

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

**DOI-BLM-MT-C020-2016-0050-EA
January 11, 2016**

**BUTTE PIPELINE
REACTIVATION AMENDMENT**

Location: **Carter County, Montana
Fallon County, Montana
(See Attachment 1 for legal descriptions)**

U.S. Department of the Interior
Bureau of Land Management
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**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

ENVIRONMENTAL ASSESSMENT REVIEW

OFFICE/AREA: Miles City Field Office		DOI-BLM-MT-C020-2016-0050-EA	
		DATE ENTERED: 1/11/16	
NAME: Butte Pipe Line Reactivation Amendment		DATE DUE:	
		FUNDING: Applicant	
LOCATION: Carter County, Montana, PMM Fallon County, Montana, PMM (See attachment 1)		SERIAL #: MTM-108412	
ORIGINATOR DATE/INITIALS		TITLE	
ASSIGNMENT			
Beth Klempel		Realty Specialist	
		Project Coordinator and Lands and Realty	
REVIEWERS	TITLE	ASSIGNMENT	DATE/INITIALS
Kent Undlin	Wildlife Biologist	Wildlife/T&E	2/11/16 KU
Doug Melton	Archaeologist	Cultural/Paleo	04/25/16 DM Cultural Report MT-020-15-155
Drea Traeumer	Hydrologist	Water Resources/Riparian	4/22/2016 DET
Dena Lang	Outdoor Recreation Specialist	VRM/Recreation	3/14/2016 DJL
Brenda Witkowski	Natural Resource Specialist	Weeds	2/19/2016 BSW

/s/ Kathy Bockness
ENVIRONMENTAL COORDINATOR

6/13/2016
DATE

/s/ Christopher Morris
SUPERVISORY LAND USE SPECIALIST

6/13/2016
DATE

ENVIRONMENTAL ASSESSMENT

EA NUMBER: DOI-BLM-MT-C020-2016-0050-EA **Serial Number:** MTM-108412

PROPOSED ACTION/TITLE TYPE:

Butte Pipe Line Reactivation Amendment MTM-108412

LOCATION OF PROPOSED ACTION: See Attachment 1

PREPARING OFFICE: Miles City Field Office

APPLICANT: Butte Pipe Line Company
P. O. Box 2360
Casper, Wyoming 82602

DATE OF PREPARATION: January 11, 2016

CONFORMANCE WITH APPLICABLE LAND USE PLAN: This proposed action is in conformance with the BLM 2015 Miles City Approved Resource Management Plan (ARMP) which was approved in September, 2015. On page 2-8 the ARMP, “In all GRSG habitat, in undertaking BLM management actions, and, consistent with valid existing rights and applicable law, in authorizing third-party actions that result in habitat loss and degradation, the BLM will require and ensure mitigation that provides a net conversation gain to the species including accounting for any uncertainty associated with the effectiveness of such mitigation. This will be achieved by avoiding, minimizing, and compensating for impacts by applying beneficial mitigation actions. Furthermore on page 2-9 (Sage Grouse Habitat- Priority Habitat Management Areas) of the ARMP, it states; “PHMA is managed according to the following prescriptions: All applicable required design features are applied; and (if applicable) the activity is permissible under specific subregional screening criteria.” And on page 2-11 (GRSG Habitat- Restoration Areas), “Surface-disturbing and disruptive activities will be allowed with required design features to minimize disturbance to GRSG habitat.” The ARMP also addresses the application of the Greater sage-grouse Disturbance Cap (Appendix E, GRSG DIST-1) which states that “Habitat Degradation and Density of Energy and Mining will be evaluated under the Disturbance Cap and Density Cap respectively.....and will be considered during the NEPA process for projects authorized or undertaken by the BLM.” In 2014 maintenance of the Butte Pipeline right-of-way occurred which included habitat removal (blading) of the 50-foot right-of-way and negates application of the disturbance cap as direct disturbance of the subject area has already occurred. The proposed action includes pipeline repairs with no new disturbance to habitats in the Priority Habitat Management Area (PHMA) or the Restoration Habitat Management Areas (RHMA) of which the southern portion of the proposed action is within.

BACKGROUND: The Butte Pipeline (Butte) was originally constructed in the late 1950’s under the authority of the Mineral Leasing Act of February 25, 1920, as amended. The pipeline transported crude oil from Baker, Montana to Hulett, Wyoming. The right-of –way issued under this Act, provided the company the ability to completely replace the Butte Pipeline as a maintenance action in the late summer of 2014. The original Butte Pipeline remained in place and was purged

and removed from service in 2014, since the original right-of-way only provided for one pipeline in operation.

In 2012, Belle Fouche applied for a right-of-way grant for a new 122 miles pipeline (Thunderbird Pipeline,) from Baker, MT to Hulett, WY. This application was put on hold until the ARMP was approved. This right-of-way requested a 100ft wide right-of-way along the existing Butte Pipeline however the construction corridor would have doubled the surface disturbance on BLM, including new disturbance. With right-of-way MTM-108412_approval Butte would use the existing right-of-way corridor (50ft) to repair and reactivation the original line and Belle Fouche would withdraw it pending right-of-way application. In lieu of greater sage-grouse habitat conservation and in addressing the need of greater capacity for oil delivery, Butte believes that the Original Butte Pipeline could be safely restored to service in full compliance with all applicable laws, standards and regulations; thus eliminating the need for construction of the Thunderbird Pipeline.

Butte Pipeline submitted a SF-299 Application and Plan of Development (POD) on August 24, 2015 to repair and reactivate the Original Butte Pipeline. BLM approved this action under a Categorical Exclusion (CX) and issued Butte Pipeline Company a ROW grant (MTM0-108412) on October 26, 2015. As stated in their POD the company had until December 1, 2015 to complete all construction activities. This date was established to minimize the disturbance to wildlife and greater sage grouse habitat. Butte was unable to start and complete the project before December 1, 2015; therefore the company was required to amend their construction timing in the POD. This EA will analyze the impacts based on the new construction time line.

