

June 10, 2025

**Helena to Three Forks Montana Natural Gas Pipeline Project
*Environmental Assessment – Preliminary Chapters 1 & 2***

DOI-BLM-MT-B070-2025-0041-EA

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1.0 Introduction

Background

Northwestern Energy has applied for Transportation and Utility Systems on Public Lands (SF-299) to the Bureau of Land Management Butte Field Office, requesting permission to construct, operate, and maintain a buried natural gas pipeline and associated access roads for a term of 30 years under a right-of-way (ROW) authorization and with a temporary use permit. The proposed buried gas pipeline is within the Broadwater, Deer Lodge, Gallatin, Jefferson, and Lewis and Clark Counties.

The Butte Field Office administrative area is in mid-western Montana. The proposed pipeline crosses approximately 7.2 miles within the Butte Field Office administrative boundary as well as 1.6 miles through the Limestone Hills Area which is Congressionally withdrawn lands to the Department of Defense that they leased to the U.S. Army Corps. The proposed pipeline also crosses approximately 64 miles of private lands. Collectively, the lands that BLM administers are considered the “Decision Area”. Surface lands within the Planning Area withdrawn by Congress to the Department of the Defense leased to the U.S. Department of the Army may rely upon this analysis but will require a separate decision. The BLM will coordinate with other federal and state agencies, and Counties especially for those resources and issues that share boundaries.

Purpose and Need

The purpose of the action is to process and analyze requests for land use authorizations and apply appropriate mitigation measures on a case-by-case basis (Butte RMP, MA-2). The need for the action is to comply with BLM’s responsibility under Title V of the Federal Land Policy and Management Act (FLPMA) (90 Stat. 2776; 43 U.S.C. 1761) and Section 28 of the Mineral Leasing Act of 1920 (MLA), as amended (30 U.S.C. 185), to respond to a request for a temporary use agreement and a permanent right-of-way grant.

Decision to be Made

This EA allows the Assistant Secretary for Lands and Minerals to make a reasoned and informed decision whether to grant the temporary use agreement and permanent right-of-way, grant it with approved terms and conditions, or whether to reject it.

Relationship to Statutes and Regulations and Executive Orders

This EA follows the alternative procedures for Compliance with the National Environmental Policy Act amid the National Energy Emergency (Executive Order (EO) 14156 Declaring a National Energy Emergency). This EA conforms with and tiers to many laws, regulations, and policies listed below:

- Executive Order (E.O.) 14156, Unleashing American Energy, 90 Fed. Reg. 8353
- Secretarial Order (S.O) 3418 implementing E.O. 14154
- National Defense Authorization Act (2013)

- Sikes Act of 1960, as amended (Habitat improvement on Public Land)
- National Historic Preservation Act of 1966, as amended
- American Indian Religious Freedom Act (AIRFA)
- Native American Graves Protection and Repatriation Act (NAGPRA)
- Carlson-Foley Act of 1968 (Weed Control on Public Lands)
- National Environmental Policy Act of 1969 (NEPA) as amended (Fiscal Responsibility Act 2023 Public Law 118-5)
- Endangered Species Act (ESA) of 1973
- Federal Noxious Weed Act of 1974, as amended in 1988, 1994
- Federal Land Policy and Management Act of 1976 (FLPMA) as amended.
- Clean Water Act of 1977
- Fish and Wildlife Improvement Act of 1978
- State of Montana Streamside Management Zone Law of July 1991

Conformance with the Land Use Plan

This document is in conformance with the 2009 Butte RMP. Specifically, the proposed action conforms with the following direction:

- Process and analyze requests for land use authorizations and apply appropriate mitigation measures on a case-by-case basis.” (Butte RMP 2009, MA-2)
- Provide land-use opportunities contributing to a sustained flow of economic benefits and meet local infrastructure needs while protecting or minimizing adverse impacts to resources and resource use (Butte RMP 2009, Goal, LR-2)
- Manage the Elkhorn Mountains as an Area of Critical Environmental Concern (50,431 acres) and associated management guidance (Butte RMP 2009, Elkhorns ACEC Management Actions)

Scoping and Issues¹

The Issues Considered but Not analyzed in detail are included in Appendix B. The Issues analyzed in detail are listed below.

