3.10 Special Status Species

Special status species are those species for which state or federal agencies afford an additional level of protection by law, regulation, or policy. Included in this category are federally listed species that are protected under the ESA and species designated as sensitive by the USFS. In accordance with the ESA, as amended, the lead agency (BLM) in coordination with the USFWS and USFS must ensure that any action that they authorize, fund, or carry out would not adversely affect a federally listed threatened or endangered species.

As stated in Special Status Species Management Policy 6840 (6840 Policy) (Rel. 6-125), it also is BLM policy "to conserve and/or recover ESA-listed species and the ecosystems on which they depend so that ESA provisions are no longer needed for these species, and to initiate proactive conservation measures that reduce or eliminate threats to BLM sensitive species to minimize the likelihood of and need for listing of these species under the ESA." Additionally, as stated in the USFS Manual (FSM 2670.22), it is USFS policy "to develop and implement management practices to ensure that species do not become threatened or endangered because of USFS actions; maintain viable populations of all native and desired nonnative wildlife, fish, and plant species in habitats distributed throughout their geographic range on National Forest System lands; and develop and implement management objectives for populations and/or habitat of sensitive species."

3.10.1 Special Status Plant Species

There are 14 USFS designated sensitive plant species on the Little Missouri National Grassland (USFS 2011b). No federally listed plant species were identified as potentially occurring within the Project area. The potential occurrence of special status plant species within the Project area was based on range, known distribution, and the presence of suitable habitat crossed by the Project route (**Appendix B**). Of the 14 species, two species, limber pine and Dakota buckwheat were eliminated from detailed analysis; the remaining 12 species have the potential to occur within the Project area, as described in **Appendix B**.

Species-specific surveys were conducted in August and September 2011, in accordance with USFS-approved survey protocol for all aforementioned 14 plant species. Presence/absence surveys were conducted within an extended 200- to 250-foot-wide survey corridor centered on the Project route on federal property. Subsequent surveys were conducted on May 16, May 24, and in July, 2012, within rerouted Project footprints. Survey results indicate the presence of four sensitive species, containing multiple populations within the survey area as detailed in **Table 3.10-1** and as illustrated in **Figures 3.10-1** through **3.10-3**. Although individuals and populations were not identified for the remaining 10 species, suitable habitat was confirmed for all species, with the exception of limber pine and Dakota buckwheat, along the Project route.

3.10.2 Special Status Wildlife Species

A total of 19 special status terrestrial and aquatic wildlife species were identified by the USFWS and USFS as potentially occurring within the Project vicinity (Hagen et al. 2005; USFS 2011b; USFWS 2011b). The potential for occurrence of Special Status Wildlife Species within the Project area was based on range, known distribution, and the presence of suitable habitat crossed by the Project route. These species, their habitat associations, and their potential occurrence within the Project area are summarized in **Appendix B**. Occurrence potential for each species was based on habitat requirements and known distribution. Based on these evaluations, two wildlife species (black-footed ferret and gray wolf) have been eliminated from detailed analysis. The remaining 17 species analyzed, including six federally listed or candidate species (i.e., interior least tern, piping plover, whooping crane, Sprague's pipit, pallid sturgeon, and Dakota skipper) have the potential to occur within the Project area, as described in **Appendix B**.