PURPOSE AND NEED: Butte proposes to amend the construction timeline in repairing the Original Butte Pipeline. The Plan of Development (POD) submitted on August 24, 2015 stated, "Once approved, Butte will initiate construction and complete all construction related activity prior to December 1, 2015." Since Butte was unable to meet that timeframe, an amended POD was submitted on January 28, 2016 with a construction timeframe from August 1, 2016 to December 1, 2016. The POD is tied to their ROW grant MTM-108412 to repair, restore, maintain and reactivate the Original Butte Pipeline to service. All repairs and operations would still occur within the recently (2014) disturbed Butte Pipeline right-of-way corridor (50 ft). Therefore, no new surface disturbances would occur on BLM lands.

BLM needs to analyze the impacts of repairing the pipeline between August 1, 2016 and December 1, 2016 before approving the project.

PROPOSED ACTION: Butte proposed to repair and reactivate the Original 16" Butte Pipeline to service; the ROW grant for this authorization has been approved with a time line for completion by 12/31/2015. Butte was unable to meet that original time restriction. The construction time line for completing the repairs on the pipeline is now between August 1, 2016 and December 1, 2016. The right-of-way (ROW) MTM-108412 grant would remain 50 feet wide, 155,165.25 feet long, and consist of 177.8 acres, more or less.

Butte has conducted integrity testing of the entire 122 miles of this pipeline and determined 133 locations would need maintenance or upgrades in order to ensure operational integrity of the pipeline once it is reactivated. Repairs would vary from simple above ground valve replacement to replacement of buried pipeline segments. Each repair location described would be addressed in the following manner. First, topsoil would be stripped, segregated and stockpiled for site reclamation. Subsoil would

be excavated from the trench exposing the section in need of repair. The damaged pipe segment would be removed, replaced and recoated. Once the pipe segment is repaired, the site would be backfilled, compacted and topsoil would be evenly distributed over the area of disturbance. Butte would utilize a variable number of construction spreads depending on project startup date, with each spread consisting of but not limited to, two excavators, 4 support pickups, 2 welding trucks, rubber tire backhoe and a pipe trailer.

In order to minimize soil loss as a result of storm runoff, Butte will install Best Management Practices (BMP) in order to stabilize disturbed areas until final reclamation stabilization is achieved. The following, but not limited to, BMP's will be utilized on a site specific basis for this project: silt fence, straw wattles, water bars, mulch, and matting. BMP's will be installed and maintained per BLM Gold Book standards and as outlined in the project specific Montana Department of Environmental Quality Storm Water Pollution Prevention Plan.

On gentle to moderate slopes, soil compaction would be alleviated by tilling the subsoil prior to respreading the topsoil. On steep slopes no decompaction would occur or only surface scarifying would be performed, as appropriate. Tilling would occur along the slope contours and not up and down the slope, which would create soil rills and exacerbate soil erosion. Temporary slope breakers would be installed on all disturbed areas as necessary to avoid excessive erosion. Temporary slope breakers would be installed on slopes greater than 5 percent where the base of the slope is less than 50 feet from the wetland.

Construction related disturbance would be limited to short, site specific repair areas, with the longest section to be repaired on BLM surface being 190 feet and the average being 74 feet in length. Butte is proposing to complete the repairs between August 1, 2016 and December 1, 2016. This would allow Butte a 4 month time frame to repair the pipeline; however in order to minimize impacts on greater sage grouse within the project area, Butte is committed to expediting completion of the ground disturbance of the project. Once construction efforts are initiated, Butte would continue construction with due diligence until complete.

All construction related activity would occur within the recently disturbed right of way associated with the 2014 Butte Replacement project. No temporary work areas would be needed in order to complete the necessary repairs on the existing pipeline. Butte would utilize existing roads located on private surface and the existing Butte Pipeline right-of-way to access the sites requiring repairs and upgrades. All construction related activity would occur within the existing right of way with no additional workspace required. Butte would not construct additional access routes on BLM surface as part of this project. All construction equipment and vehicles would be confined to the existing right-of-way disturbance.

If this construction timeline is approved, Butte is committed to ensuring the protection of sage grouse and associated habitats as well as minimizing impacts to all species through project timing and minimizing surface disturbance. These protection methods would be completed through the mitigation measures and compensation.

The reclamation efforts for this project would be based on the ecological site descriptions and soil types, which would aid in determining seed mixes, proper seedbed prep, and monitoring to make

sure re-vegetation is successful. Depending on specific environmental conditions and associated ESD's, a seed mix would be determined. Seed mixes may be tailored based on site specific environmental condition and plant community composition, such as a wetland area. Seeding would take place in the fall before the ground freezes, however if conditions become unfavorable, seeding would take place the following spring as soon as soil temperatures allow.

The seed mixes are chosen for each of the four primary ESD's the project area falls within. Each seed mix is specific to that ecological site based on the historical climax plant community (HCPC) found within the ecological site description to ensure that a diverse and durable plant community will be established. All species and recommended seeding rates were identified using Montana NRCS-Seeding Rates for Conservation Species for Montana (September 2013). Graminoids and forbs would be drilled according to the rates identified below. Based on recommendations outlined in USDA NRCS Plant Materials Technical Note Number MT-68, Wyoming big sagebrush would be broadcasted at a rate of 0.2 to 0.5 lbs. per acre of pure live seed after grasses and forbs previously drilled. Once broadcasted, the site would be drug, harrowed or rolled to improve seed to soil contact. With proper soil moisture being a critical factor in successful sagebrush germination, Butte would conduct sagebrush seeding in late fall or early winter to take full advantage of winter moisture.

Post-construction reclamation practices would be implemented to ensure re-vegetation efforts meet standards outlined in BLM guidance documents. In addition to reseeding construction related disturbances, Butte would reseed those areas associated with the 2014 Butte Replacement project that have not adequately re-vegetated and that are located adjacent to this project. Butte would utilize specific ecological seeding mixes (see attachment 2).