- Issue 1 - Upland Vegetation: How would upland vegetation communities, including herbaceous weeds, be affected by proposed pipeline construction and maintenance?
- Issue 2 - Soils: How would upland vegetation communities, including soils, be affected by proposed pipeline construction and maintenance?
- Issue 3 - Terrestrial Special Status Species, ESA, and Big Game Habitat

¹ National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq. Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The [bureau] verifies that it has complied with the requirements of NEPA, including the Department’s regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President’s January 2025 Order and Memorandum

How would the proposed pipeline construction and maintenance impact big game and big game habitat? How would the proposed pipeline construction and maintenance affect terrestrial threatened, endangered, or BLM special status species?

- Issue 4 - Plant Special Status Species and ESA listed
How would the proposed pipeline construction and maintenance affect Utes-ladies tress?
- Issue 5 - Special Management Areas
How would the proposed pipeline construction and maintenance affect BLM's ability to protect and maintain the Elkhorn Area of Critical Environmental Concern's relevant and important values? How would the proposed pipeline project affect the Lewis and Clark National Historic Trail Corridor and visitor experiences?
- Issue 6 - Scenic Qualities
How would the proposed pipeline construction and maintenance impact scenic qualities of the landscape, especially the visual resources on BLM managed lands?

2.0 Alternatives

Alternative A – No Action Alternative

For externally initiated proposed actions, the No Action Alternative generally means that the proposed activity will not take place. This alternative would deny the proposed SF-299 application, and the current land and resource uses would continue to occur in the BLM lands within the proposed project area.

Alternative B – Proposed Action

The Proposed Action is for the BLM to issue a right-of-way (ROW) and temporary use permit (TUP) to NorthWestern Energy (applicant) for construction, operation, maintenance, and termination of a buried, 16-inch, natural gas pipeline across 7.2 miles of BLM lands in Broadwater County, Montana. The U.S. Army Corps would issue similar permanent and temporary permits authorizing construction, operation, maintenance, and termination of a buried, 16-inch, natural gas pipeline across 1.6 miles across lands withdrawn to the Department of Defense and leased to the U.S. Army Corps of Engineers. On federally managed lands, the proposed pipeline would parallel the existing, buried, Yellowstone Pipeline (YPL). The proposed natural gas pipeline centerline would be about 75 feet from the YPL centerline, and the edge of construction would be about 25 feet from the YPL centerline, adjacent to the YPL ROW (MTM 0012384) boundary.

ROW MTMT106721232: Total Area: 57.8 acres

Pipeline: 7.2 miles long, 50 feet wide (25 feet from centerline)

Pipe Diameter: 16-inch steel

ROW Term: 30 years, expiring 12/31/2054; Renewable and Assignable

Authorized Uses: Operate, Maintain, and Terminate a buried natural gas pipeline and infrastructure, including year-round use of access roads, Kimber Gulch and BLM-managed portion of Whitehorse Road

TUP MTMT106723991: Total Area 113.4 acres

Pipeline: 7.2 miles long, 100 feet wide (50 feet from centerline on one side of the pipeline), 87.3 acres

Horizontal Directional Drilling (HDD) Areas on Indian Creek: 150 feet x 200 feet for each bore, 0.7 acres/bore (~10 bores),

Access roads, 4 BLM roads, total 12.1 acres

TUP Term: 3 years, expiring 3 years from issuance; Renewable

Authorized Uses: Use of temporary areas for construction of pipeline, pipeline infrastructure, and erosion control methods. Use of sediment basins (Appendix H ,p.12) and temporary staging areas and storage yards (Appendix H p.10). Use, improvement, and construction of access to construction areas. Reclamation of disturbed areas.

Table 1. Legal Descriptions.