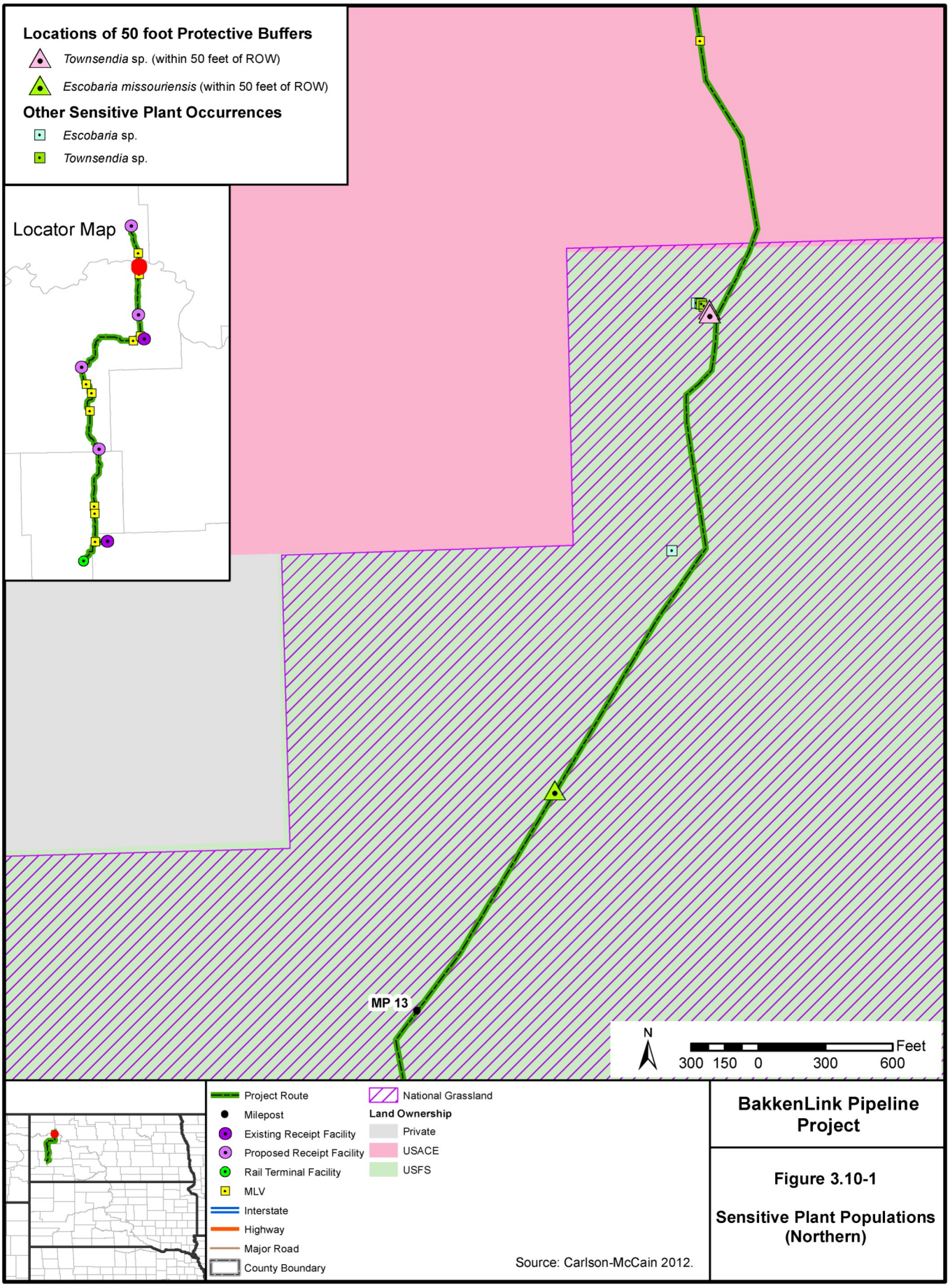
Table 3.10-1 Locations of Special Status Plant Species within the Survey Area

