

# Determination of NEPA Adequacy

## BLM-UT-W010-2012-0001

---

## Ruby Pipeline: Cathodic Protection Facilities

---

**October 19, 2011**

*Prepared by:*

Bureau of Land Management  
Salt Lake Field Office  
2370 South 2300 West  
Salt Lake City, UT 84119



**Worksheet**

**Documentation of Land Use Plan Conformance  
and  
Determination of NEPA Adequacy**

U.S. Department of the Interior  
Utah Bureau of Land Management  
Salt Lake Field Office

---

The signed CONCLUSION at the end of this worksheet for a Determination of NEPA Adequacy (DNA) is part of an interim step in the Bureau of Land Management's (BLM's) internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures. The route traverses lands managed by BLM's, Salt Lake Field Office. The BLM is the federal agency responsible for issuing right-of-way (ROW) grants for natural gas pipelines across federal lands for the Ruby Pipeline Project. As such, BLM, with concurrence from the Fremont Winema National Forests, will oversee this process in compliance with the National Environmental Policy Act (NEPA) and will have the lead in providing input and direction for activities associated with construction and restoration.

OFFICE: Salt Lake Field Office (West Desert District)

NEPA LOG NUMBER: BLM-UT-W010-2012-0001-DNA

TRACKING NUMBER: FERC/EIS-0232F

CASE FILE/PROJECT NUMBERS: NVN-084650/UTU-82880

PROPOSED ACTION TITLE/TYPE: Ruby Pipeline Project/Natural Gas Pipeline Cathodic Protection Facilities and Access Roads

APPLICANT: Ruby Pipeline, L.L.C.

LOCATION/LEGAL DESCRIPTION:

| Table 1. Cathodic Protection Facility Road, Salt Lake Field Office. |   |        |               |  |                 |         |
|---|---|--------|---------------|--|-----------------|---------|
| Main Line Valve (MLV) No.   | Facilities Being Requested              | MP (~) | Ruby Quad No. | Legal Description                                  | Length (feet,~) | Acreage |
| 14  | Build New Road from CR 8560 N to MLV 14 | R190.6 | 33            | Portions of the NW¼NW ¼ of Section 31, T11N, R13W. | 156             | 0.10744 |

## **A. Description of the Proposed Action and Any Applicable Mitigation Measures**

The Ruby Pipeline Project (Project), proposed by Ruby Pipeline, LLC (Ruby), is composed of approximately 675.2 miles of 42-inch diameter natural gas pipeline, along with associated compression and measurement facilities, located between Opal, Wyoming, and Malin, Oregon. The Project would include an approximate 2.6-mile lateral, known as the PG&E Lateral, to be constructed in Klamath County, Oregon. As proposed, the Project would have a design capacity of approximately 1.5 million Dekatherms per day, depending on final subscriptions. The Project's ROW would cross four states: Wyoming, Utah, Nevada, and Oregon.

The original Proposed Route for the pipeline was analyzed in the Ruby Pipeline Project Final Environmental Impact Statement (FEIS) published in January 2010. As part of its ROW grant application, Ruby submitted a "detailed construction, operation, rehabilitation, and environmental protection plan," also known as a Plan of Development (POD) to BLM for the Ruby Pipeline Project (43 CFR §2804.25(b)). Ruby's POD describes how it will comply with the applicable laws, regulations, and BLM Resource Management Plans (RMPs) in the construction and operation of the Project. The POD also describes additional environmental protection measures that Ruby will implement on the public and private lands crossed by the Project. The Project POD, incorporated by reference herein, also identifies avoidance, minimization, and conservation measures to address potential impacts to resources.

The actions described for the Salt Lake Field Office are part of a larger action that includes construction of four cathodic protection sites and 15 short segments of new access roads. In total, Ruby's cathodic protection and access road proposals would affect about 9 acres in six BLM Field Offices and one National Forest.

The MLV sites provide the pipeline with power (purchased or thermally electrically generated [using natural gas to generate the electricity]). Cathodic protection is needed to protect the pipeline from corrosion and to comply with U.S. Department of Transportation requirements. To be effective, a ground bed must extend at approximately 90 degrees from the pipeline, i.e. 90 degrees down, or 90 degrees perpendicular to the line on the surface.

