

Categorical Exclusion (CX)
U.S. Department of the Interior
Bureau of Land Management (BLM)

A. Background

BLM Office: North Dakota Field Office

NEPA Number: DOI-BLM-MT-C030-2016-0054-CX

Case File/Project No: NDM 44368, NDM 56188, NDM 72957, NDM 99184,
NDM 100716, NDM 101480, and NDM 102379

Proposed Action Title/Type: Assignment/Name Change from Bear Paw Energy, LLC to
ONEOK Rockies Midstream, L.L.C.

Location/Legal Description

Fifth Principal Meridian, North Dakota

T. 148 N., R. 96 W.,
sec. 19, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
sec. 34, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 146 N., R. 97 W.,
sec. 30, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 148 N., R. 97 W.,
sec. 22, lot 2;
sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 144 N., R. 103 W.,
sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$.

Containing 15.90 acres, more or less.

Applicant: ONEOK Rockies Midstream, L.L.C.

Description of the Proposed Action: On September 21, 2011, Bear Paw Energy, LLC legally changed their name to ONEOK Rockies Midstream, L.L.C. On November 23, 2015, ONEOK submitted an application to the BLM to assign each of their affected rights-of-way from Bear Paw to ONEOK, to reflect this name change. Name changes are customarily processed as

assignments, pursuant to BLM Manual 2807.23, and in accordance with 43 CFR §2807.21 for FLPMA grants, and 43 CFR §2887.11 for MLA grants.

No additional rights, facilities, or disturbance are being granted or authorized with these assignments.

The affected rights-of-way included in this action are:

1. NDM 44368 – a buried 16-inch diameter natural gas pipeline, crossing BLM-managed public lands a length of 2,924 feet and a width of 50 feet. Located in Golden Valley County, T. 144 N., R. 103 W., sec. 18, N½NE¼. Contains 3.36 acres, more or less.
2. NDM 56188 – a buried 6-inch diameter natural gas pipeline, crossing BLM-managed public lands a length of 1,426.5 feet and a width of 20 feet. Located in Dunn County, T. 148 N., R. 96 W., sec. 34, NW¼SW¼. Contains 0.66 acres, more or less.
3. NDM 72957 – a surface 6-inch diameter natural gas pipeline, crossing BLM-managed public lands a length of 650 feet and a width of 20 feet. Located in Dunn County, T. 146 N., R. 97 W., sec. 30, SW¼NE¼. Contains 0.30 acres, more or less.
4. NDM 99184 – a buried 10-inch diameter natural gas pipeline, crossing BLM-managed public lands a length of 5,940 feet and a width of 50 feet. Located in Dunn County, T. 148 N., R. 97 W., sec. 28, SW¼NW¼. Contains 6.82 acres, more or less.
5. NDM 100716 – a buried 10-inch diameter natural gas pipeline, crossing BLM-managed public lands a length of 1,550 feet and a width of 50 feet. Located in Dunn County, T. 148 N., R. 97 W., sec. 22, lot 2. Contains 1.78 acres, more or less.
6. NDM 101480 – a buried 8-inch diameter natural gas pipeline, crossing BLM-managed public lands a length of 1,600 feet and a width of 50 feet. Located in Dunn County, T. 148 N., R. 96 W., sec. 19, SE¼NW¼. Contains 1.84 acres, more or less.
7. NDM 102379 – a buried 6-inch diameter natural gas pipeline, crossing BLM-managed public lands a length of 1,000 feet and a width of 50 feet. Located in Dunn County, T. 146 N., R. 97 W., sec. 30, SW¼NE¼. Contains 1.15 acres, more or less.

B. Land Use Plan Conformance

Land Use Plan Name: North Dakota RMP/EIS ROD

Date Approved: Approved 04/22/1988; Last Amended 09/21/2015

The proposed action is in conformance with the applicable LUP, as amended. Specifically, on page 12 of the RMP it states, “Right-of-way applications will be considered on a case-by-case basis.”

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9E (9) for renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorization.

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

Extraordinary Circumstances		
The project would:		
1. Have significant impacts on public health or safety.		
Yes	No X	Rationale: <i>The project would not have significant impacts on public health and safety as these are existing MLA ROWs being assigned to reflect a legal name change. No new rights are being granted.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		
Yes	No X	Rationale: <i>Impacts would not be significant as the proposed action is to assign existing ROWs under the MLA, to reflect a legal name change, and no new rights are being conveyed.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No X	Rationale: <i>No controversial environmental effects or unresolved conflicts.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No X	Rationale: <i>No highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No X	Rationale: <i>This action is not connected to another action that would require further environmental analysis nor will it set a precedent for future actions that would normally require environmental analysis.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		