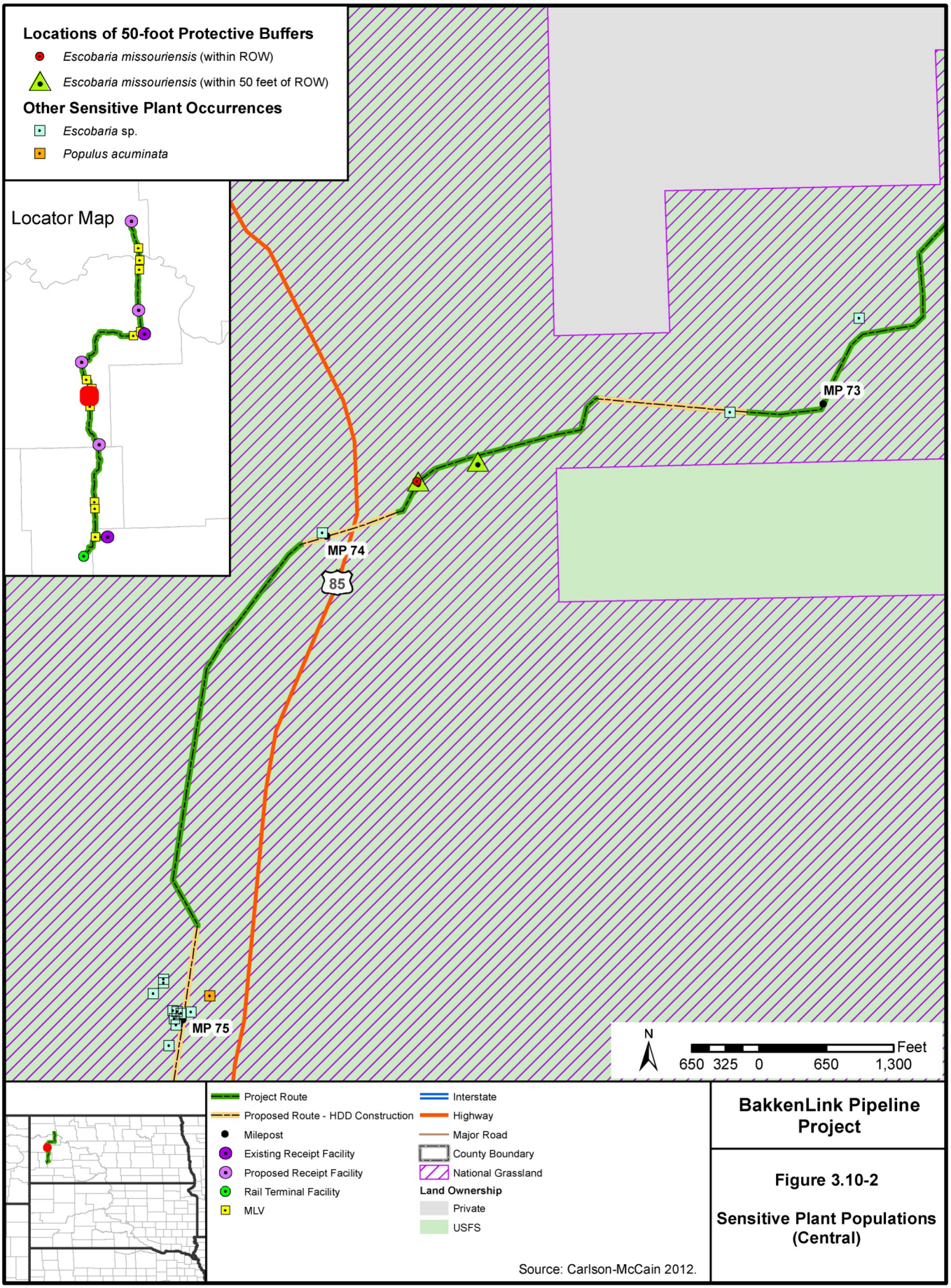
Common Name	Scientific Name	Number of Populations and Individuals Identified within the 200- to 250-foot-wide Survey Corridor	Locations of Identified Populations within the Construction ROW
Missouri pincushion cactus	*Escobaria missouriensis*[1,2]	24 populations; 100 individuals	One population at MP 73.8; the remaining 23 populations are located off-ROW
Lance-leaf cottonwood	*Populus acuminata*	1 population; 5 individuals	Population located off-ROW
Stemless townsend daisy	*Townsendia exscapa*[1]	4 populations; 53 individuals	Populations location off-ROW
Hooker's townsendia	*Townsendia hookerii*[1]	Same as *T. exscapa*	Same as *T. exscapa*