The soil conditions below the right of way at the four proposed locations will not support an effective deep hole (i.e. drilled in a single hole on the right of way) groundbed. To be effective, the ground bed must extend approximately 700 feet and, again, due to the soil conditions, the only effective way for a ground bed to work at these locations is to extend along the surface. This requires that the four proposed cathodic protection groundbeds extend beyond the existing ROW.

Ruby has positioned the MLVs along access roads and the valves are set off from the road ROW edge. As a result, short access roads are needed so operations personnel do not have to drive across the ROW to get to the valves.

In the Salt Lake Field Office, Ruby proposes to Build a new 156-foot long access road from County Road 8560 N to MLV 14. The road would be up to 30 feet wide and would be surfaced with on-site materials Ruby would flat blade the road and let it become a two-track road used for permanent access. Construction would be completed in one to two days. There would be no ongoing access beyond

that already contemplated and discussed in the EIS and other permit documents. This would involve a one-time per year entry to the MLV 14 location. The main purpose would be to check and lubricate the valve.

The proposed action would create about 0.1 acres of new disturbance in the Salt Lake Field Office area.

### Mitigating Measures

All applicable mitigating measures developed in conjunction with the Ruby Pipeline FEIS and Record of Decision would be applied to construction and operation, including limited operating periods for protection of wildlife, and handling of soils and restoration of vegetation along the new access road. The road would be reclaimed when it is no longer needed for project use.

### **B. Land Use Plan (LUP) Conformance**

The proposed action has been determined to be in conformance with the terms and conditions of the Box Elder RMP (1986) as required by 43 CFR 1610.5. This is shown in Land Program Decision 3 on page 4 of the plan and reads as follows:

"The utilization of rights-of-way in common shall be considered whenever possible. Rights-of-way will, to the maximum extent possible, avoid the following areas:

- (1) lands within 0.5 mile of sage grouse strutting grounds if the disturbance would adversely impact the effectiveness of the lek.
- (2) lands within 600 feet of riparian/aquatic habitats.
- (3) lands within VRM Class II and III areas.
- (4) lands where an above-ground right-of-way would be an obvious visual or physical intrusion such as ridge tops or narrow drainages.
- (5) lands with slopes greater than 30 percent.

In addition surface disturbing activities will be restricted:

- (1) within mule deer winter range between December 1 and April 15 each year.
- (2) within 0.5 mile of active raptor nest sites between March 1 and July 15 each year.

Exceptions may be permitted based on considerations of the following criteria: type and need for facility proposed and economic impact of facility, conflicts with other resource values and uses, and availability of alternative routes and/or mitigation measures."

### **C. Identify the applicable NEPA documents and other related documents that cover the proposed action.**

Ruby Pipeline Project Final Environmental Impact Statement (January 2010, FERC/EIS-0232F)

### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the**

**project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes  
 No

Documentation of answer and explanation:

There are numerous citations that indicate that access roads and MLVs with cathodic protection, and ongoing monitoring of those facilities are included in the proposed action and action alternatives analyzed.

Page 2-4, Table 2.1.2-1 lists MLV locations along the entire route of the pipeline and Page 2-27 states that “All underground piping would be coated and equipped with cathodic protection to prevent corrosion.” This is repeated on Page 4-41, “Ruby would use externally coated pipe and install cathodic protection where necessary to guard against corrosion.” Additionally, Page 2-31 relates that the “pipeline cathodic protection system also would be monitored and inspected by pipeline personnel periodically to ensure proper and adequate corrosion protection.” Page 2-32, says that “Ruby would also inspect MLVs annually and document the inspection results.”

Page 2-3 of the FEIS acknowledges Ruby does not know exactly how or where road improvements would be required along any given road identified as potentially needing improvements. This information would not be available until after Ruby’s construction contractor identifies which roads it prefers to use, how it prefers to use the roads, and the weather at the time of use. There is reference to permanent access as part of normal maintenance and operations as well. Page 4-142 states that, “Access roads would be used extensively during pipeline construction and restoration activities and occasionally during operation to conduct monitoring and maintenance of pipeline facilities.”

