CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	**Michael R. Delaney Stockwater Pipeline**	**State Leases #7242, 2775**
Proposed Implementation Date:	October, 2011	
Proponent:	Michael R. Delaney– Lessee	
Location:	Sec 36, T17N, R23E	
County:	Fergus County	
Trust:	Common Schools	

I. TYPE AND PURPOSE OF ACTION

The proponent has requested permission to install a Stock Water Pipeline and Stock Water Tank on a tract of State Land in Fergus County Montana. There will be one tank placed on State Land. This project is part of an Natural Resources and Conservation Service (NRCS) Environmental Quality Incentives Program (EQIP) Plan to improve livestock distribution and range forage utilization.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

The Department of Natural Resources and Conservation (DNRC) Northeastern Land Office (NELO), Michael R. Delaney–Lessee and the Fergus/Petroleum County Natural Resources and Conservation Service (NRCS) are all involved with this project.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

The DNRC NELO has jurisdiction over this proposed project.

DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Under this alternative, the Department does not grant permission to install a Stock Water Pipeline and Stock Water Tank on Sec 36, T17N, R23E, a tract of State Land, in Fergus County Montana.

Alternative B (the Proposed Action) – Under this alternative, the Department does grant permission to install a Stock Water Pipeline and Stock Water Tank on Sec 36, T17N, R23E, a tract of State Land, in Fergus County Montana.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:
Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The soils on this site are mostly Clayey and Shallow Clay. There are no fragile, compactable or unstable soils in the proposed path of the pipeline. There are no unusual geologic features, or any special reclamation considerations.

No cumulative effects to the soils are anticipated.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:
Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

No important groundwater resources will be impacted by the proposed project.

No cumulative effects to the water resources are anticipated.

6. AIR QUALITY:
What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

The air quality in the area will not be affected.

No cumulative effects to air quality are anticipated.

7. VEGETATION COVER, QUANTITY AND QUALITY:
What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The proposed pipeline will cross native rangeland sites comprised of native short and mid grass species and native forbs. The area of disturbance will be relatively small and is expected to revegetate naturally. Reseeding and weed control are addressed in the Supplemental Lease Agreement (SLA).

There will be no changes to the vegetative community.

No rare plants or cover types are present.

No long term cumulative effects to vegetation are anticipated.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:
Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

The proposed action will not have any negative effect on existing wildlife species and/or wildlife habitat.

The area is not considered critical wildlife habitat.

No cumulative effects are anticipated.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:
Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A search of the Montana Natural Heritage Program for Species of Concern shows that four bird species of concern may be found in the proposed project area. The pipeline installation will be of short duration and is not expected to impact these bird species.

There are no known unique, endangered, fragile or limited environmental resources on this site.

No cumulative effects to habitat are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:
Identify and determine effects to historical, archaeological or paleontological resources.

The area of the proposed pipeline installation is native rangeland. An archeological survey of the proposed pipeline route found no historical, archeological, or paleontological resources.

Special stipulations in a Supplemental Lease Agreement (SLA) address the preservation of any new historical, archeological or paleontological resources if they are discovered during installation of the pipeline.

11. AESTHETICS:
Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

No direct or cumulative effects to aesthetics are anticipated.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:
Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No demands on limited resources are required for this project.

No direct or cumulative effects to environmental resources are anticipated.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:
List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There is a DNRC grazing lease associated with the surface of the State land where this project is proposed. Installation of the stock water pipeline and stock water tank will improve livestock distribution and improve utilization of the forage.

There are no other projects or plans being considered on the tracts listed in this EA Checklist.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:
Identify any health and safety risks posed by the project.

There will be some health and safety concerns associated with the operation of heavy equipment. The proponent and their employees are aware of any health and safety hazards and accept them as occupational hazards.

Once the installation has been completed, there will be no health and safety concerns associated with this project.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

This project will not add to or deter from other industrial, agricultural, or commercial activities in this area.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The project will not create any new jobs. These positions are already held by employees of the proponent. No cumulative effects to the employment market are anticipated.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:
Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

This project will not affect the tax base or tax revenues.

There are no direct or cumulative effects to taxes or revenue for the proposed project.

18. DEMAND FOR GOVERNMENT SERVICES:
Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

There will not be any increases in traffic or traffic patterns if this project is approved.

There will be no direct or cumulative effects on government services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:
List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

There are no zoning or other agency management plans affecting this project.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:
Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

There are no wildernesses or recreational areas nearby or access routes through this tract. There will be no negative effects on the limited recreational potential on this tract as a result of the proposed project.

There will be no direct or cumulative effects on recreation or wilderness activities.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing

The proposed project does not include any changes to housing or developments. Population and housing will not be effected.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:
Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:
How would the action affect any unique quality of the area?

The proposed project will have no effect on any unique quality of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:
Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The proposed project will result in better grazing management on this tract of State Land and the surrounding deeded land.