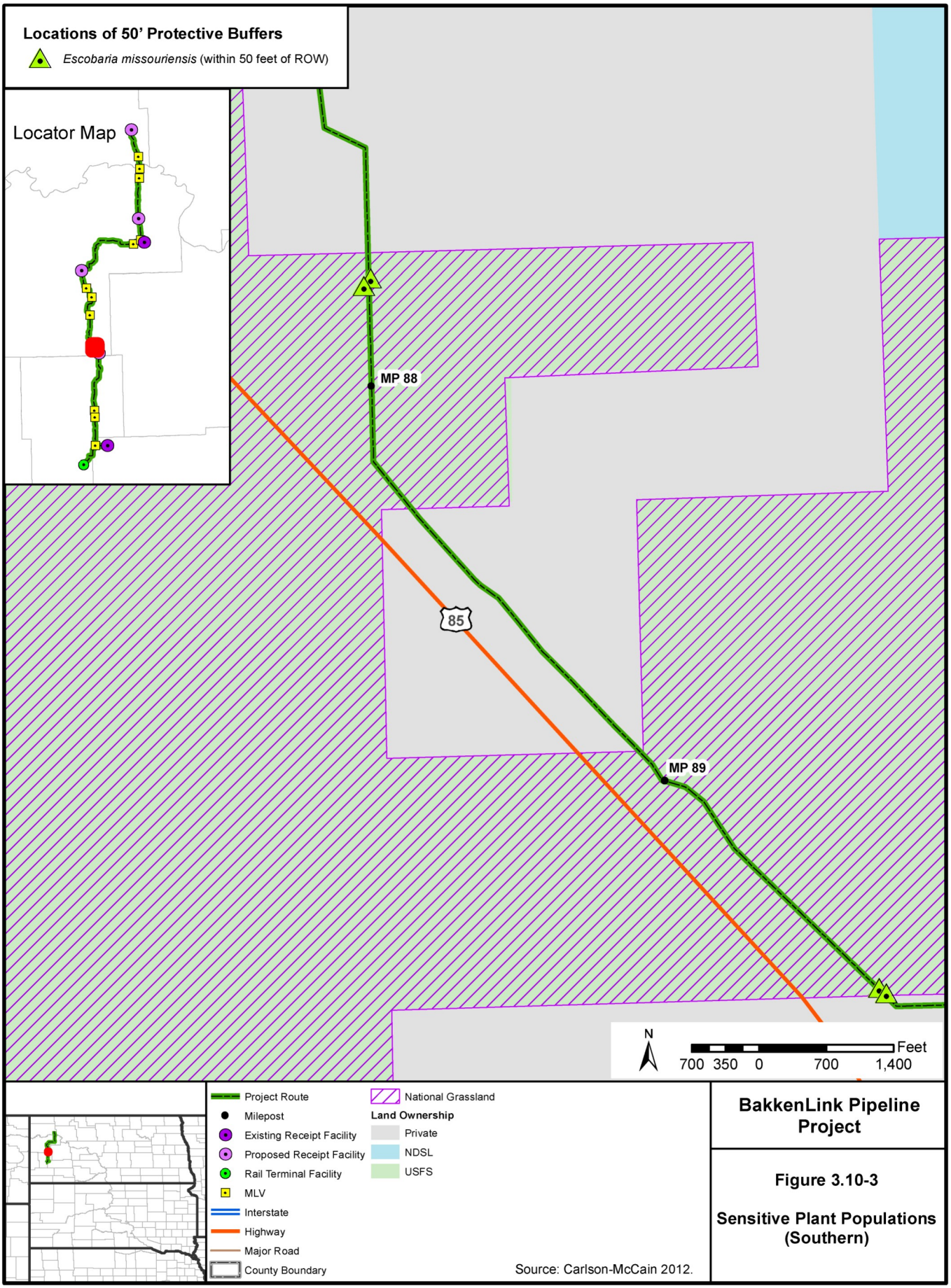
[1] Based on the timeframe of the species-specific survey and lack of a flower head, *Escobaria* and *Townsendia* individuals were verified only to the genus level. This analysis assumes presence on the three *Escobaria* and *Townsendia* species presented above, based on the diagnostic characteristics and suitable habitat parameters present during identification.

[2] Additional surveys, as completed in May and July 2012, verified the specific epithet of 29 *Escobaria* species, now classified as a non-sensitive species, *Escobaria vivipara*; these 29 species were removed from the total above.

Source: Kjar 2011b.


Locations of 50 foot Protective Buffers
Townsendia sp. (within 50 feet of ROW)
Escobaria missouriensis (within 50 feet of ROW)
Other Sensitive Plant Occurrences
Escobaria sp.
Townsendia sp.
Locator Map
MP 13
N
Feet
300 150 0 300 600
Project Route
Milepost
Existing Receipt Facility
Proposed Receipt Facility
Rail Terminal Facility
MLV
Interstate
Highway
Major Road
County Boundary
National Grassland
Land Ownership
Private
USACE
USFS
Source: Carlson-McCain 2012.
BakkenLink Pipeline Project
Figure 3.10-1
Sensitive Plant Populations (Northern)


Locations of 50-foot Protective Buffers
Escobaria missouriensis (within ROW)
Escobaria missouriensis (within 50 feet of ROW)
Other Sensitive Plant Occurrences
Escobaria sp.
Populus acuminata
Locator Map
MP 73
MP 74
85
MP 75
N
650 325 0 650 1,300
Feet
Project Route
Proposed Route - HDD Construction
Milepost
Existing Receipt Facility
Proposed Receipt Facility
Rail Terminal Facility
MLV
Interstate
Highway
Major Road
County Boundary
National Grassland
Land Ownership
Private
USFS
Source: Carlson-McCain 2012.
BakkenLink Pipeline Project
Figure 3.10-2
Sensitive Plant Populations (Central)


Locations of 50' Protective Buffers
Escobaria missouriensis (within 50 feet of ROW)
Locator Map
MP 88
85
MP 89
N
Feet
700 350 0 700 1,400
Project Route
Milepost
Existing Receipt Facility
Proposed Receipt Facility
Rail Terminal Facility
MLV
Interstate
Highway
Major Road
County Boundary
National Grassland
Land Ownership
Private
NDSL
USFS
Source: Carlson-McCain 2012.
BakkenLink Pipeline Project
Figure 3.10-3
Sensitive Plant Populations (Southern)

3.11 Land Use

Existing land use along the Project route varies from cropland to badlands. Land uses within the Project area are listed by vegetation cover type in **Table 3.6-1**. Agriculture (54 percent) and livestock grazing (33 percent) are the primary land uses within the Project area. Other undeveloped areas are used for recreation activities such as hunting, fishing, and boating. Developed land supports commercial areas, family housing units, parks, golf courses, and facilities (McCain and Associates 2011c). Oil and gas development began in the area in the 1950s. Production of oil has increased drastically in McKenzie and Williams counties since 2004, while production in Billings County has tapered to near late 1970 levels as of 2011 (North Dakota Department of Mineral Resources [NDDMR] 2011).