Butte would monitor the project area throughout the construction phase to ensure direct and indirect impacts to wildlife species are minimized. Long term monitoring would be implemented to ensure mitigation and reclamation standards are met.

With approval of the Butte Pipeline Reactivation Proposal by BLM, Belle Fourche would withdraw its Thunderbird application for a new right of way.

ALTERNATIVE 1 - NO ACTION: This alternative would not allow Butte Pipe Line Company to repair and restore the Original Butte Pipeline during the proposed time frame.

AFFECTED ENVIRONMENT:

The following resources have been evaluated in this EA:

ELEMENTS

Determi-nation*	Resource	Rationale for Determination*
NI	Air Quality	Butte would utilize standard abatement methods to control dust along roads and the existing Butte ROW utilized for construction access. Water would be applied to these access routes as needed to ensure impacts to surrounding vegetation and aquatic

		features from fugitive dust is minimized.
NP	Areas of Critical Environmental Concern	There are no areas of critical environmental concerns within the project area.
	Cultural Resources	Pipeline is a historic site but not eligible for the NRHP. One non eligible site impacted. No historic properties affected.
NP	Environmental Justice	Environmental justice is not associated with the project.
NP	Farmlands (Prime or Unique)	There are no prime or unique farmlands in the project area.
NP	Fire	This project has no impact to fire.
NP	Floodplains	The project is not within any 100-year floodplains.
NP	Forestry	There are no forest sites in the project area.
NP	Geology/Minerals	There would be no direct impacts to fluid or solid minerals associated with this project.
NI	Invasive, Non-native Species	Invasive and nonnative species would be inventoried, mapped and treated for the life of the ROW.
NI	Lands and Realty	No impacts would occur to existing land use authorizations.
NI	Lands With Wilderness Characteristics	This area has been inventoried (Lonetree, Muskrat, and Deadhorse) and no wilderness characteristics were found to be present at the time of inventory. The pipeline also crosses through Whitetail wilderness inventory unit and even though wilderness characteristics were found to be present, the unit is not being managed as lands with wilderness characteristics due to other resource management methods in place.
NP	Livestock Grazing	There would be no impacts to livestock grazing.
NP	Native American Religious Concerns	No eligible sites affected. No issues identified.
NP	Recreation	There would be no significant impact to recreation associated with the project.
NI	Socio-economics	Socio-economic impacts affect Butte Pipeline, Carter County.
NI	Soils	No new soils would be disturbed; all disturbances would be within the existing 50 ft ROW corridor. Best Management Practices (BMPs) would be implemented along the ROW to minimize soil erosion and sediment transport from stormwater runoff.

NP	Threatened, Endangered or Candidate Plant Species	T&E plant species do not exist within project area.
NP	Threatened, Endangered or Candidate Animal Species	T&E species habitat does not exist within project area.
NI	Vegetation	Vegetation disturbance would be limited to 3.70 acres on BLM, reclamation and monitoring
NI	VRM	The project area falls in a VRM class IV, the objective of this class is to provide for management activities which requires major modification of the existing character of the landscape. This disturbance associated with this project would be minimal and with reclamation it would not change the landscape character.
NP	Wastes (hazardous or solid)	No hazardous or solids concerns would be associated with the project.
NI	Water Quality (surface/ground)	A Stormwater Pollution Prevention Plan (SWPPP) would be implemented to ensure adequate erosion control. Hydrostatic testing water would be tested and meet surface and ground water quality standards, and would not be discharged to BLM lands.
NI	Wetlands/Riparian Zones	Surface disturbing activities occurring within 300 ft of the boundary of riparian-wetland areas will be limited, and BMPs to control erosion/sediment transport will be implemented
NP	Wild and Scenic Rivers	There are no wild and scenic rivers in the project area.
NP	Wilderness	There is no wilderness or wilderness study areas in the project area.
PI	Wildlife	Numerous wildlife habitats including migratory bird habitats exist in the proposed action area and may be indirectly affected.
NP	GRSG Habitat (General)	No General Habitat Management Areas exist in the proposed action area.
PI	GRSG Habitat (Priority)	A portion of the proposed action area is within GRSG Priority Habitat Management area and may be indirectly affected.
PI	GRSG Habitat (Restoration)	A portion of the proposed action area is within GRSG Restoration Areas and may be indirectly affected.

*NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present and may be impacted to some degree. Will be analyzed in affected environment and environmental impacts. (NOTE: PI does not mean impacts are likely to be significant in any way).

Cultural: The route of the Butte Pipeline has been inventoried for cultural resources several times. A total of 29 cultural sites have been recorded on or adjacent to the pipeline. Only one of the sites has been formally determined eligible. This site would not be impacted by proposed pipeline repairs. The age of the pipeline also makes it a historic site (i.e., it is older than 50 years). BLM has determined the pipeline is not eligible for listing on the National Register of Historic Places. One prehistoric site (24CT337) will be impacted by proposed pipeline repairs. The site has been determined not eligible for listing on the National Register of Historic places. Since no eligible cultural properties would be impacted, BLM has determined that the pipeline would have no effect to historic properties and no additional cultural resource work subject to the cultural/paleo stipulation in the ROW grant will be necessary (See BLM Cultural Resource Report MT-020-15-155). The Montana SHPO has concurred with BLM’s determination the pipeline is not eligible and the proposed work would have no effect to historic properties.

Lands/Realty: WBI Energy Transmission Company’s right-of-way, the Grasslands Pipeline (MTM-91539) parallels the 2014 Butte Pipeline (MTM-018460) which lies next to the Original Butte Pipeline (MTM-108412). There are several other ROWs that transverse the 50 ft corridor in various locations.