Surface Landowner	Location	County
BLM	Principal Meridian, Montana. T. 8 N., R. 1 E., sec. 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$; sec. 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 29, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$; sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$. T. 7 N., R. 1 E., sec. 4, SE $\frac{1}{4}$; sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$; sec. 10, W $\frac{1}{2}$ and SE $\frac{1}{4}$; sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$; sec. 25, SW $\frac{1}{4}$; sec. 36, Tract C of C.O.S 1-321. T. 6 N., R. 1 E., sec. 1, Tract D of C.O.S 1-321 and SE $\frac{1}{4}$; sec. 12, lot 1. T. 6 N., R. 2 E., sec. 7, lots 2-4, 8, and SE $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$.	Broadwater County
BLM / United States Army Corps of Engineers	Principal Meridian, Montana. T. 6 N., R. 1 E., sec. 12, lot 2. T. 6 N., R. 2 E., sec. 17, S $\frac{1}{2}$ SW $\frac{1}{4}$; sec. 20, W $\frac{1}{2}$.	Broadwater County

The BLM reviewed the project and determined that a Construction Bond and a Performance and Final Reclamation Bond must be provided. The bonds must be acceptable to the authorized officer and approved before any activities may start under the TUP and ROW. The Construction Bond will cover all construction areas in the ROW and TUP, and it must remain in effect until post-construction reclamation is approved by the authorized officer. The Performance and Final Reclamation Bond would apply to the ROW after post-construction reclamation is approved. Final reclamation actions would be approved by the BLM prior to implementation and would comply with the current guidelines and plans at the time of reclamation. The Performance and Final Reclamation Bond must remain in effect until final reclamation of the ROW is approved by the authorized officer. The bonds may be reviewed periodically by the BLM and adjusted as needed to ensure they remain adequate for coverage of the designated activities.

The BLM proposed action would result in the applicant's ability to implement their submitted Plan of Operations, which is to construct, operate, and maintain their proposed 16-inch natural gas pipeline along the federal lands described above as well as approximately 64-miles between East Helena, Montana, and Three Forks, Montana. Most of the proposed pipeline on non-federal lands would be within 75 feet of the existing Yellowstone Pipeline (YPL).

Figure 1. Project across all lands.