The Project route traverses lands under the regulatory and management control of the USACE, USFS, North Dakota State Land (NDSL), and private land, which is regulated by county land use plans and ordinances. The land ownership crossed by the Project is illustrated on **Figure 3.11-1** and the Special Management Areas that occur along the Project route in the McKenzie Ranger District are illustrated on **Figure 3.11-2.** Land ownership is detailed in **Table 3.11-1**.

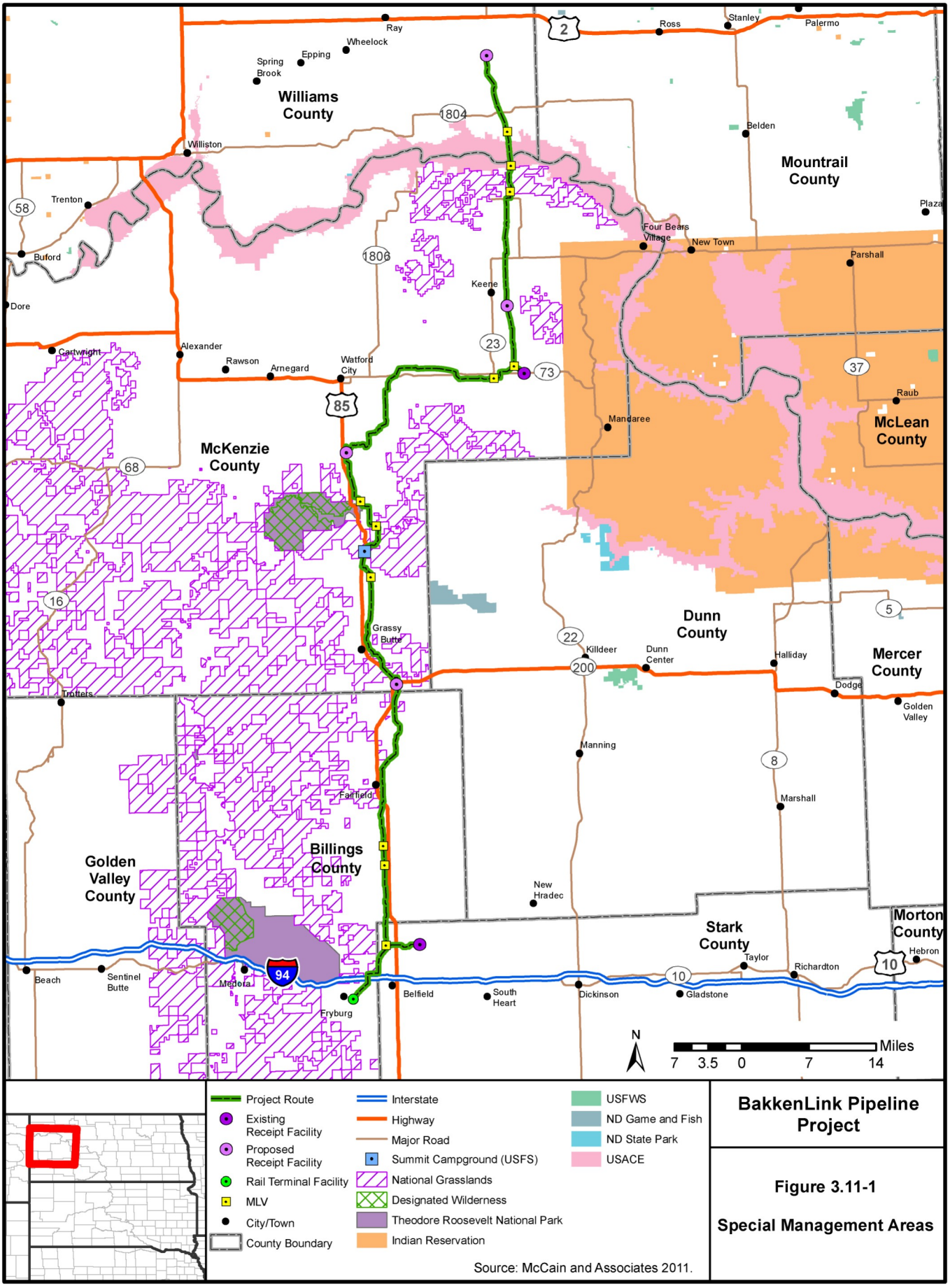
Table 3.11-1 Land Ownership[1]