Water Resources: The proposed action would include surface disturbance on BLM-administered lands at a total of 43 pipeline repair locations within several watersheds in the Boxelder (HUC 10110202) and Upper Little Missouri (HUC 10110201) subbasins, as presented in Table 1. All streams within the project area are intermittent, and there are no 100-yr floodplains or perennial streams present in the project area. Thompson Creek is the only stream near the project area that is listed by the Montana Department of Environmental Quality (MDEQ) under Section §303(d) of the Clean Water Act as impaired for water quality, with cadmium, copper, iron, and zinc from natural sources the listed pollutants. Surface disturbance at eight pipeline repair locations would occur at distances ranging from 3.5 to 3.8 miles from Thompson Creek. Surface disturbances for pipeline repairs in the existing ROW would occur within 300 ft of intermittent streams at seven locations and within 300 ft of riparian-wetland areas at five locations.

Table 1. Summary of Pipeline Repair Locations by Watershed and Subbasin

Watershed/Subbasin	# Repair Locations
Buffalo Creek Watershed	3
Cabin Creek Watershed	8
Headwaters Boxelder Creek Watershed	8
Upper Boxelder Creek Watershed	7
Boxelder Subbasin Total	26
Cottonwood Creek-Little Missouri River Watershed	4
Thompson Creek Watershed	8
Willow Creek Watershed	5
Upper Little Missouri Subbasin Total	17

Vegetation: Vegetative communities involved in the project include two main ecoregions: Big Sagebrush Steppe and Great Plains Mixed-Grass Prairies. To a much lesser extent, some riparian, desert shrublands, wetlands, and lower montane forests are crossed by the pipeline right of way. These latter types are mostly associated with private surface.

The primary plant community consists of the following grasses, forbs and shrubs; green needle grass, bluebunch wheatgrass, western wheatgrass, sandberg bluegrass, prairie junegrass, blue grama. The primary forb community consists of American vetch, purple prairie clover, and spiny phlox. And shrubs consist of winterfat, nuttall's saltbush, silver sagebrush, Wyoming big sagebrush, and greasewood.

The pipeline route was bladed and disturbed in 2014 when Butte Pipeline installed a new 16" pipeline within their existing 50 ft ROW corridor.

Invasive Species: There are known infestations of leafy spurge and Canadian thistle within the project area.

Soils: The project area consists of 4 primary ecological site descriptions (ESDs). They are all clay based, varying in depth from a few inches to greater than 20 inches. The ESDs are as follows: Clayey; 10-14 inches, Shallow Clay; 10-14 inches; Saline Lowland; 10-14 inches, and Saline Upland; 10-14 inches. Slope along the pipeline route is mostly 0-5%, with some areas exceeding the 5% slope.

Wildlife: Numerous wildlife species and habitats exist in the proposed action area which includes mule deer, pronghorn, sharp-tailed grouse, greater sage-grouse and migratory bird species including BLM Sensitive Species such as Brewer's sparrows. The project area is within the Carter Priority Habitat Management Area and Restoration Area for sage-grouse (see Figure 1). Thirty-three sage-grouse strutting grounds have been surveyed within 3.1 miles of the pipeline, with seventeen currently classified as unconfirmed status, thirteen classified as confirmed active and one classified as confirmed inactive. Historic lek data for the MTFWP Core Area of which the pipeline lies within is unavailable (pre-1980) but sage-grouse strutting ground counts conducted over the past 30 years indicate the population has not exhibited long-term downward trends. The population has been static due to West Nile virus (WNV) outbreaks, drought conditions and other factors.

Sage-grouse winter habitat polygons have been identified using locations from radio-collared sage-grouse and supplemented with data from the MTFWP sage-grouse winter data base. Big game winter range also exists within portions of the proposed action area. No threatened, endangered or other BLM Sensitive Species are known to inhabit the subject area.

VRM: The proposed project lies within a VRM Management Class IV. The objective of this class is to provide for management activities which require major modification of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.

Socio-economics: The project is located in a rural area consisting of agricultural rangeland and cropland with sparse residential development. Large pipelines such as the Butte Pipeline do provide additional revenue for the counties through property taxes.

ENVIRONMENTAL IMPACTS:

DESCRIPTION OF IMPACTS FROM PROPOSED ACTION:

Cultural: No historic properties affected by the proposed action on BLM managed lands. Unanticipated discoveries of cultural materials located during reclamation would be handled through the cultural resource stipulation attached to the ROW grant.

Lands/Realty: Care should be used so as not to interfere with the existing authorizations. Butte would be responsible for contacting those affected ROW grant holders.

Water Resources: Direct impacts to Buffalo Creek, Cabin Creek, Headwaters Boxelder Creek, Upper Boxelder Creek, Cottonwood Creek-Little Missouri River, Thompson Creek, and Willow Creek watersheds would result from construction activities associated with the pipeline repairs. Impacts could include increased soil compaction and disturbance, and reduced vegetative cover within the ROW. This could increase runoff, soil erosion, and sediment delivery to streams; however, with appropriate erosion and sediment control BMPs along the ROW to be specified in the Stormwater Pollution Prevention Plan (SWPPP), these impacts would be minimal and short-term.

There would be no impacts to ground or surface waters, floodplains, or riparian-wetland areas during this period of construction. Surface disturbance at eight pipeline repair locations ranging in distance from 3.5 to 3.8 miles from Thompson Creek would not be hydrologically connected and thus would not affect Thompson Creek. Surface disturbances for pipeline repairs in the existing ROW that would occur within 300 ft of riparian-wetland areas at five locations would be minimized through appropriate erosion and sediment control BMPs along the ROW to be specified in SWPPP.

Soils: Soil mixing, compaction and ground cover removal would occur within the 50 ft ROW corridor. Construction related disturbance would be limited to short, site specific repair areas, with the longest section to be repaired on BLM surface being 190 feet and the average being 74 feet in length. The proposed time period of maintenance and construction would not require any additional mitigation measures than the standard stipulations.