Although the Ruby Pipeline Project FEIS assumes that Ruby would restore all roads to their preconstruction condition, except where the landowner has requested that the improvements be left in place (Page 4-163) a variance process provides for minor changes. Page 2-3 notes that Ruby could request route realignments or additional construction workspace needs identified during construction under the post-approval variance process (see Section 2.5.3). Minor route realignments and other workspace refinements often continue past the project planning phase and into the construction phase. As a result, the project location and areas of disturbance described in this EIS may require refinement after project approval (assuming the project is approved). These changes frequently involve minor route realignments, shifting or adding new temporary extra workspaces or staging areas, or adding additional access roads. A short, 156-foot long segment of two track road surfaced with native material and totaling only 0.1 acres of disturbance is deemed to be a minor refinement to the proposed action that is eligible for a variance.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?**

Yes  
 No

Documentation of answer and explanation:

There is no need to assess additional alternatives because there would be no unresolved conflicts with construction of the proposed permanent access road.

**3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes  
 No

Documentation of answer and explanation:

Cultural and biological surveys have been completed. No new information or circumstances have arisen since completion of the Ruby Pipeline Project FEIS in 2010 that would substantially change the analysis of the new proposed action. All ID team members have reviewed the new proposed action and have jointly made this determination (see the attached ID Team Checklist). The only change in baseline conditions for the current proposed action is that the pipeline project has been completed.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes  
 No

Documentation of answer and explanation:

The scope of the proposed action for the Salt Lake Field Office is very limited and it is within existing disturbance areas. BLM has conducted an interdisciplinary review to determine the adequacy of the analysis in the Ruby Pipeline FEIS for the current proposed action. The results of the review are documented in the attached ID Team Checklist. As stated in the response to Question 3, there have been no substantial changes in resources and conditions since publication of the FEIS. Based on this and the small footprint of the proposed action, approximately 0.1 acres of new disturbance, any increment in direct, indirect, or cumulative impacts to lands, and resources would be negligible.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes  
 No

Documentation of answer and explanation:

Public involvement efforts during preparation of the Ruby Pipeline Project FEIS are adequate for the proposed action. FERC, in close cooperation with the BLM, held six public scoping meetings in April 2008 at locations along the route to provide the public with an opportunity to learn more about the Ruby Pipeline Project and to comment on environmental issues that should be addressed in the Ruby Pipeline Project EIS. The draft EIS was filed with the US Environmental Protection Agency (EPA) and a formal notice of availability was issued in the Federal Register on June 26, 2009. A copy of the draft EIS was mailed to those agencies, tribes, organizations, and individuals that attended meetings or submitted written comments on the project, as well as other interested parties. A 45-day comment period was provided for the draft EIS. Seven public comment meetings were held during the comment period. All timely environmental comments on the draft EIS are addressed. The Ruby Pipeline Project FEIS was distributed to all interested members of the public and government agencies for review. In addition, the BLM has notified the public of this proposal by posting it on the Nevada BLM Ruby Pipeline Project web page at [http://www.blm.gov/nv/st/en/info/nepa/ruby\\_pipeline\\_project.html](http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html) and the Ruby Pipeline LLC website, [www.rubypipeline.com](http://www.rubypipeline.com). None of the agencies or other stakeholders have expressed opposition to the proposed access road.

**E. BLM Interdisciplinary Staff Consulted:**

| <u>Name</u>              | <u>Title</u>                                      | <u>Resource/Program Represented</u>   |
|--------------------------|---|---|
| Dave Watson              | Realty Specialist                                 | Project Lead – Document Prep  |
| Cindy Ledbetter          | NEPA Coordinator                                  | Document Prep & Review – Air Quality – ACEC -Greenhouse Gas – Environmental Justice<br>Socioeconomics – Wild Horses & Burros  |
| Mike Nelson              | Assistant Field Manager<br>Nonrenewable Resources | Land Use\Access and Hazmat  |
| Anthony Von Niederhauser | Range Management Specialist                       | Prime\Unique Farmlands – Flood Plains – Hydrologic Conditions – Invasive Species\Weeds - Livestock Grazing – Rangeland Health – – Water Resources - Wetland\Riparian - Vegetation |