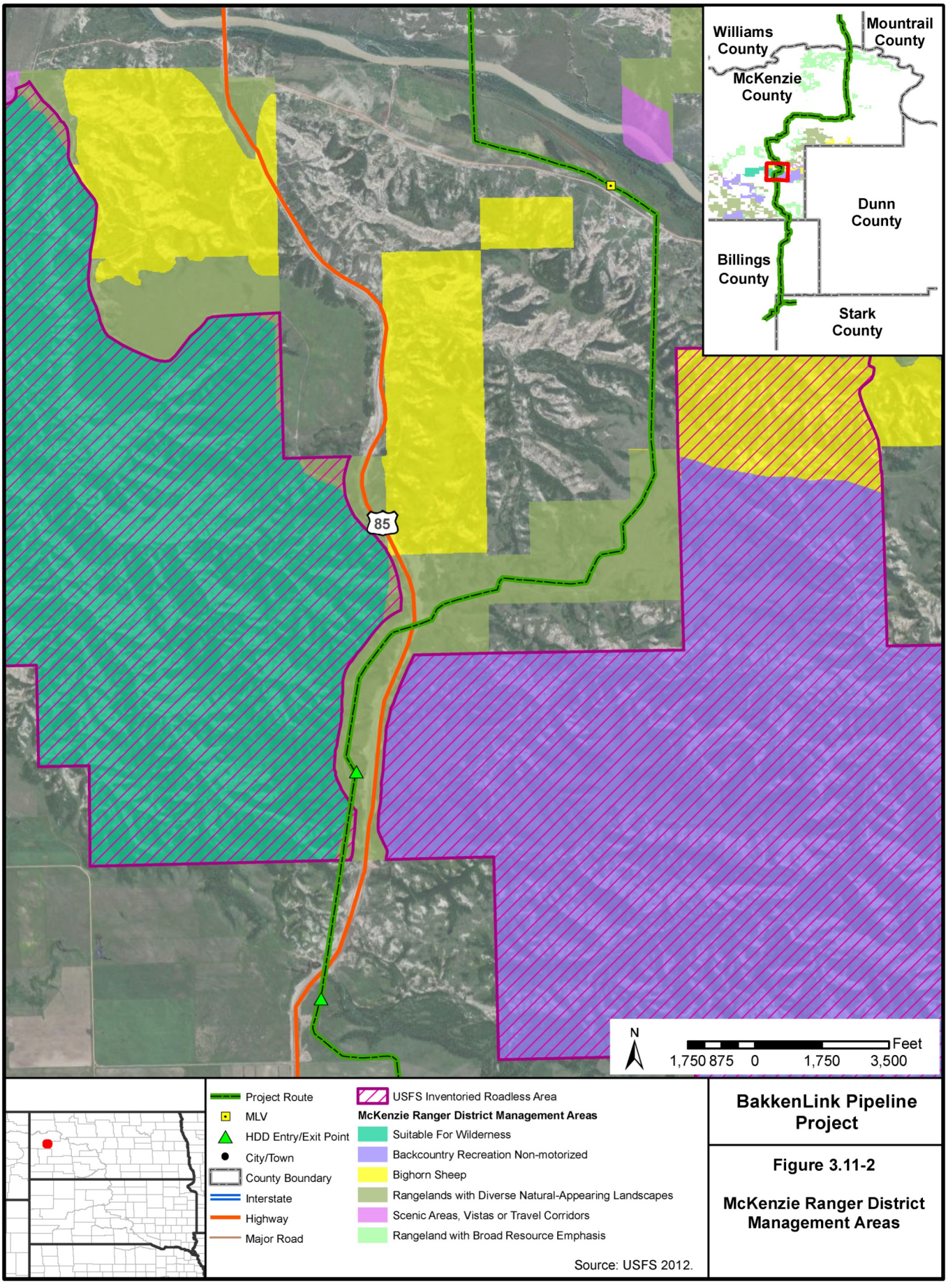
Ownership	Miles	% of Project Route
NDSL	3	2
USFS	7	6
USACE	2	2
Private Land	115	90
Total	127	100

[1] Represents Project centerline ownership.

Source: USGS 2005.