Vegetation: Localized vegetative disturbance will occur within the project area, approximately 3.70 acres. Some of these areas have not fully re-vegetated or recovered from the blading that took place on the pipeline corridor in 2014. Reclamation efforts would be based on the ecological site descriptions and soil types to aid in the success of the re-vegetation.

Invasive Species: With disturbance also comes an increased possibility of invasive species. The equipment used on the project would be cleaned before arriving on site to prevent the introduction of undesirable species to the area. Certified noxious free seed mixes and mulch would be utilized in reclamation. State of Montana noxious weeds would be inventoried, mapped and treated for the life of the right-of-way.

Wildlife: Approximately 3.7 acres of disturbance on BLM administered land would occur during the pipeline repairs which include approximately 1.7 acres within the Restoration Habitat Management Area (RHMA) and 2 acres of disturbance within the Priority Habitat Management Area (PHMA). These repairs and operations would still occur within the recently (2014) disturbed Butte Pipeline right-of-way corridor (50 ft). No new disturbances on BLM would occur as the pipeline ROW was previously disturbed and all new activities would occur within the existing disturbance. The 2014 maintenance of the Butte Pipeline right-of-way occurred which included habitat removal (blading) of the 50-foot right-of-way and negates application of the disturbance cap as direct disturbance of the subject area has already occurred.

Indirect effects from associated maintenance activities to wildlife species habitats including migratory birds, sage-grouse and wintering big game include displacement and potential nest abandonment/productivity loss. The effects such as noise and human activity would be mitigated with the timing stipulation of an August 1 – December 1 work period. This time period for maintenance activities would allow for sage-grouse and migratory bird nesting/brood-rearing activities to occur with no disturbance occurring to those species. It would also avoid disturbance to wintering big game species, specifically mule deer and sage-grouse in the project area.

Additional mitigation would be implemented as required by the Miles City Approved Resource Management Plan (ARMP, September 2015) which includes providing a net conservation gain for sage-grouse habitat. Reclamation efforts to be completed by the contractor include utilizing ecological site descriptions and soil types to determine seed mixes, proper seedbed preparation and monitoring to ensure re-vegetation is successful on the 3.7 acres proposed for disturbance in this action. Seed mixes include optimal species (grasses, forbs and shrubs including Wyoming big sagebrush) for sage-grouse and objectives in the Plan of Development include matching existing composition, diversity, structure and total ground cover appropriate for the native plant community. Objectives also include vegetative cover (basal and canopy) and establishment of Wyoming big sagebrush and forbs if appropriate to the ecological site description to ensure attainment of vegetative objectives listed in the ARMP. See Compensation Section below for additional information.

VRM: Foreground and middle ground viewsheds would be impacted by the proposed project. Line, color and texture of the landscape would all be impacted by the proposed action. New surface disturbance from upgrading the existing pipeline would create an impact to the color on the landscape causing it to be lighter than the surrounding shade causing focus of viewer attention. Soil being disturbed during construction activities will affect the texture of the landscape as well. However, these effects on the landscape should not attract the attention of the casual observer once construction is completed and re-vegetation is established. After re-vegetation and proper mitigation of the pipeline, the casual observer should not notice the basic elements of line, color and texture affecting the natural characteristics within this VRM Class IV.

Socio-economics: Butte Pipe Line Company anticipates flowing as much as 100,000 barrels of crude oil per day through the reactivated Butte pipeline. Approval of this project would have economic benefits to the counties which the pipeline crosses. As pipelines are considered real property, they are subject to taxation similar to other structures within the respective counties. A

significant segment of the pipeline lies within Carter County, a county which already derives a large percentage of their property tax income from oil and gas facilities.

Additional benefits would include fulltime employment for operational and maintenance positions throughout the life of the facility, as well as, temporary employment for construction efforts during the repair phase of the project.

DESCRIPTION OF IMPACTS FROM ALTERNATIVE 1 - NO ACTION:

There could be an impact to Butte Pipe Line Company if BLM did not allow them to repair, maintain and reactivate the existing pipeline. The no action alternative would prevent Butte Pipe Line Company from using the Original Butte Pipeline. It would be more costly to Butte Pipe Line Company to construct the Thunderbird Pipeline and there would be an increase in surface impacts especially in greater sage grouse habitat.

CUMULATIVE IMPACTS:

A cumulative effect is defined under NEPA as “the change in the environment which results from the incremental impact of the action, decision, or project when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other action”. “Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 CFR §1508.7). Past, present, and reasonably foreseeable future actions are analyzed to the extent that they are relevant and useful in analyzing whether the reasonably foreseeable effects of the Proposed Action and/or Alternatives may have an additive and significant relationship to those effects.

The project area would be within Carter County. The pipeline ROW corridor (50 ft) was bladed and disturbed in 2014 when Butte installed a new 16” pipeline. The same corridor would be used to reactivate the existing pipeline. The entire pipeline is 122 miles long and there are 133 areas (total) that need some kind of repair.

Construction to repair the pipeline would result in a small cumulative addition to surface disturbance to vegetation and soils in the area. The impacts would be temporary as after completion of the project, the disturbance areas would be reseeded and typically within two growing seasons would revegetate. The existing environment and area could continue to undergo impacts from activities either on BLM or private land, these activities may include; farming, grazing, mineral development and right-of-ways. Any future activities on BLM land would be mitigated to reduce cumulative impacts.

Mitigation:

Butte’s proposal required mitigation in order to provide for compliance with the Miles City Approved Resource Management Plan and Final Environmental Impact Statement (e.g. net conservation gain for greater sage-grouse/also addressed in Description of Impacts Section).

Avian Predators

- Butte will place anti-perch devices on existing and new aerial pipeline markers along the entire pipeline to inhibit use by potential sage-grouse avian predators.

Existing Butte Pipeline Reclamation Enhancement

- In addition to the required reclamation of the disturbances proposed in this action, Butte will utilize specific ecological seeding mixes on approximately 45 additional acres of the Butte Pipeline Replacement ROW outside the areas proposed for disturbance in this action to establish vegetation and plant communities that were not fully established under the previous construction terms. Butte would commit to the dedication of resources until vegetation objectives are met (see post construction monitoring protocol).