|                 |                             |   |
|-----------------|-----------------------------|---|
| Julee Palette   | Outdoor Recreation Planner  | Visual Resources – Wild & Scenic Rivers – Wilderness                          |
| Mike Sheehan    | Archaeologist               | Cultural Resources – Tribal Consultation – Native American Religious Concerns |
| Traci Allen     | Wildlife Biologist          | Fish & Wildlife – Migratory Birds – T&E Animals – State Sensitive Species –   |
| Larry Garahanna | Geologist                   | Geology-Minerals-Paleontology   |
| Rod Hardy       | Natural Resource Specialist | Woodland\Forestry - T&E Plants – State Special Status Species - Soils         |
| Teresa Rigby    | Fire Education Specialist   | Fuels & Fire Management   |

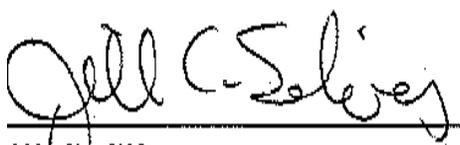
## CONCLUSION

### Plan Conformance:

This proposal conforms to the Box Elder Resource Management Plan.

### Determination of NEPA Adequacy

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.



Jill C. Silvey  
Field Manager  
Salt Lake Field Officer

10/21/2011

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**ATTACHMENTS:**

Attachment 3. ID Team Checklist

Attachment 4. Amendment Maps

Determination of NEPA Adequacy  
BLM-NV-E000-2012-0005

---

Ruby Pipeline: Cathodic Protection Facilities

---

October 26, 2011

*Prepared by:*

**Bureau of Land Management**  
Elko District Office  
3900 East Idaho Street  
Elko, NV 89801



# Determination of NEPA Adequacy (DNA) Worksheet

U.S. Department of the Interior  
Bureau of Land Management

OFFICE: Elko District Office

TRACKING NUMBER: FERC/EIS-0232F

NEPA NUMBER: DOI-BLM-NV-E000-2012-0005-DNA

CASEFILE/PROJECT NUMBER: NVN-084650

PROPOSED ACTION TITLE/TYPE: Ruby Pipeline: Cathodic Protection Facility and Access Roads

APPLICANT (if any): Ruby Pipeline, LLC

LOCATION/LEGAL DESCRIPTION:

| Table 2. Cathodic Protection Facilities and Roads, Elko District Office. |  |            |               |  |                  |         |
|--|--|------------|---------------|--|------------------|---------|
| Main Line Valve (MLV) No.  | Facilities Being Requested                         | MP         | Ruby Quad No. | Legal Description  | Length (feet, ~) | Acreage |
| 21   | Build New Road from E-26 to MLV 21                 | 311 (~)    | 53            | Portions of the NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> of Section 28, T39N, R58E.   | 150              | 0.10331 |
| 24   | Build Cathodic Protection Site 200 ft by 725 ft    | 364.25     | 63            | SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> , Section 32, T39N, R49E.  | NA               | 3.32874 |
| 24   | Build New Road from E-51A to MLV 24                | 365.7 (~)  | 63            | Portions of the SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> and SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> of Section 32, T39N, R49E. | 445              | 0.30647 |
| 25   | Build New Road from Midas Tuscarora Road to MLV 25 | 385.3R (~) | 66            | Portions of Lot 2 of Section 5, T38N, R46E.  | 258              | 0.17769 |

## A. Description of Proposed Action and any Applicable Mitigation Measures

The Ruby Pipeline Project (Project), constructed by Ruby Pipeline, LLC (Ruby), is composed of approximately 675.2 miles of 42-inch diameter natural gas pipeline, along with associated compression and measurement facilities, located between Opal, Wyoming, and Malin, Oregon. The Project includes an approximate 2.6-mile lateral, known as the PG&E Lateral in Klamath

County, Oregon. As constructed, the Project has a design capacity of approximately 1.5 million Dekatherms per day, depending on final subscriptions. The Project's right-of-way (ROW) cross four states: Wyoming, Utah, Nevada, and Oregon. In addition to the existing King Compressor Station at Opal, Wyoming, Ruby constructed four new compressor stations for the Project: one located near the Opal Hub in Wyoming, one in western Utah, one near the mid-point of the Project north of Elko, Nevada, and one northwest of Winnemucca, Nevada.