Within the USFS management areas, there are approximately 44 acres of national grassland. National grasslands were established to ensure sustainable ecosystems, multiple benefits to people, scientific and technical assistance, and effective public service. In order to maintain these goals, the national grassland guidelines require special use permits for changes in land use. Guidelines allow that utility companies may construct facilities in new corridors, unless prohibited by management directions. Pipelines must be buried and other precautions must be made to minimize impacts to the environment, such as using exiting corridors and disturbed areas as much as possible (USFS 2001).


Ray
Wheelock
Epping
Spring Brook
Williams County
Williston
Trenton
Buford
Dore
Cartwright
Alexander
Rawson
Arnegard
Watford City
McKenzie County
Grassy Butte
Trotters
Fairfield
Billings County
Golden Valley County
Beach
Sentinel Butte
Medora
Belfield
South Heart
Fryburg
New Hradec
Dickinson
Gladstone
Stark County
Taylor
Richardton
Hebron
Morton County
Manning
Marshall
Dodge
Golden Valley
Halliday
Killdeer
Dunn Center
Dunn County
Mercer County
Raub
McLean County
Mandaree
Four Bears Village
New Town
Parshall
Keene
Belden
Mountrail County
Ross
Stanley
Palermo
Plaza
1804
1806
2
58
68
16
85
23
73
37
22
200
5
8
10
94
N
Miles
7 3.5 0 7 14
Project Route
Existing Receipt Facility
Proposed Receipt Facility
Rail Terminal Facility
MLV
City/Town
County Boundary
Interstate
Highway
Major Road
Summit Campground (USFS)
National Grasslands
Designated Wilderness
Theodore Roosevelt National Park
Indian Reservation
USFWS
ND Game and Fish
ND State Park
USACE
Source: McCain and Associates 2011.
BakkenLink Pipeline Project
Figure 3.11-1
Special Management Areas



BakkenLink Pipeline Project

Figure 3.11-2

McKenzie Ranger District Management Areas

3.12 Recreation

Recreational opportunities in the Project vicinity include hunting, hiking, camping, and snowmobiling. The Little Missouri River and Lake Sakakawea, a reservoir on the Missouri River, both provide unique recreational opportunities in the northern portion of the Project area. These activities include swimming, boating, fishing, hunting, bird watching, and other nature observations.

Hunting season in the Project area typically begins in late summer and ends in early winter, although there is a spring light goose season normally lasting from mid-February to early May. White-tailed deer gun season for 2011 began November 4 and ended November 20. General season for waterfowl begins September 24 for residents and October 1 for non-residents, and ends January 1 (NDGFD 2011a). Recreational opportunities on Lake Sakakawea and the Little Missouri River are most prevalent during the summer; however, ice fishing is a popular winter activity on Lake Sakakawea. The NDGFD regulates fishing on the lake, but access is regulated by the USACE (NDGFD 2011a).

Big game hunting is a common activity in the Project area and is regulated by the NDGFD. The Project area is desirable for big game species such as white-tailed deer, pronghorn, mule deer, and, to a lesser extent, elk. White-tailed deer hunting statistics from the NDGFD for years 2006 to 2009 are presented in **Table 3.12-1**. The most common white-tailed deer hunting units in the Project area in terms of number of licenses issued in 2009 were Units 3E1 and 3B1. The Town of Dickinson is within the boundary of Unit 3E1 and the Town of Williston is within the boundary of Unit 3B1. Unit 3B1 has seen consistent declines in the number of licenses issued in the 2006 to 2009 timeframe, while the number of white-tailed deer licenses issued in Unit 3E1 has increased.

Table 3.12-1 White-tailed Deer Hunting Statistics

Hunting Unit	License and Hunter Success	2006	2007	2008	2009	Change 2006-2009 (%)
3B1 (Williams and McKenzie counties)	No. of Licenses Antlerless Deer	1,500	1,500	1,000	800	-47
	Hunter Success (%)	62	58	70	57	-8
	No. of Licenses Antlered Deer	700	700	600	500	-29
	Hunter Success (%)	77	63	80	65	-16
4A (McKenzie and Dunn counties)	No. of Licenses Antlerless Deer	350	450	400	500	43
	Hunter Success (%)	75	82	75	65	-13
	No. of Licenses Antlered Deer	200	200	200	250	25
	Hunter Success (%)	82	60	77	62	-24
3D1 (Dunn and Billings counties)	No. of Licenses Antlerless Deer	200	200	200	300	50
	Hunter Success (%)	85	67	72	57	-33
	No. of Licenses Antlered Deer	200	200	200	200	0
	Hunter Success (%)	79	80	83	73	-8

Table 3.12-1 White-tailed Deer Hunting Statistics

Hunting Unit	License and Hunter Success	2006	2007	2008	2009	Change 2006-2009 (%)
3E1 (Dunn, Billings, and Stark counties)	No. of Licenses Antlerless Deer	800	800	1,000	1,300	63
	Hunter Success (%)	79	80	80	60	-24
	No. of Licenses Antlered Deer	450	450	490	490	9
	Hunter Success (%)	88	89	83	82	-7

Source: NDGFD 2011b.