CONSULTATION/COORDINATION:

Mark Deibert, consultant with Rocky Mountain Energy Solutions, on behalf of Butte Pipe Line Company

LIST OF PREPARERS:

Doug Melton, Archaeologist

Kent Undlin, Wildlife Biologist

Drea Traeumer, Hydrologist

Dena Lang, Outdoor Recreation Specialist

Brenda Witkowski, Natural Resource Specialist

Beth Klempel, Realty Specialist

STIPULATIONS MTM-108412:

The amended right-of-way grant would be issued under the authority of Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185) and subject to the terms and conditions in 43 CFR 2800/2880, the application, mitigations as mentioned in the original and amended plan of development, and subject to the following stipulations:

- a. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
- b. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder(s) shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.
- c. The holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.
- d. The holder shall coordinate with the existing right-of-way holders, grazing lessees/permittees, and other parties who hold an authorized right on adjacent and affected land.
- e. This grant is issued subject to the holder's compliance with the mitigations set forth in the application/plan of development.
- f. Fences, gates, culverts, cattleguards, and brace panels shall be reconstructed to appropriate Bureau standards and/or specifications as determined by the authorized officer.

- g. The holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within the limits imposed in the grant stipulations).
- h. In the event that the public land underlying the right-of-way (ROW) encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part 2800, including any rights to have the holder apply to BLM for amendments, modifications, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the right-of-way, or portion thereof, within the conveyed land and shall be subject to applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and conditions of the ROW shall be considered a civil matter between the patentee/grantee and the ROW Holder.
- i. Ninety days prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree on an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, and/or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.
- j. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of four (4) inches deep, the soil shall be deemed too wet to adequately support construction equipment.
- k. The pipeline, when and if abandoned, should be left in place with only above-surface encumbrances to be removed.
- l. Construction will be completed in accordance with the recently approved Miles City Field Office Resource Management Plan (September 15, 2015) between August 1, 2016 and December 1, 2016. Construction during this timeframe will serve to minimize impacts on wildlife and other resources within the project area.

**Attachment 1
Legal Locations of Pipeline
MTM-108412**

Carter County:

T1N, R57E, Sec. 11, NWSE;
T2S, R57E, Sec. 1, NWSW;
T2S, R57E, Sec. 11, E2E2;
T2S, R57E, Sec. 14, E2E2;
T2S, R57E, Sec. 23, W2E2,E2NE;
T2S, R57E, Sec. 26, W2E2;
T2S, R57E, Sec. 35, W2E2, SESW;
T3S, R57E, Sec. 2, SESW;
T3S, R57E, Sec. 11, E2W2;
T3S, R57E, Sec. 14, W2;
T3S, R57E, Sec. 22, SESE;
T3S, R57E, Sec. 23, W2W2;
T3S, R57E, Sec. 26, W2W2;
T3S, R57E, Sec. 27, E2SE, SENE;
T3S, R57E, Sec. 34, E2NE;
T4S, R57E, Sec. 3, E2SE;
T4S, R57E, Sec. 10, NENE;
T4S, R57E, Sec. 22, W2SE;
T4S, R57E, Sec. 27, W2E2;
T4S, R57E, Sec. 34, Lots 2, 3,NWNE,SENE,NESW;
T5S, R57E, Sec. 3, Lot 2, SWNE, W2SE;
T5S, R57E, Sec. 10, W2E2;
T5S, R57E, Sec. 15,NWNE;
T6S, R57E, Sec. 1, SWSE;
T6S, R57E, Sec. 12,NESW;
T6S, R57E, Sec. 13, SW;
T6S, R57E, Sec. 24, W2;
T6S, R57E, Sec. 25, W2W2;
T7S, R57E, Sec. 1, Lot 4, SWNW,W2SW;
T7S, R57E, Sec. 12, W2W2;
T7S, R57E, Sec. 13, W2NW,NWSW;
T7S, R57E, Sec. 14, SENE,E2SE;
T7S, R57E, Sec. 23, E2E2;
T7S, R57E, Sec. 26, N2NE;
T8S, R57E, Sec. 10, SE;
T8S, R57E, Sec. 22, S2SW;
T8S, R57E, Sec. 27, SWSW;
T8S, R57E, Sec. 34, W2SW;
T9S, R57E, Sec. 3, NWNW;
T9S, R57E, Sec. 9, E2E2;
T9S, R57E, Sec. 21, E2
T9S, R57E, Sec. 28, E2
T9S, R57E, Sec. 33, Lots 2, 7, 10, W2NE.

*Fallon County:

T6N, R58E, Sec. 30, NESE, S2SE.

*No repairs or disturbance will be conducted on this parcel of BLM.

