

Frequently Asked Questions

Ruby Pipeline Project: Supplemental Environmental Impact Statement

BACKGROUND

What is the Ruby Pipeline Project?

The Ruby Pipeline Project (Project) is a 42-inch diameter, 678 mile interstate natural gas pipeline that crosses 368 miles of Federal land beginning near Opal, Wyoming, extending through northern Utah and northern Nevada, and terminating near Malin, Oregon. The project, built by Ruby Pipeline, LLC (Ruby), also includes a 3-mile lateral pipeline, 4 compressor stations, 4 meter stations, and other related above ground facilities.

Environmental review of the Project was initiated in March 2008, and in January 2010, the Federal Energy Regulatory Commission (FERC) and eight Cooperating Agencies, including the Bureau of Land Management (BLM), released the Final Environmental Impact Statement (EIS) for the pipeline.

The Final EIS concluded that the construction and operation of the Ruby Pipeline Project would result in some adverse environmental impacts and that most of the adverse impacts would be reduced to less-than-significant levels through the implementation of mitigation measures and agency agreements.

The Ruby Pipeline Project was approved for construction by the FERC on April 5, 2010, and the Right-of-Way (ROW) Grant and Plan of Development were approved by a Record of Decision (ROD) issued by the BLM on July 12, 2010. BLM issued multiple Notices to Proceed (NTPs) for each pipeline segment after Ruby demonstrated that all conditions and stipulations had been met.

The pipeline went into service on July 28, 2011. The FERC and BLM will continue to closely monitor and evaluate restoration progress along the entire pipeline ROW for several years.

RECORD OF DECISION

What is the BLM's Decision?

The BLM's decision is to reissue the July 12, 2010 right-of-way, as previously amended, for the Project. The BLM will not require additional post-construction mitigation or changes to the right-of-way grant. All elements of the July 12, 2010 ROD and subsequent BLM decisions (see below) remain in full force and effect, including all stipulations, monitoring, and mitigation measures.

In making the decision, the BLM reviewed and carefully considered pertinent Federal laws, impacts identified in the Final EIS, Revised Biological Opinion and Final Supplemental EIS as well as input from agencies, Native American Tribes and the public.

How can I appeal the Record of Decision?

You have the right to appeal the BLM's decision. Instructions for filing an appeal of the decision are described in the ROD.

Where can I see a copy of the Record of Decision and Final Supplemental Environmental Impact Statement?

- Online, the ROD and Final Supplemental Environmental Impact Statement (SEIS) may be viewed at the BLM Ruby website:
http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html
- On the ePlanning NEPA Register: <http://on.doi.gov/10QtaTb>
- Hard copies are also available at the following BLM District and Field Offices:

U.S. Bureau of Land
Management
Kemmerer Field Office
312 Highway 189 N
Kemmerer, Wyoming

U.S. Bureau of Land
Management
Salt Lake Field Office
2370 South 2300 West
Salt Lake City, Utah

U.S. Bureau of Land
Management
Elko District Office
3900 E. Idaho Street
Elko, Nevada

U.S. Bureau of Land
Management
Winnemucca District Office
5100 E. Winnemucca Blvd.
Winnemucca, Nevada

U.S. Bureau of Land
Management
Lakeview District Office
1301 S. G Street
Lakeview, Oregon

U.S. Bureau of Land
Management
Klamath Falls Office
2795 Anderson Avenue,
Bldg. #25
Klamath Falls, Oregon

U.S. Bureau of Land
Management
Surprise Field Office
602 Cressler Street
Cedarville, California

- Hard copies will also be available for public viewing at libraries and other federal offices, see the BLM Ruby Project website (address above) for a list of these locations.
- The BLM has a limited number of digital copies of the ROD and Final SEIS on CD; you may request a CD of the ROD and Final SEIS through the BLM Ruby email and mail addresses below. Please be sure your address in your request.

SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

What is the Ruby Pipeline Project Supplemental Environmental Impact Statement?

The Final SEIS for the Ruby Pipeline Project was prepared by the BLM in response to a ruling from the Ninth Circuit Court of Appeals (case nos. 10-72356, 10-72552, 10-72762, 10-72768, and 10-72775). The ruling directed the BLM to undertake a revised cumulative effects analysis of the Ruby Pipeline Project Final EIS as it related to the cumulative loss of sagebrush steppe vegetation and habitat. The Final SEIS contains supplemental information about the original and present condition of the sagebrush steppe vegetation and habitat, and analyzes the cumulative impacts of the Ruby Pipeline Project based on the supplemental information and comments on the Draft SEIS from interested stakeholders. The Final SEIS tiers to and incorporates by reference the information and analyses contained in the Ruby Pipeline Project Final EIS.