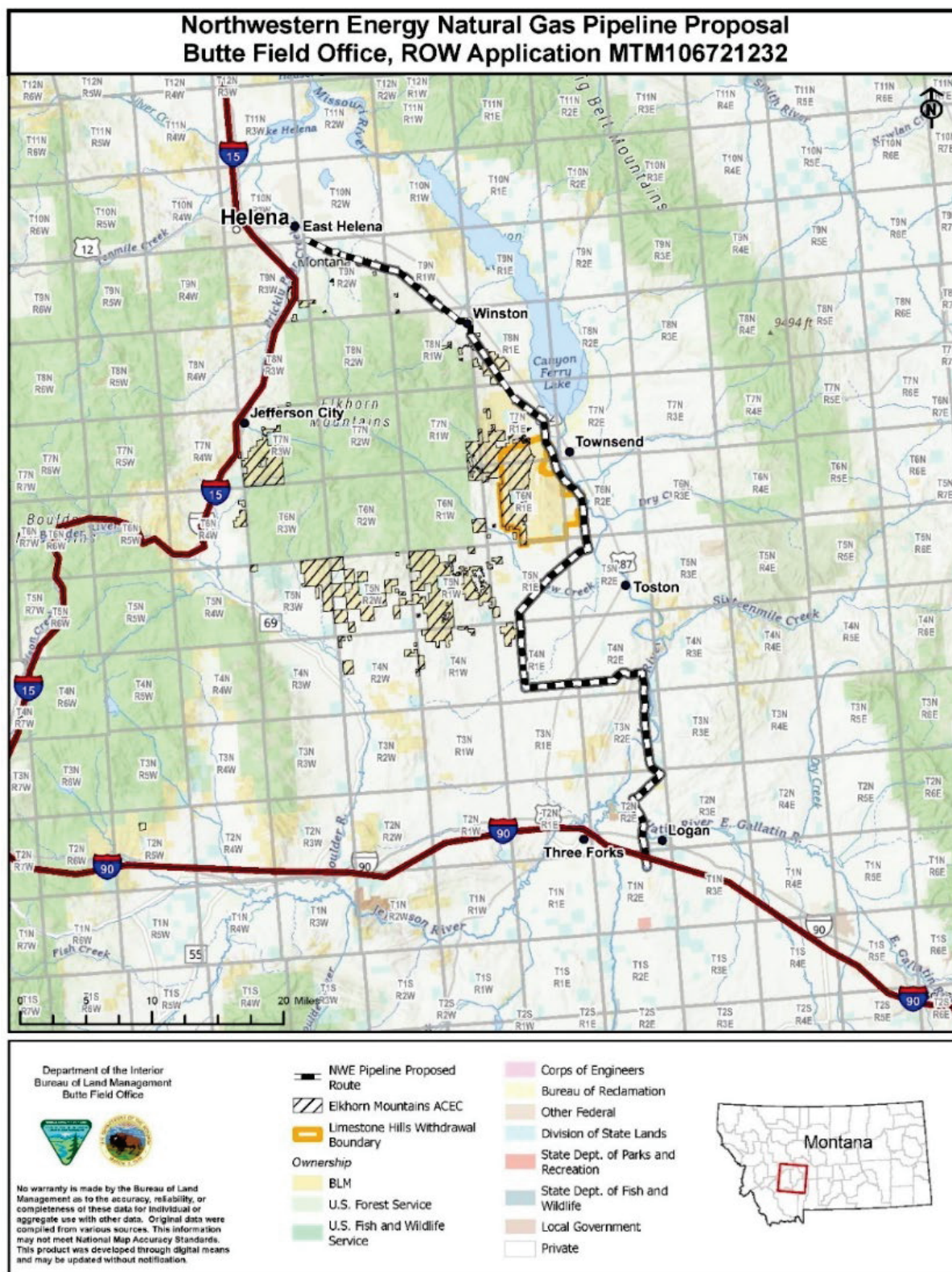
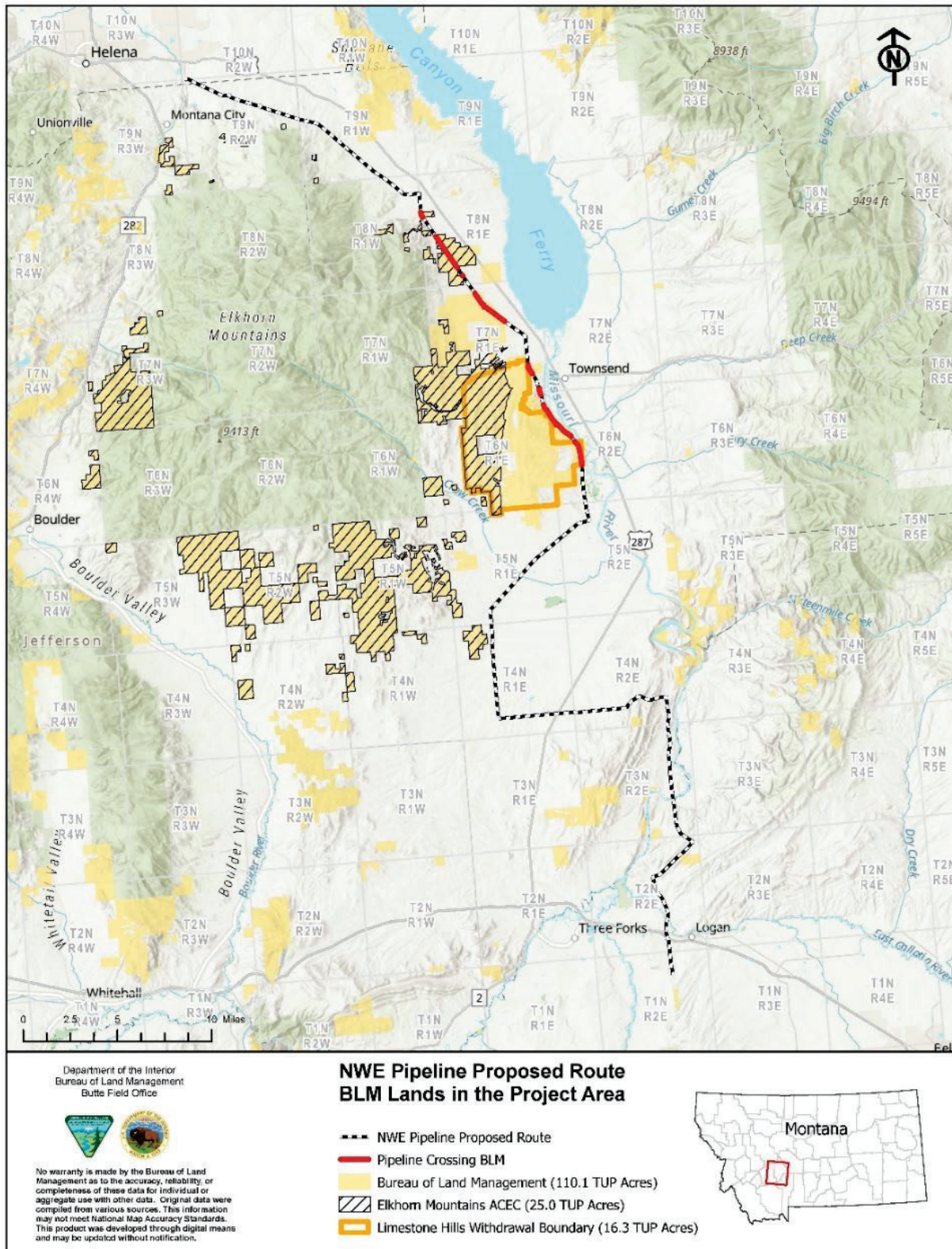