Figure 1. Project Vicinity Map

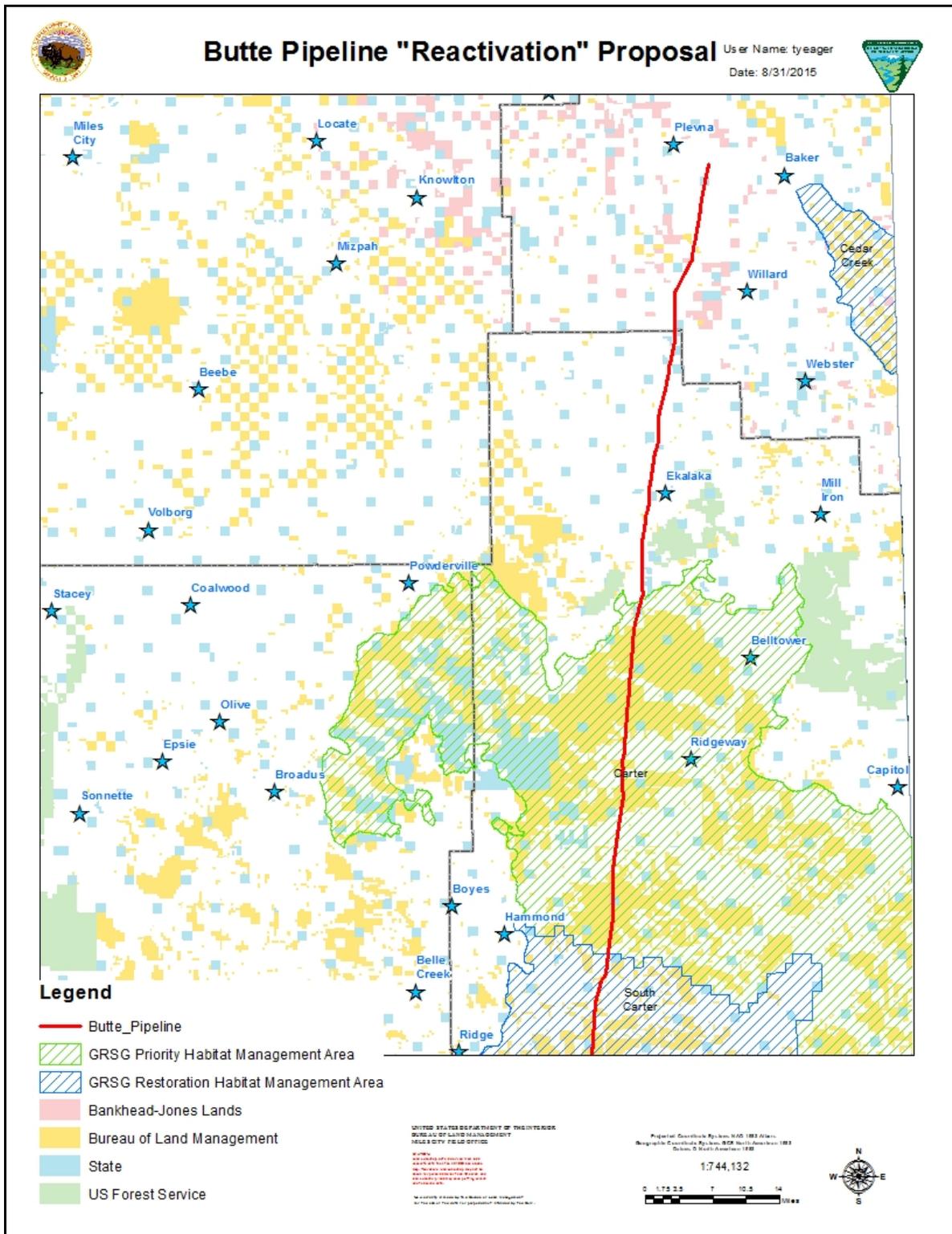
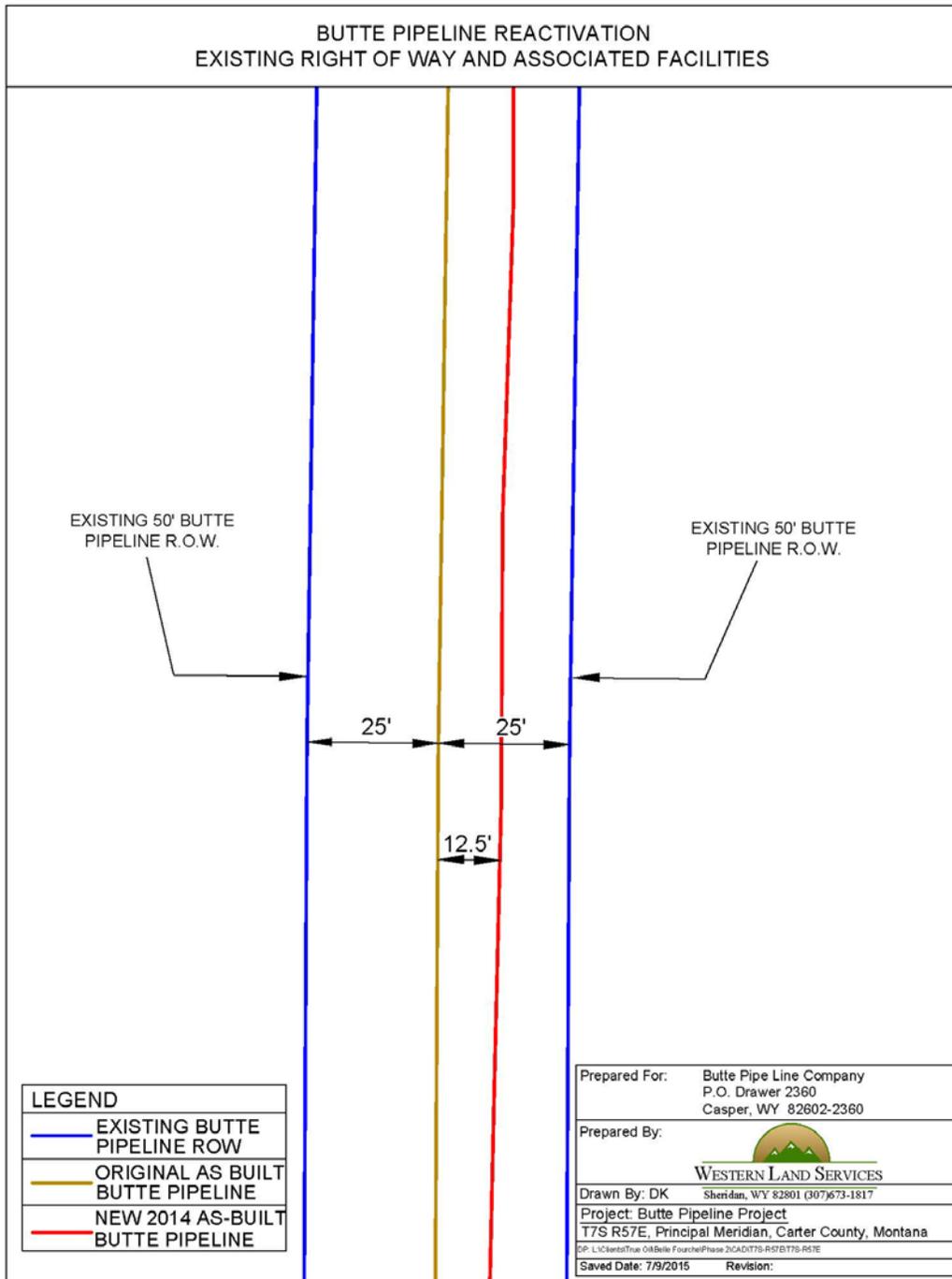


