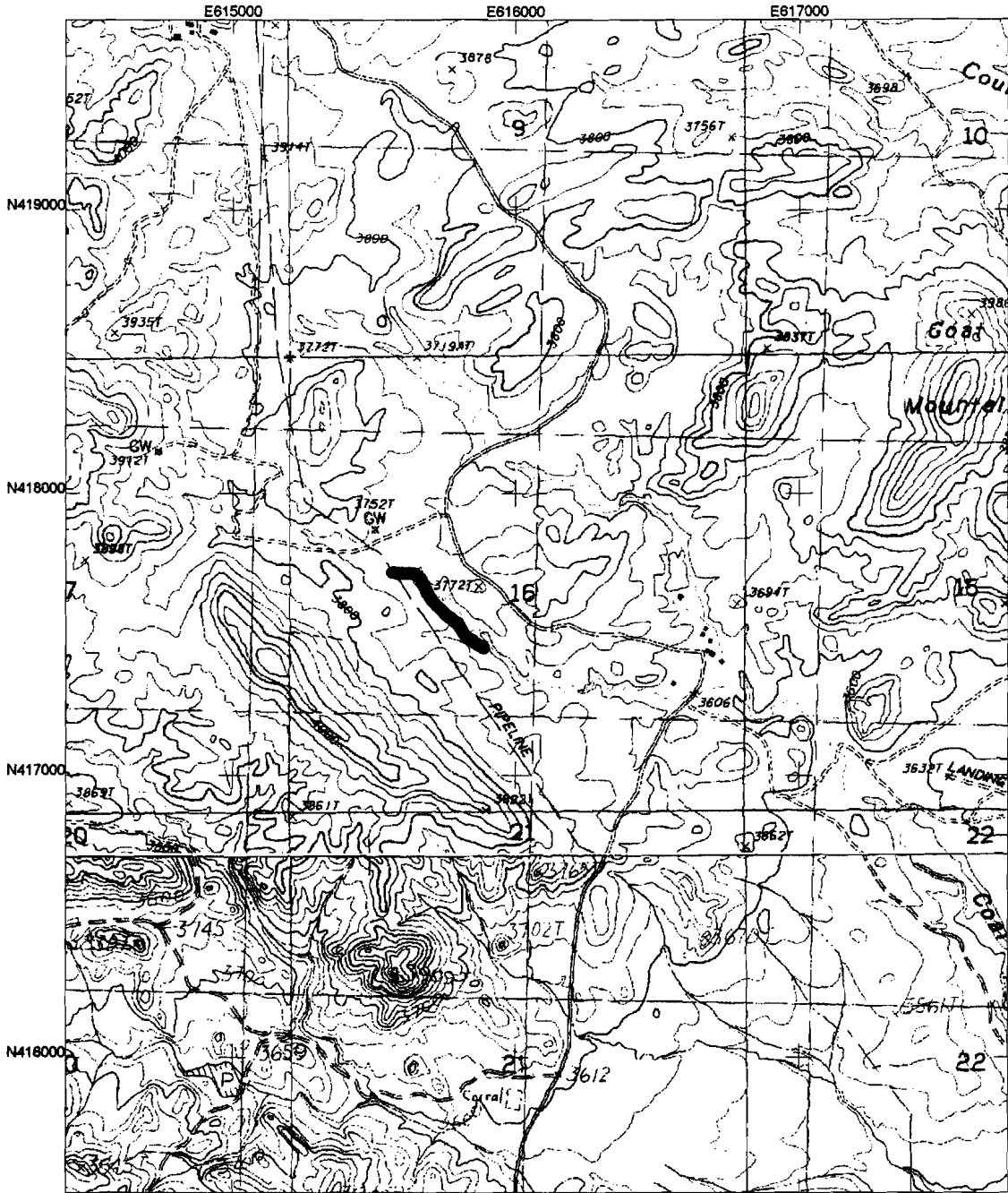
IV. FINDING	
25. ALTERNATIVE SELECTED:	Action
26. SIGNIFICANCE OF POTENTIAL IMPACTS:	N. S. I.
27. Need for Further Environmental Analysis:	
<input type="checkbox"/> EIS <input type="checkbox"/> More Detailed EA <input checked="" type="checkbox"/> No Further Analysis	

EA Checklist Approved By: Clive Rooney
Name

Area Manager, Northeastern Land Office
Title


Signature

9/23/4
Date



LUL#3208 - Water Pipeline (1,509 ft)

US State Plane 1983
 Montana 2500
 NAD 1983 (Conus)



Scale 1:24,000



Feet

D-LUL-3208.cor
 9/17/2004

GPS Pathfinder[®]Office
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