The original Proposed Route for the pipeline was analyzed in the Ruby Pipeline Project Final Environmental Impact Statement (EIS) published in January 2010. As part of its ROW grant application, Ruby submitted a "detailed construction, operation, rehabilitation, and environmental protection plan," also known as a Plan of Development (POD) to BLM for the Ruby Pipeline Project (43 CFR §2804.25(b)). Ruby's POD describes how it will comply with the applicable laws, regulations, and BLM Resource Management Plans (RMPs) in the construction and operation of the Project. The POD also describes additional environmental protection measures that Ruby will implement on the public and private lands crossed by the Project. The Project POD, incorporated by reference herein, also identifies avoidance, minimization, and conservation measures to address potential impacts to resources.

This DNA addresses amendments to the constructed pipeline ROW. The amendments proposed for public lands managed by the Elko District Office include a near surface cathodic protection bed at Main Line Valve (MLV) 24, which is approximately 10 miles east of Willow Creek Reservoir, south of the Tuscarora-Midas County Road, and three access road segments that are primarily on existing disturbance within the Ruby Pipeline ROW and are intended to provide permanent legal access to MLVs 21, 24, and 25.

The actions addressed in this Elko District Office DNA are part of actions spread along the entire completed Ruby Pipeline that include construction of four cathodic protection sites and 15 short segments of new access roads. In total, Ruby's cathodic protection and access proposals would affect about 9 acres in six BLM Field Offices and one National Forest.

The MLV sites provide the pipeline with power (purchased or thermally electrically generated [using natural gas to generate the electricity]). Deep well cathodic protection groundbeds would be located at most of the MLVs. Cathodic protection is needed to protect the pipeline from corrosion and to comply with U.S. Department of Transportation requirements. To be effective, a ground bed must extend at approximately 90 degrees from the pipeline, i.e. 90 degrees down, or 90 degrees perpendicular to the line on the surface.

The soil conditions below the right of way at the four proposed locations will not support an effective deep hole (i.e. drilled in a single hole on the right of way) groundbed. To be effective, the ground bed must extend approximately 700 feet and, again, due to the soil conditions, the only effective way for a ground bed to work at these locations is to extend along the surface. This requires that the four proposed cathodic protection groundbeds extend beyond the existing ROW.

Ruby has positioned the MLVs along access roads and the valves are set off from the road ROW edge. As a result, short access roads are needed so operations personnel do not have to drive across the ROW to get to the valves.

Several near surface cathodic protection ground beds on BLM lands were included in the ROW grant and have been authorized. The proposed ROWs amendments within the Elko District would add about 3.91 acres to the Ruby Pipeline ROW. Most of that acreage is related to the proposed cathodic protection site at MLV 24.

The proposed near surface cathodic protection site at MLV 24 is a revision to the previously planned and approved deep well cathodic protection site. The difference is that the deep well site is mostly vertical and so requires little surface disturbance. In contrast, the near surface site is engineered to be horizontal and buried just a few feet below the surface. This requires a larger surface area. In the case of MLV 24, it requires an area that is approximately 200' x 725 ft, of which a small percentage will be trenched to bury the anodes, a FeSiCr alloy (rather similar to stainless steel), then buried and reclaimed. There would be no permanent disturbance at the surface and the alloy, which will corrode over time as it does its job providing electrons to protect the pipeline from corrosion, will remain in the ground at the end of its useful life, because it does not present any environmental hazard.