EA Checklist Prepared By:	**Name:**	Bill Creamer
	Title:	Land Use Specialist
Signature: /s/ Bill Creamer		**Date**: October 3, 2011

V. FINDING

25. ALTERNATIVE SELECTED:

I have selected the Proposed Alternative B, and recommend the proponent be granted permission to install a Stock Water Pipeline and Stock Water Tank on Sec 36, T17N, R23E, a tract of State Land, in Fergus County Montana.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

I have evaluated the potential environment effects and have determined that no negative long-term environmental impacts will result from the proposed activity.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

	EIS		More Detailed EA	**XXX**	No Further Analysis

EA Checklist Approved By:	**Name:**	Barny D. Smith
	Title:	Unit Manager, Northeastern Land Office
Signature: /s/ Barny D. Smith		**Date**: October 3, 2011

Animal Species of Concern

Species List Last Updated **07/19/2011**

4 Species of Concern
3 Potential Species of Concern
Filtered by the following criteria:
Township = 17 N Range = 23 E

MONTANA Natural Heritage Program

A program of the Montana State Library's Natural Resource Information System operated by the University of Montana.

Species of Concern

4 Species
Filtered by the following criteria:
Township = 17 N Range = 23 E

BIRDS (AVES)

4 SPECIES
FILTERED BY THE FOLLOWING CRITERIA:
TOWNSHIP = 17 N RANGE = 23 E

SCIENTIFIC NAME COMMON NAME TAXA SORT	FAMILY (SCIENTIFIC) FAMILY (COMMON)	GLOBAL RANK	STATE RANK	USFWS	USFS	BLM	CFWCS TIER ID	% OF GLOBAL BREEDING RANGE IN MT	% OF MT THAT IS BREEDING RANGE	HABITAT
Ammodramus bairdii Baird's Sparrow	**Emberizidae** Sparrows	G4	S3B			SENSITIVE	2	27%	67%	Grasslands
		Species verified in these Counties: Blaine, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Glacier, Hill, Lewis and Clark, Liberty, McCone, Meagher, Musselshell, Petroleum, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone								
Buteo regalis Ferruginous Hawk	**Accipitridae** Hawks / Kites / Eagles	G4	S3B			SENSITIVE	2	11%	95%	Sagebrush grassland
		Species verified in these Counties: Beaverhead, Blaine, Broadwater, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Gallatin, Garfield, Glacier, Golden Valley, Hill, Jefferson, Judith Basin, Lewis and Clark, Liberty, Madison, McCone, Meagher, Musselshell, Park, Petroleum, Phillips, Pondera, Powder River, Prairie, Roosevelt, Rosebud, Sheridan, Stillwater, Teton, Toole, Valley, Wheatland, Yellowstone								
Centrocercus urophasianus Greater Sage-Grouse	**Phasianidae** Upland Game Birds	G4	S2	C	SENSITIVE	SENSITIVE	1	17%	75%	Sagebrush
		Species verified in these Counties: Beaverhead, Big Horn, Blaine, Carbon, Carter, Chouteau, Custer, Dawson, Deer Lodge, Fallon, Fergus, Gallatin, Garfield, Golden Valley, Hill, Liberty, Madison, McCone, Meagher, Musselshell, Park, Petroleum, Phillips, Powder River, Prairie, Roosevelt, Rosebud, Silver Bow, Stillwater, Sweet Grass, Treasure, Valley, Wheatland, Wibaux, Yellowstone								
Numenius americanus Long-billed Curlew	**Scolopacidae** Sandpipers	G5	S3B			SENSITIVE	1	19%	100%	Grasslands
		Species verified in these Counties: Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Gallatin, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Madison, McCone, Meagher, Missoula, Musselshell, Petroleum, Phillips, Powder River, Powell, Prairie, Ravalli, Roosevelt, Rosebud, Sanders, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone								

United States Department of Agriculture
Natural Resources Conservation Service

MT-CPA-8
(Rev.) 2/2010

NRCS NEGATIVE FINDINGS REPORT

This form will be completed for surveys where no cultural properties (sites) were found. Completion of this form assumes that the surveyor has completed the NRCS National Cultural Resources Training and the inventory was conducted using enough 15-meter (50-foot) transects sufficient to cover the APE and any areas that could be affected by construction.

FIELD OFFICE: Winnett

COUNTY: Petroleum

TOWNSHIP–RANGE–SECTION–QUARTER: ?

STATE LAND: TOWNSHIP–RANGE–SECTION: T16N R24E S6,8,7,5 T17N R23E S 36 26

state section

ACRES:

FILE SEARCH RESULTS: none recorded in file search

CONTRACT#: (NOT REQUIRED) EQIP 2008 74032511056 PROGRAM: EQIP-SG1

PROJECT DESCRIPTION: LIST ALL M AND Y PRACTICES COVERED BY THIS REPORT

Exception Potential	PRACTICE NAME	CODE	CI #	~~*IF M CATEGORY EXCEPTION (1-4)~~	METHOD OF SURVEY AND WIDTH OF TRANSECT
Y	Pipeline	516	48,36,38,46,44,40,42		walked the pipeline route
Y	Water Facility	614	49,37,39,47,45,41,43		walked the pipeline route
1 Y	Pumping Facility	533	58		This is to replace old pump that is not sufficient HP

*M CATEGORY ATTACH FILE SEARCH MAP.
**Y CATEGORY ATTACH FILE SEARCH MAP AND USGS OR PLAN MAP AT 1:24,000 SCALE.