Figure 2. Butte Pipeline Right of Way



Attachment 2

Post Construction Monitoring Program

Goals and Objectives (performance standards)

1. Stabilize surface conditions; erosion rates are similar to natural rates on adjacent undisturbed lands. Ensure the reclaimed landscape features blend into the adjacent area. Provide suitable surface and subsurface physical, chemical, and biological properties to support the long-term establishment and viability of the desired plant community.
 - a) No downward movement (e.g. slumping or piping) of surface material would be evident within one year of disturbance.
 - b) No evidence of slope instability and accelerated erosion on (or adjacent to) the reclaimed area, within one year of disturbance. A qualitative assessment would be completed at regular intervals to observe surface conditions. There would be no visual evidence of pedestals or active headcutting gullies. There would be minimal evidence of terracetes, sheeting, rilling, and wind scour.

2. Reconstruct and stabilize area next to the wetland site to exhibit similar hydrologic characteristics found in the sites naturally functioning system.
 - a) There would be minimal evidence of reduced wetland functionality within one year of disturbance. There would be no evidence of active headcutting.
 - b) No evidence of channelization, beyond that which already exists, within one year of disturbance.
 - c) A qualitative assessment would be completed for this area.

3. Establish a self-perpetuating, native plant community similar to adjacent undisturbed lands. Establish species composition, diversity, structure, and total ground cover appropriate for the native plant community, and matching that of existing, adjacent undisturbed lands. The bullets below are objectives but not requirements.
 - a) The site would contain 50% of vegetative basal cover as compared to the reference site (or NRCS Ecological Site Description if a reference site cannot be established) within one year of disturbance.
 - b) The site would contain 80% of vegetative cover (basal and canopy) as compared to the reference site (or NRCS Ecological Site Description if a reference site cannot be established) within five years of disturbance.
 - c) 50% of the vegetative cover would consist of desirable species within one year of disturbance.
 - d) 90% of the vegetative cover would consist of desirable species within five years of disturbance.
 - e) Within five years of disturbance, reclaimed areas will have a species composition similar to the site specific NRCS Ecological Site Descriptions (ESD) described within this document, which includes the establishment of big-sagebrush and forbs, if appropriate to the ESD.

Monitoring and Reporting Strategy

1. Complete on-site inspections within one year of reclamation. Inspections and data collection should be conducted as necessary to document that the goals and objectives (performance standards) have been met (suggest yearly at same phenological stage).
2. Evaluate monitoring data for comparison with goals and objectives.
3. Document and report monitoring data to the BLM within two months of the on-site inspection. Any observations of active headcutting, gullies, pedestals, bank erosion, or accelerated sedimentation would be GPS located, photographed, documented, and reported to the BLM as soon as possible. Include in the document a discussion on the comparison of the existing environment against the objectives. The report would also note if livestock have been present within the location of the ROW during the current growing season.
4. Implement remedial measures when and where appropriate, which could include the exclusion of livestock.
5. Continue the process of monitoring, evaluating, documenting/reporting, and implementing, until reclamation goals and objectives are achieved. Locations where objectives have not been met must be re-evaluated within one year of remedial actions.
6. In locations where the reclamation goals and objectives are achieved, and with written BLM concurrence, the monitoring requirement would be removed, and no additional monitoring or reporting would be required.

Monitoring Protocol for all Objectives

1. All objectives would be monitored using a stratified random sampling design.
2. Reference areas and disturbed areas would be monitored following the same protocols.
3. All monitoring sites would be recorded with GPS but not permanently marked.
4. Monitoring of the sites would be accomplished at the same vegetative phenological state as the first effort of data collection.
5. All information must be documented (hardcopy and digital photo) and located using a GPS.
6. Evaluations must include: date; observer; study number; date established; established by; GPS location (lat. and long.); legal description; sampling method; sampling start point for vegetation transects (e.g. 0.1 ft left side of tape); recent weather conditions; and any disturbances (natural or anthropogenic).
7. Disturbed areas would be stratified using NRCS ecological site classes, vegetation, slope, elevation, and aspect. Then they would be grouped and assigned reference areas.

8. Following stratification, sampling sites would be randomly located using GIS or another field-determined method, except for the disturbed stream crossing monitoring sites.

Monitoring Protocol by Objective

1. Site Stability and Productivity
 - a. For qualitative assessments use the center-stake of the photo point for vegetation monitoring transects.
 - b. Subsidence would be monitored by documenting observations noted while performing other monitoring tasks. Observed subsidence would be GPS located, photographed, and measured (depth in feet).
 - c. All photo points would be assessed for erosion and productivity.
2. Hydraulic Functionality
 - a. Wetland functionality would be monitored using photo point methods. In addition, pre-disturbance riparian wetland surveys may be used as baselines for hydrologic functionality monitoring.
3. Vegetation Community
 - a. Transect Establishment:
 1. Vegetation monitoring transects would include a photo point and then one daubenmire and a point intersect transect (see Attachment D for methodology).
 2. Vegetation monitoring in disturbed areas would include a maximum of eight (8) transects. These eight (8) transects, if all are utilized, would result in two transects per ecological site description. The area which provides the greatest correlation to all the areas within each ecological site would be selected for monitoring.