Yes	No X	Rationale: <i>This action does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. See 40 CFR 1508.7.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		
Yes	No X	Rationale: <i>A review of BLM and SHPO Cultural Resource Records databases indicates that no cultural resources have been previously recorded on public lands in the vicinity of this proposed action.</i> <i>SMG 11/30/2015 Archaeologist</i> <i>SAJ 11/24/2015 Realty Specialist</i>
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
Yes	No X	Rationale: <i>T&E species habitat does not exist within these areas.</i> <i>TPZ 11/30/2015 Wildlife Biologist</i> <i>SAJ 11/24/2015 Realty Specialist</i>
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No X	Rationale: <i>No laws are being violated by this action.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No X	Rationale: <i>This action does not have a disproportionately high and adverse effect on low income or minority populations.</i> <i>SAJ 11/24/2015 Realty Specialist</i>
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
Yes	No X	Rationale: <i>The proposed action is located in the Killdeer Mountains and Killdeer Mountain Battlefield Study Area is located approximately 1.5 miles southwest. Both of these areas are known to be sacred to Tribes. Nonetheless, there is no known specific areas or sacred sites used for offerings and/or ceremonies in the project vicinity and given the nature of the proposed action this action will not affect sacred sites of interest to Tribes. The proposed action would not limit access to public lands where it already exists nor would it allow access where it does not presently exist.</i> <i>SMG 11/30/2015 Archaeologist</i> <i>SAJ 11/24/2015 Realty Specialist</i>
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed		

Control Act and Executive Order 13112).

Yes

No
X

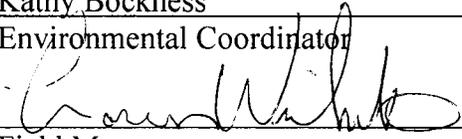
Rationale: *The proposed action will not contribute to the introduction or spread of noxious weeds as no disturbance or rights are being conveyed. Further, under the authorization the applicant is responsible for weed control within the authorized area.*