Small game species hunted in the Project area include sharp-tailed grouse, gray (Hungarian) partridge, wild turkey, ring-necked pheasant, and mourning dove. Many of these species are hunted in wildlife management areas (WMAs). These parcels of public land owned or leased by the NDGFD are managed to promote public hunting, fishing, and trapping. Many WMAs also are ideal for nature study, hiking, and primitive camping. **Table 3.12-2** details the WMAs in the Project vicinity as well as specific recreational activities for each WMA. Deer hunting is the most common hunting activity, followed by waterfowl and pheasant hunting. There are no WMAs within Stark County.

Table 3.12-2 Wildlife Management Areas

WMA Location	WMA	Size (acres)	Recreational Use
Billings County	Bull Creek	160	Deer, sharp-tailed grouse
Dunn County	Killdeer Mountains	7,056	NA
McKenzie County	Antelope Creek	738	Deer, waterfowl, pheasant, sharp-tailed grouse, Hungarian partridge, fishing
	Lewis and Clark LS	8,138	Deer, waterfowl, pheasant, fishing
	Neus Point	500	Deer, turkey, pheasant
	Ochs Point	1,000	Deer, turkey, pheasant
	Overlook Point	32	Deer
	Sullivan	265	Deer, turkey, pheasant
	Tobacco Garden	392	Deer, waterfowl, pheasant, sharp-tailed grouse, Hungarian partridge
Williams County	Blacktail Dam	46	Fishing
	Blue Ridge	80	Sharp-tailed grouse, waterfowl
	Hofflund LS	1,558	Deer, waterfowl, pheasant, sharp-tailed grouse, Hungarian partridge, fishing
	McGregor Dam	191	Fishing, waterfowl, Hungarian partridge
	Trenton LS	2,647	Deer, waterfowl, pheasants, fishing

Source: NDGFD 2011c.

Lake Sakakawea and the Little Missouri River provide waterfowl hunting opportunities for Canada goose, mallard, green-winged teal, northern pintail, and numerous other species. Fishing for walleye and northern pike on Lake Sakakawea also is a common recreational activity. Fishing opportunities also are available at a number of WMAs in the Project vicinity. Lewis and Clark, Hofflund, and Trenton WMAs are located on the banks of Lake Sakakawea and offer big game, waterfowl, and upland bird hunting opportunities, in addition to fishing. Ice fishing also is a popular wintertime activity on Lake Sakakawea. The NDGFD does not track WMA visitation.

Hunting and fishing opportunities also are provided by a collaborative relationship between the state of North Dakota and private land owners known as Private Land Open to Sportsmen (PLOTS). One of the primary objectives of PLOTS is to provide the public with opportunities to access fish and wildlife resources on private land, as well as the conservation of habitats for fish and wildlife populations. There are numerous private landowners near the Project area that take part in the program, and three that are adjacent to the Project route in McKenzie County.

The Project route passes east of Theodore Roosevelt National Park. Common activities within the park include backcountry hiking, camping, and wildlife viewing. Hunting is not allowed within the park boundary. The park attracts over half a million visitors a year, with the months of June, July, and August receiving the most visitation. Park attendance has increased 43 percent from 2006 to 2010. Park attendance stood at 623,748 visitors in 2010 (NPS 2010).

The Project route traverses approximately 7 miles of the USFS LMNG in McKenzie County. Most of the recreational use is highly dispersed and includes camping, picnicking, hiking, hunting, fishing, and motorized vehicle use where allowed. The Project route would pass directly through the Summit Campground located within the National Grassland adjacent to U.S. Highway 85 and USFS Road 859p in McKenzie County. No Recreation Management Areas (RMAs) in the LMNG are crossed by the Project route. One tract (approximately 1,500 feet) of USFS-administered land adjacent to U.S. Highway 85 and southeast of Theodore Roosevelt National Park has been designated as an Inventoried Roadless Area (IRA) a “roadless area,” but it would be crossed using the HDD construction method (**Figure 3.11-2**). The only privately developed recreation area near the Project route and laterals is the West Dixon Campground, which is located on private land adjacent to the Project route in McKenzie County and U.S. Highway 85 (McCain and Associates 2011).