Figure 2. Federal lands



Proposed Buried Natural Gas Pipeline

The 100-foot temporary use permit (TUP) would authorize NorthWestern Energy to construct the natural gas pipeline across 7.2 miles of BLM-administered lands (87.3 acres). The U.S. Army Corps would issue similar temporary permits to cross 1.6 miles of Limestone Hills Area (19.4 acres) which are Congressionally withdrawn lands to the Department of Army and leased to the U.S. Army Corps.

The 50-foot permanent right-of-way (ROW) would authorize use, maintenance, and termination of the pipeline and year-round access roads on 7.2 miles of BLM-administered lands (43.7 acres). The U.S. Army Corps would issue a similar permanent permit to cross 1.6 miles of Limestone Hills Area (9.8 acres) which are Congressionally withdrawn lands to the Department of Army and leased to the U.S. Army Corps.

Table 2. Federal Land Jurisdiction of Temporary Use Permit (TUP) and Permanent ROW.

Federal Agency Jurisdiction	Temporary Use Permit		Permanent Right-of-Way	
	Miles	Acres		
BLM	7.2	87.3	7.2	43.7
BLM Congressional withdrawal to U.S. Army Corps, Limestone Hills	1.6	19.4	1.6	9.8
Total on Federal lands	8.8	106.7	8.8	53.5

The pipeline would cross other lands, although would not be subject to a BLM right-of-way.

Table 3. Non-Federal Land Jurisdiction of Construction and Agreement.

Non-Federal Lands	Construction Disturbance		Permanent agreement	
	Miles	Acres		
State	1.3	15.8	1.3	8.0
MDOT	0.2	2.4	0.2	1.5
City	0.3	3.6	0.3	1.5
Private	63.0	763.6	63.0	381.8
Total on non-federal lands	64.3	785.4	64.3	392.8

Construction

The TUP on BLM-lands and the Limestone Hills military training site would allow open trenching to be used in upland areas, with appropriate erosion and sediment controls in place within a 100-foot-wide construction area. Heavy equipment, such as backhoes and graders, would remove surface vegetation and grade the trench and the adjacent working/staging areas then dig the trench. The pipe would be delivered in 60-80-foot segments (joints) and be assembled in working/staging areas adjacent to the trench. At least two 10-acre laydown yards and temporary workspaces would occur within the TUP 100-foot area.

Construction on federal lands would occur approximately August 1st-November 1st during one season. The project would begin in the spring of 2026 and would take 3 years to complete the entire 74 miles of pipeline.

The applicant's Plan of Operations suggested that the same techniques for construction of the pipeline would be applied to non-Federal lands. Construction on non-federal lands would occur March-October.