PWK 12/14/15 Natural Resource Specialist

SAJ 11/24/2015 Realty Specialist

Kathy Bockness

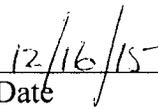
Environmental Coordinator



Field Manager

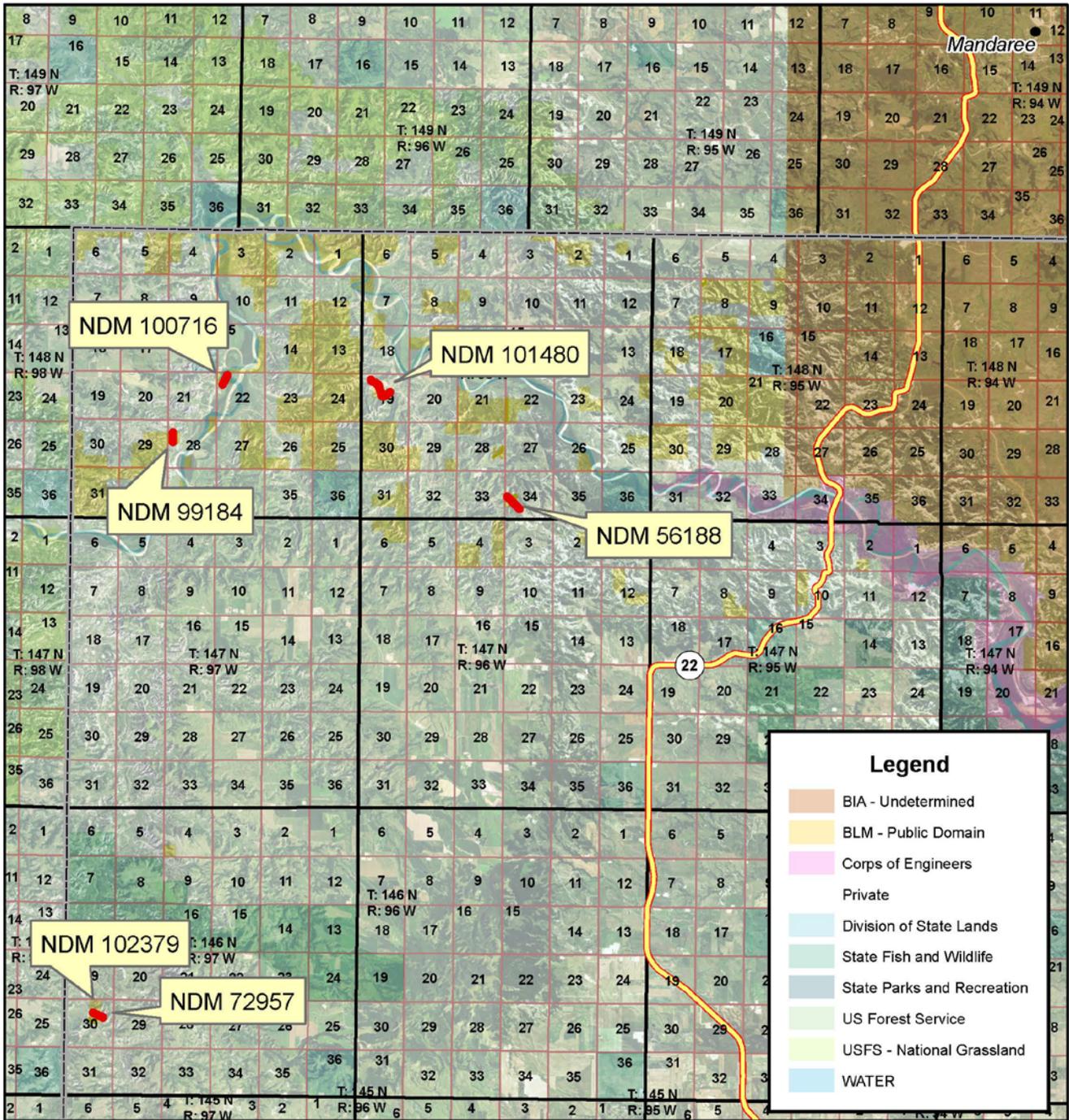
12/15/2015

Date



Date

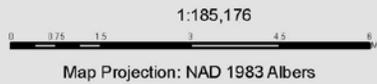
Bear Paw/ONEOK Natural Gas Pipelines Right-of-Way Assignments



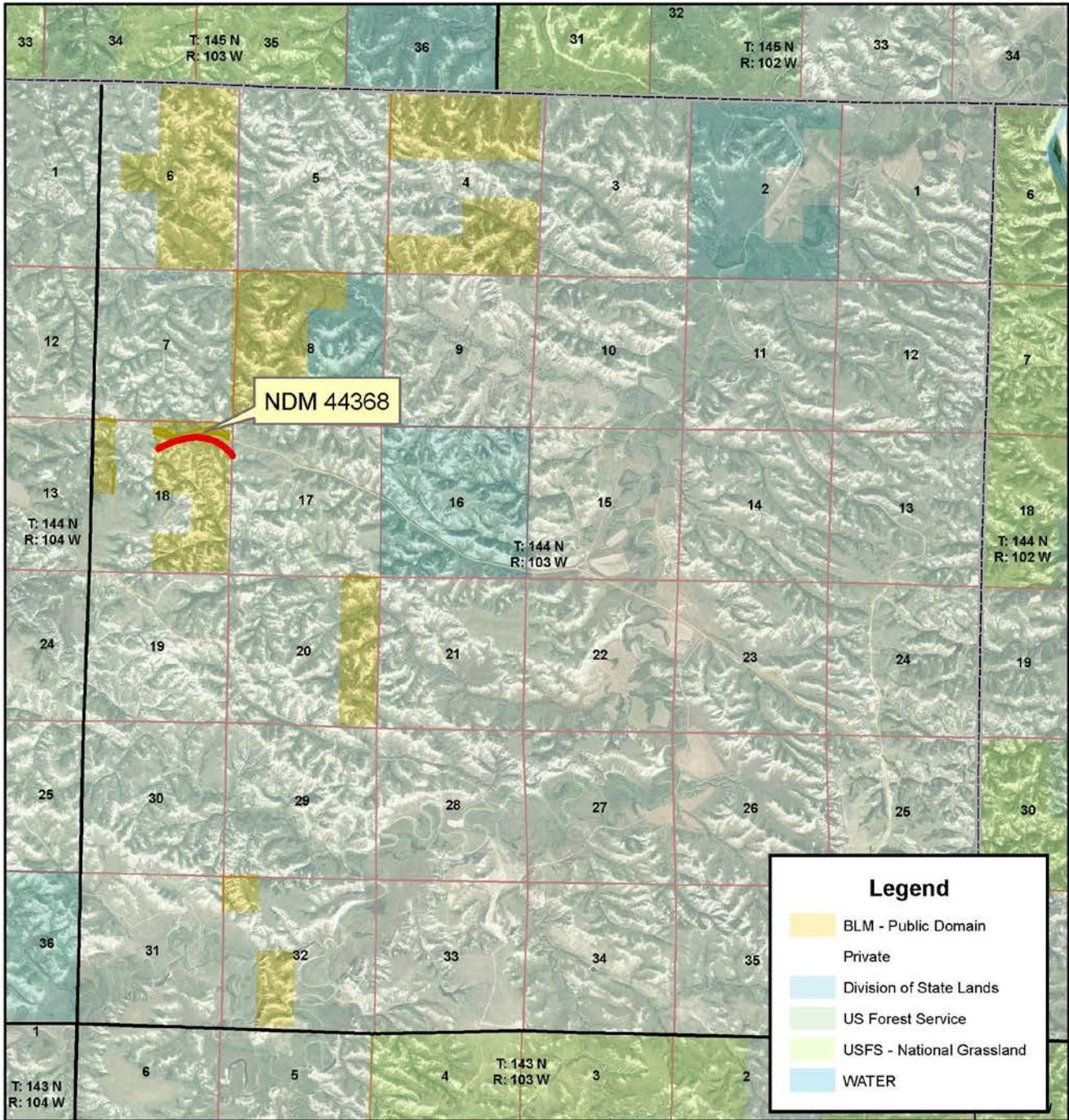
The surface management status ("land ownership") should be used as a general guide only. Official land records, located at the Bureau of Land Management (BLM) and other offices, should be checked for up-to-date information concerning any specific tract of land.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed. The following cannot be made Section 508 compliant. For help with its data or information, please contact the BLM State Office Webmaster.

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Bear Paw/ONEOK Natural Gas Pipelines Right-of-Way Assignments



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Map Projection: NAD 1983 Albers