DATE OF INVENTORY: 7/7/2011 (Private lands) 9/6/2011 (State Lands

SURVEYOR'S NAME: Heather Richter (Bill Creamer - State Lands)

TRIBAL / ALLOTTED LAND: ☐ YES ☒ NO

IF YES, NOTIFICATION TO CULTURAL CONTACT: _____ _____
NAME DATE

DATE SENT TO AREA OFFICE: 9/19/2011 TO Joyce Trevithick

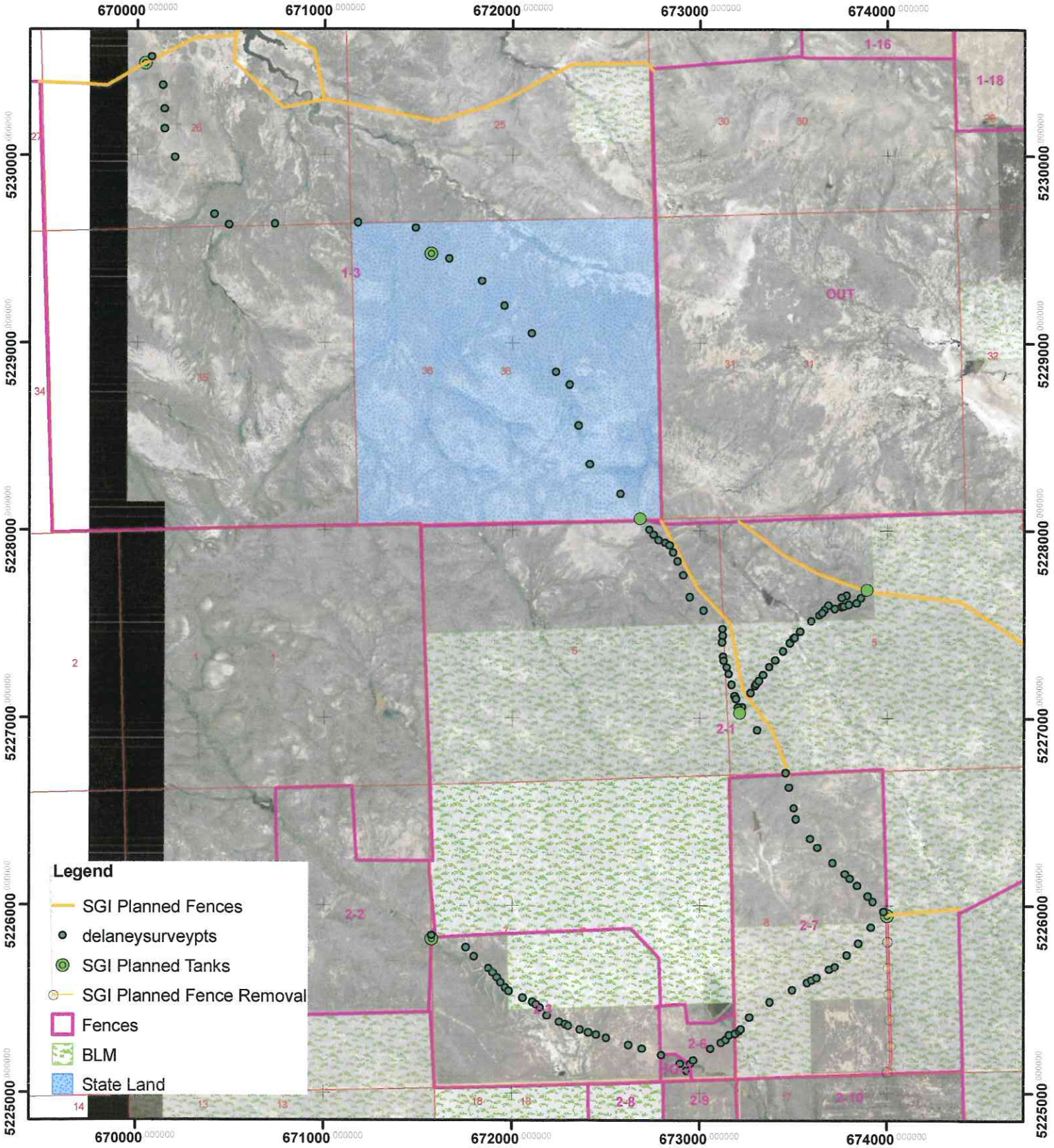
COMMENTS:

ATTACH COPY OF USGS 1:24,000 MAP

Customer(s): 44 RANCH INC
Date: 7/5/2011

Pipeline/Tank Survey Points and Planned Fences on BLM land - Harris Place

USDA-NRCS Winnett Field Office
Assisted By: HEATHER RICHTER

0 0.25 0.5 1 Miles

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