Table 4. Construction activity and equipment².

Activity	Equipment
Survey	Pickup trucks All-terrain vehicles
Road construction (*not on BLM)	1 Bulldozer (D-8 CAT) 1 Motor grader 1 Pickup truck 1 Water truck (for construction and maintenance)
Pipeline installation	2 Bulldozers 1 Motor grader 3 Pickup Trucks 2 Water Trucks 4 Sidebooms 4 Excavators 4 Welding Trucks

Horizontal Direction Drilling (HDD) and Waterbody Crossings

On federal lands, the project will cross Indian Creek. NorthWestern Energy will use trenchless construction methods, including horizontal directional drilling (HDD) or hammer drilling (bored), which would avoid direct surface impacts for waterbody crossings. Bores must be at least 35 feet deep and would require annual leak surveys. Drilling and boring fluids would be discharged in the drilling/boring location(s) within areas prepared to capture sediment and minimize erosion. Hydraulic testing fluids are usually municipal water and would be discharged in compliance with MT DEQ water quality requirements.

Table 5. Bore locations and obstacles.

Obstacle	Estimated Length
Indian Creek	3,500 feet

On non-federal lands, the applicant's plan of operations stated that the project will cross the Missouri and Gallatin Rivers, in addition to four smaller tributaries using similar methods.

² Note – the personnel and equipment estimate in Table 4 would not all be on-site at once. These are estimates for the life of the project.

Temporary Use Areas

The TUP would allow temporary use areas. Temporary use areas include pipeline assembly and welding areas, staging areas, construction yards, topsoil storage areas, temporary erosion control areas, such as sediment basins, drainage ditches, and waterbars across the pipeline, and any temporary access roads that need to be graded, maintained, improved, or constructed. Work areas would be required at each structure site to facilitate the safe operation of equipment. This equipment would include but is not limited to excavators, skid steers, bulldozers, compaction equipment, and crew vehicles. Grading would only occur where the topography was too steep or uneven to allow safe operation of equipment.

The temporary use areas, outside of the waterway crossings, would occur within the 100-foot TUP area (see Figure 3 Appendix H). For bore sites within waterways, a 150-foot by 150-foot temporary working area will be required for each bore site.

Permanent and Temporary Access Roads

No new temporary or permanent access roads will be constructed on federally managed lands. Project access on federal lands will be primarily achieved through overland travel within a temporary 100-foot-wide use corridor, centered on the proposed pipeline. The BLM Temporary Use Permit (TUP) and permanent pipeline Right-of-Way (ROW) will permit the year-round use, improvement, and maintenance of existing access routes, including Kimber Gulch Road and Whitehorse Road.

Anticipated access route width is 24 feet, which may necessitate temporary improvements to sections of these existing routes, both within and outside the TUP area. These improvements could involve clearing vegetation and rocks, re-grading, blading, and widening. Additionally, existing access routes with grades exceeding 8% may require the construction of new, temporary bypass routes to accommodate construction equipment. Four primary access roads crossing BLM land are identified (Appendix H Figure 3 and 6.4), with others potentially depicted in NWE pipeline survey plats, such as River Road (Exhibits E & F in Appendix H). Any temporary access routes authorized during construction will also allow for maintenance activities during the term of the TUP until final reclamation is completed. The permanent pipeline ROW will allow for ongoing year-round operation, maintenance, and use of Kimber Gulch Road and the BLM managed portion of Whitehorse Road for pipeline maintenance and emergency response activities.

For non-federal lands, existing roads and trails will be utilized for access whenever feasible, and temporary roads will be constructed as needed. As with the existing roads on BLM-administered lands, temporary improvements and diversions may be necessary to accommodate construction equipment on non-federal lands.

Traffic volume generated by the proposed action would vary depending on the phase of implementation, with only minor delays anticipated with construction traffic. Once construction is completed (3 years anticipated duration), NWE would return local roads to pre-construction traffic conditions.

Equipment Storage Areas

No equipment storage areas would be located on federal lands.