The SEIS served as the foundation for the BLM's decision on whether to amend the BLM ROW grant and determine under what terms and conditions it would be granted. The BLM Nevada State Office was designated as the lead BLM office for the Ruby project.

What is a Supplemental Environmental Impact Statement?

A SEIS may be prepared if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. In this case, the BLM is preparing a SEIS specifically to collect additional information relevant to environmental concerns (e.g., cumulative loss of sagebrush steppe habitat). The environmental impact of the Ruby Project was first analyzed by the Federal Energy Regulatory Commission (FERC) in the Final EIS published on April 5, 2010. The Final EIS formed the basis of BLM's decision to approve construction of the pipeline and provide a right of way grant to Ruby Pipeline, LLC.

What are cumulative impacts?

Council on Environmental Quality regulations define cumulative effects as "... the impact on the environment which results from the incremental impacts of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions" (40 CFR 1508.7).

How was the public involved during the development of the Supplemental Environmental Impact Statement?

The public was first notified of the Draft SEIS effort on April 30, 2013 when the BLM and Environmental Protection Agency (EPA) published the "*Notice of Intent to Prepare a Draft Supplemental Environmental Impact Statement for the Ruby Pipeline Project*" in the **Federal Register** (78 FR 25301). In addition, the BLM Nevada State Office issued a press release and postcards notifying the public of this effort.

On July 5, 2013, the BLM and EPA published the "*Notice of Availability of the Draft Supplemental Environmental Impact Statement for the Ruby Pipeline Project*" in the **Federal Register** (78 FR 40496) announcing the availability of the Draft SEIS for public review and comment. In addition, the BLM issued a press release and sent post card notifications to the updated Project mailing list. The release of the Draft SEIS initiated a formal 45-day public comment period that ended on August 19, 2013. The public was encouraged to submit substantive comments via email, regular mail, and the ePlanning NEPA Register.

The BLM received 31 comment submissions on the Draft SEIS from the public, agencies, tribes, organizations, and businesses during the comment period. Substantive comments were considered during preparation of the Final SEIS. Appendix A of the Final SEIS summarizes the comments and the responses to those comments.

Publication and distribution of the ROD and public notification of the release of the Final SEIS was consistent with the approach used for the Draft SEIS.

RUBY PIPELINE PROJECT

How did this project get approved?

The FERC is responsible for authorizing interstate natural gas transmission facilities under the Natural Gas Act and was the lead Federal agency for the preparation of the Final EIS released in January 2010 in compliance with the requirements of the National Environmental Policy Act. BLM had the primary responsibility for issuing the ROW Grant and Temporary Use Permit (TUP) for the pipeline across all Federal lands pursuant to the Mineral Leasing Act of 1920. On April 5th, 2010 the FERC issued its Certificate of Public Convenience and Necessity for the Ruby Pipeline Project authorizing construction and operation of the pipeline.

On July 12, 2010 the BLM signed a ROD and ROW Grant for the Ruby Pipeline Project. The BLM Nevada State Director, as the designated Federal official, signed the ROD and authorized the ROW for the construction, operation, maintenance, and termination of the pipeline and associated facilities across lands under jurisdiction of the BLM, the US Forest Service, the US Bureau of Reclamation, and the US Fish and Wildlife Service in the four states involved in the pipeline project.

The public had an opportunity to participate in the development of the Ruby Pipeline Project EIS during public scoping meetings held during April and October of 2008 and during Draft EIS public meetings held during July of 2009. The public was also invited to submit comments in writing and via electronic means. The Final EIS was distributed to all interested members of the public and government agencies for review.

Where can I see a copy of the Final EIS and BLM's ROD?

The Final EIS is currently available to all interested parties. To view an electronic copy, log on to the FERC's Internet web site at: <http://www.ferc.gov/industries/gas/enviro/eis/2010/01-08-10.asp>.

A copy of the ROD is available at affected federal, state and local government agency offices. It is also available on the Internet at: http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html. The ROD includes the Decision, as well as stipulations, mitigations to resources, Ruby's Plan of Development, agreement documents, permits, and rental calculations.