#### Construction of Near Surface Cathodic Protection Facilities

Construction would begin with removing topsoil from MLV 24 to the end of the work area where the groundbed would be installed, a width of no greater than 15 feet. A backhoe or ditcher would be used to install a #2 cp cable at least 2 feet deep from the block valve (MLV 24) to the start of the anode bed. This single ditch would be approximately 440 feet long. At the end of the single ditch, the anode bed would be installed using a backhoe. A trench would be dug 6 feet deep by 16 inches wide and 260 feet long, for installation of the anodes and coke breeze. The anodes would be 20 Duriron Type D FeSiCr anodes with individual lead/connecting wires attached. These wires would be connected to the # 2 cable either by direct splice or through a junction box placed at the first anode. A 6 inch layer of Loresco DW-1 coke breeze would be placed in the ditch and the anodes laid on top of the coke breeze and then covered with an additional 6 inches of coke breeze. Then the 16 inch wide ditch would be backfilled and cleaned up and the top soil replaced. The ROW would then be revegetated, using the seed mix prescribed in the Reclamation Plan. This would be a one-time only activity that would occur this fall, and monitoring of and remediation of the reclamation effort would be included in the overall monitoring effort that would occur under the Reclamation Plan.

Once a cathodic protection facility is constructed, there would be no ongoing access beyond that already contemplated and discussed in the EIS and other permit documents. This would involve a one-time per year entry to each valve location. The main purpose would be to check and lubricate the valve.

### New Access Roads

The 0.6 miles of new access road, which are 25 to 445 feet long and up to 30 feet wide, would be surfaced with on-site materials. They would be flat bladed and would eventually become two-track roads used for permanent access. Construction would be completed in one to two days at each of the sites.

### Environmental Protection Measures

All applicable environmental protection measures developed in conjunction with the Ruby Pipeline Final Environmental Impact Statement (FEIS) and Record of Decision would be applied to construction and operation, including limited operating periods for protection of wildlife, and handling of soils and restoration of vegetation on the cathodic protection sites and along the new access roads. The roads would be reclaimed when they are no longer needed for project use.

### **B. Land Use Plan Conformance**

LUP Name: Wells  
RMP, Elko RMP  
Other Document:  
Other Document

Date Approved:  
1985, 1987

*\*List applicable LUPs (for example, Resource management plans, activity, project, management, or program plans; or applicable amendments thereto)*

**The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:**

NA

**The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):**

Authorizing ROWs for utilities and FLPMA

**C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

**List by name and date all applicable NEPA documents that cover the proposed action.**

Ruby Pipeline Project Final Environmental Impact Statement (January 2010, FERC/EIS-0232F)

**List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report):**

NA

## D. NEPA Adequacy Criteria

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes  
 No

Documentation of answer and explanation:

There are numerous citations that indicate that access roads and MLVs with cathodic protection, and ongoing monitoring of those facilities are included in the proposed action and action alternatives analyzed.

Page 2-4, Table 2.1.2-1 lists MLV locations along the entire route of the pipeline and Page 2-27 states that “All underground piping would be coated and equipped with cathodic protection to prevent corrosion.” This is repeated on Page 4-41, “Ruby would use externally coated pipe and install cathodic protection where necessary to guard against corrosion.” Additionally, Page 2-31 relates that the “pipeline cathodic protection system also would be monitored and inspected by pipeline personnel periodically to ensure proper and adequate corrosion protection.” Page 2-32, says that “Ruby would also inspect MLVs annually and document the inspection results.”

Page 2-3 of the FEIS acknowledges Ruby does not know exactly how or where road improvements would be required along any given road identified as potentially needing improvements. This information would not be available until after Ruby’s construction contractor identifies which roads it prefers to use, how it prefers to use the roads, and the weather at the time of use. There is reference to permanent access as part of normal maintenance and operations as well. Page 4-142 states that, “Access roads would be used extensively during pipeline construction and restoration activities and occasionally during operation to conduct monitoring and maintenance of pipeline facilities.”

Although the Ruby Pipeline Project FEIS assumes that Ruby would restore all roads to their preconstruction condition, except where the landowner has requested that the improvements be left in place (Page 4-163) a variance process provides for minor changes. Page 2-3 notes that Ruby could request route realignments or additional construction workspace needs identified during construction under the post-approval variance process (see section 2.5.3). Minor route realignments and other workspace refinements often continue past the project planning phase and into the construction phase. As a result, the project location and areas of disturbance described in this EIS may require refinement after project approval (assuming the project is approved). These changes frequently involve minor route realignments, shifting or adding new temporary extra workspaces or staging areas, or adding additional access roads.