Reclamation and Restoration and Erosion Control

After construction, the TUP also includes work associated with reclamation, restoration and erosion control. Once the pipeline segment is lowered into the trench, construction crews quickly “shade in” the trench using previously windrowed subsoil to protect the pipeline from damage. Topsoil materials are then replaced, and soils are lightly compacted with a backhoe to reduce soil erosion by wind and water. This process occurs in a conveyor belt system, generally a team of construction workers first cut the trench open, another team works behind them to lay the pipe, another team backfills the trench within a matter of days, and final site remediation and erosion control is completed by a final team (including activities such as seeding, erosion control mat, or other BLM approved methods). Site reclamation will follow design criteria to re-establish the original landscape contours to the extent possible to help facilitate water drainage and scenic values. Final site reclamation activities are anticipated to occur within 20 days of the initial site disturbance depending upon weather and site conditions.

Following soil reclamation, vegetation restoration treatments will include reseeding the area, replacing available weed free sod mats to help with soil stabilization when available, and using soil stabilizing mulch or other organic materials to cover newly seeded or planted areas to keep the seeds in place and support growth. The project applicant will be required to monitor vegetation restoration and additional seed sowing may be necessary to achieve desired vegetation conditions. Restoration also includes installation of permanent erosion prevention features on unstable slopes and soil types such as interceptor dikes that help divert water. Once revegetation has occurred, any temporary erosion control devices would be removed.

Operations and Maintenance

Once operational, the pipeline would be monitored through remote telemetry and periodic aerial and ground inspections. A permanent ROW of approximately 50-feet would be maintained through vegetation management and access to ensure pipeline integrity and safety on BLM-administered lands, and a similar permit on federal lands in the Limestone Hills area. Maintenance activities would be conducted in accordance with applicable regulatory and environmental regulations.

Project Design Features

Please see Appendix C for Project Design Features and Standard Operating Procedures that will become Stipulations of the temporary use permit and right of way (TUP/ROW). Project design features and SOPs are intended to reduce, minimize, and avoid adverse impacts associated with the Proposed Action.

Prior to construction, the applicant will obtain all requisite permits and authorizations listed below. Any terms, conditions, or stipulations included in those permits will be become required stipulations in the BLM’s ROW/TUP and will be likely adopted by the U.S. Army Corps into their permit for Limestone Hills as well.

- U.S. Army Corps of Engineers – Right-of-Way Permit to construct and operate a natural gas pipeline on land under the Mineral Leasing Act of 1920, as Amended (30 U.S.C. 185) and Title 43 Code of Federal Regulations Subpart 2880.
- U.S. Army Corps of Engineers – Section 404 Clean Water Act to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. The Section 404 permit will be obtained through the Joint Application for proposed work in Montana’s streams, wetlands, floodplains, and other water bodies (33 U.S.C. 1344)
- Montana Department of Environmental Quality – General Discharge Permit for Stormwater Associated with Construction Activity will permit construction and industrial activities for the Project that would result in the discharge of stormwater to waters of the state. MFSA Certificate of Compatibility to ensure environmental compliance with MFSA (Montana Water Quality Act (75-5-401 et seq., MCA).
- Montana Department of Natural Resources and Conservation – Land Use License (LS-432) for licensing structures and improvement on state lands and across navigable water bodies.
- Montana Fish, Wildlife and Parks – Section 404 of the Clean Water Act, a Joint Application with the U.S. Army Corps of Engineers (Stream Permitting Act).

The applicant will work through the 36 CFR, 800.12 and 800.14 alternate procedures for NHPA and implementing regulations for ESA using emergency consultation procedures outlined in 50 CFR 402.05. Any required mitigation measures or conditions will be applied as a stipulation of the ROW and TUP or addressed in the Programmatic Agreement developed in concert with the MT SHPO, NWE, Cooperating Agencies and Native American Tribes and Communities.

- U.S. Fish and Wildlife Service – Endangered Species Act Section 7 consultation to ensure compliance for impacts to federally listed threatened and endangered species.
- State Historic Preservation Office – Section 106 of the National Historic Preservation Act will ensure consultation with project applicants and state agencies regarding impacts on cultural resources that are either listed or eligible for listing on the National Register of Historic Places (Montana Antiquities Act (22-3-421 through 422, MCA)).