The Final EIS and the ROD have also been placed in the public files of the BLM and U.S. Forest Service and are available for public inspection at the following agency locations.

U.S. Bureau of Land Management Wyoming State Office P.O. Box 1828 Cheyenne, Wyoming	U.S. Bureau of Land Management Elko District Office 3900 E. Idaho Street Elko, Nevada	U.S. Forest Service Fremont-Winema National Forests 1301 S. G Street Lakeview, Oregon
U.S. Bureau of Land Management Kemmerer Field Office 312 Highway 189 N Kemmerer, Wyoming	U.S. Bureau of Land Management Winnemucca District Office 5100 E. Winnemucca Blvd. Winnemucca, Nevada	U.S. Forest Service Intermountain Regional Office 324 25th Street Ogden, Utah
U.S. Bureau of Land Management Utah State Office 440 West 200 South, Suite 500 Salt Lake City, Utah	U.S. Bureau of Land Management Surprise Field Office 602 Cressler Street Cedarville, California	U.S. Forest Service Uinta-Wasatch-Cache National Forest Ogden Ranger District 507 25th Street, Ogden, Utah
U.S. Bureau of Land Management Salt Lake Field Office 2370 South 2300 West Salt Lake City, Utah	U.S. Bureau of Land Management Oregon State Office 333 SW First Avenue Portland, Oregon	Bureau of Reclamation Klamath Basin Area Office 6600 Washburn Way Klamath Falls, Oregon
U.S. Bureau of Land Management Klamath Falls Office 2795 Anderson Avenue, Bldg. #25 Klamath Falls, Oregon	U.S. Bureau of Land Management Lakeview District Office 1301 S. G Street Lakeview, Oregon	U.S. Bureau of Land Management Nevada State Office 1340 Financial Blvd. Reno, Nevada

What changes have been made to the ROD since the July 12, 2010 publication?

The ROW Grant and TUP for the Ruby Pipeline Route were amended four times. The first amendment (December 10, 2010) includes the Summit Lake Route Variance in Humboldt County, Nevada, and accepts the final Winter Construction Plan as Appendix V of Ruby's Plan of Development (POD). The second amendment (dated February 24, 2011) is for the Klamath County Reroute in Oregon. The third amendment (dated December 7, 2011) approves four above ground cathode sites and 15 roads to mainline valves. The fourth decision (dated July 27, 2012) amends the ROW Grant to include documents that reflect the final pipeline as built and the approval and inclusion of the Long Term Monitoring Plan in the POD.

In order for an amendment to be granted, the BLM conducted a formal review under the National Environmental Policy Act (NEPA) that compared the impacts analyzed in the Final EIS with the impacts that would result from proposed changes in routes and other changes from the original authorization. Because the impacts of the changes were similar to the FEIS analysis, BLM met its NEPA compliance responsibilities and was able to approve the amendments.

What do the signs mean along the ROW?

Signs have been posted by Ruby to improve chances of successful restoration of the disturbance associated with constructing the pipeline. Ruby has recontoured the ROW to blend into the surrounding terrain, installed erosion control devices, and has revegetated the ROW, temporary work spaces, and roads with a permanent plant cover consisting of native shrubs, grasses, and forbs with an emphasis on greater sage grouse and big game habitat. Use of off-highway vehicles in restored areas would be very destructive to ongoing restoration efforts. BLM and Ruby will be monitoring the restoration efforts.

Who can I contact for more information?

Questions about the BLM ROW Grant, TUP, and NTP processes for the Ruby Pipeline Project should be directed to Mark A. Mackiewicz, PMP, Senior National Project Manager, Bureau of Land Management at 435-636-3616 or 125 South 600 West, Price, UT 84501.

If you have questions about the FERC's EIS process or its process for issuing a Certificate of Public Convenience and Necessity, please contact Dave Swearingen at 202-502-6173 or david.swearingen@ferc.gov. You may also call the FERC's Office of External Affairs at 866-208-FERC (3372) or visit the project web site at: <http://www.ferc.gov>.

If you have questions about construction, location, employment, or any other details about the project, visit Ruby Pipeline's website www.kindermorgan.com/business/gas_pipelines/west/Ruby/.

For pipeline leaks, call Ruby Pipeline, LLC at 877-712-2288.