In the Elko District, only 3.9 acres of additional ROWs would be added to the over 10,000 acres of ROW granted to the Ruby Pipeline. This is deemed to be a minor refinement to the proposed action that is eligible for a variance.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource value?**

Yes  
 No

Documentation of answer and explanation:

There is no need to assess additional alternatives because there would be no unresolved conflicts with construction of the proposed cathodic protection groundbed or access roads.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes  
 No

Documentation of answer and explanation:

Cultural and biological surveys have been completed. No new information or circumstances have arisen since completion of the Ruby Pipeline Project FEIS in 2010 that would substantially change the analysis of the new proposed action. All ID team members have reviewed the new proposed action and have jointly made this determination (see the attached ID Team Checklist). The only change in baseline conditions for the current proposed action is that the pipeline project has been completed.

There has been a U.S. Fish and Wildlife Service (FWS) review regarding the status of the greater sage grouse and a BLM policy change regarding management of sage grouse. The highest status described for greater sage-grouse in the Ruby Pipeline FEIS is "BLM Sensitive." The EIS discusses the status of greater sage grouse (pg. 4-141) as having been previously petitioned for listing by the FWS under the Endangered Species Act (ESA). As stated in the FEIS, an initial finding on those petitions of "not warranted" for listing under the ESA was subsequently challenged in court and prompted an additional review with a finding expected in February 2010. That finding has now been completed with a determination that greater sage-grouse is warranted for listing under the ESA but that further action on that listing is precluded by other priorities within the FWS ("warranted but precluded"). Thus the status of greater sage grouse currently remains consistent with that described in the FEIS as designated BLM Sensitive pending further action by FWS.

Since completion of the FEIS BLM Nevada has developed guidance for the protection of sage-grouse habitats encompassing 75 percent of the breeding population in each state. The guidance implements an internal tracking system for all projects initiated within the 75 percent identified breeding populations. The system will be used for tracking the number and location, spatially, of proposed projects that may have the potential to impact sage-grouse habitat and will be used to keep the State Director updated of proposed activities that have the potential to impact sage-grouse. The guidance does not add standards and guidelines for on-the-ground management of grouse habitat within these areas nor does it change the legal status of the species since the “warranted but precluded” finding by FWS. Based on current mapping, the proposed cathodic protection groundbed and access roads are within a half mile but are outside of the 75 percent areas.

The new cathodic protection groundbed and access roads would not add appreciably to the impacts on sage grouse analyzed in the Ruby Pipeline FEIS. In the Elko District, only 3.9 acres of additional ROWs would be added to the over 10,000 acres of ROW granted to the Ruby Pipeline Project. Timing limitations, buffers, and other measures for protection of sage grouse would be applied.

Therefore, the Ruby Pipeline FEIS analysis of potential impacts of construction within sage grouse habitat includes all aspects of the proposed action and is adequate for purposes of the current proposed action for a cathodic protection groundbed and 3 short access roads.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes  
 No

Documentation of answer and explanation:

BLM has conducted an interdisciplinary review to determine the adequacy of the analysis in the Ruby Pipeline FEIS for the current proposed action. The results of the review are documented in the attached ID Team Checklist. As stated in the response to Question 3, there have been no substantial changes in resources and conditions since publication of the FEIS. Based on this and the small footprint of the proposed action, approximately 3.9 acres of new disturbance, any increment in direct, indirect, or cumulative impacts to lands, and resources would be negligible.

**5. Are the public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current proposed action?**

Yes  
 No

Documentation of answer and explanation:

Public involvement efforts during preparation of the Ruby Pipeline Project FEIS are adequate for the proposed action. FERC, in close cooperation with the BLM, held six public scoping meetings in April 2008 at locations along the route to provide the public with an opportunity to learn more about the Ruby Pipeline Project and to comment on environmental issues that should be addressed in the Ruby Pipeline Project EIS. The draft EIS was filed with the U.S. Environmental Protection Agency (EPA) and a formal notice of availability was issued in the Federal Register on June 26, 2009. A copy of the draft EIS was mailed to those agencies, tribes, organizations, and individuals that attended meetings or submitted written comments on the project, as well as other interested parties. A 45-day comment period was provided for the draft EIS. Seven public comment meetings were held during the comment period. All timely environmental comments on the draft EIS are addressed. The Ruby Pipeline Project FEIS was distributed to all interested members of the public and government agencies for review. In addition, the BLM has notified the public of this proposal by posting it on the Nevada BLM Ruby Pipeline Project web page at <http://www.blm.gov/nv/st/enlinfo/nepa/ruby-pipeline-project.html> and the Ruby Pipeline, LLC website, [www.rubypipeline.com](http://www.rubypipeline.com). None of the agencies or other stakeholders have expressed opposition to the proposed cathodic protection groundbed or access roads.

**E. Persons/Agencies/BLM Staff Consulted**

| Name             | Role                | Discipline            |
|------------------|---------------------|-----------------------|
| Bill Fawcett     | Archaeologist       | Cultural Resources    |
| Tamara Hawthorne | VRM, Recreation     | Reclamation           |
| Tyson Gripp      | ESR                 | Wild Horse Management |
| Bruce Thompson   | Wild Horses SP      | Range                 |
| Donna Jewell     | AFM Wells FO        | Water, Soil, Air      |
| Mark Dean        | Hydrologist         | Fisheries, Riparian   |
| Pat Coffin       | Fisheries Biologist |                       |
| Tom Reid         | Fire Management     | Fire Management       |
| Ken Wilkinson    | Wildlife Biologist  | Wildlife, TES Species |

**Note:** Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

*/s/ Kirk D. Laird* 10/13/11  
Project Lead Date

*/s/Victoria Anne* 10/13/11  
NEPA Coordinator Date

*/s/Bryan K. Fuell* 10/13/11  
Acting Responsible Official Date

**Cooperating Agencies: None for this DNA**

## **Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirement of NEPA.

## **ATTACHMENTS:**

Attachment 3. ID Team Checklist

Attachment 4. Amendment Maps

# Determination of NEPA Adequacy

## DOI-BLM-NV-W030-2011-0001-DNA

---

## Ruby Pipeline: Cathodic Protection Facilities

---

**October 28, 2011**

*Prepared by:*

Bureau of Land Management  
Winnemucca District Office  
5100 East Winnemucca Boulevard  
Winnemucca, NV 89445



**Worksheet**

**Documentation of Land Use Plan Conformance  
and  
Determination of NEPA Adequacy**

U.S. Department of the Interior  
Nevada Bureau of Land Management  
Winnemucca District

---

The signed CONCLUSION at the end of this worksheet for a Determination of NEPA Adequacy (DNA) is part of an interim step in the Bureau of Land Management's (BLM's) internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals, and legal procedures. The route traverses lands managed by BLM's, Winnemucca District. The BLM is the federal agency responsible for issuing right-of-way grants for natural gas pipelines across federal lands for the Ruby Pipeline Project. As such, BLM, with concurrence from the Fremont Winema National Forests, will oversee this process in compliance with the National Environmental Policy Act (NEPA) and will have the lead in providing input and direction for activities associated with construction and restoration.

OFFICE: Winnemucca District Office

TRACKING NUMBER: FERC/EIS-0232F

CASE FILE/PROJECT NUMBERS: 2880 NVN-084650

PROPOSED ACTION TITLE/TYPE: Ruby Pipeline Project/Natural Gas Pipeline Cathodic Protection Facilities and Access Roads

APPLICANT: Ruby Pipeline, L.L.C.

LOCATION/LEGAL DESCRIPTION:

| Table 3. Cathodic Protection Facilities and Roads, Winnemucca District Office (Page 1 of 2). |  |        |               |  |                  |         |
|--|--|--------|---------------|--|------------------|---------|
| Mainline Valve (MLV) No.   | Facilities Being Requested                   | MP (~) | Ruby Quad No. | Legal Description  | Length (feet, ~) | Acreage |
| 26   | Build New Road from H-3A to MLV 26           | 402R   | 68            | Portions of the SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> of Section 34, T38N, R43E. | 370              | 0.25482 |
| 29   | Build New Road from Old Denio Road to MLV 29 | 456.9  | 79            | Portions of the NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> of Section 34, T41N, R36E. | 57               | 0.03926 |

| Mainline Valve (MLV) No. | Facilities Being Requested   | MP (~) | Ruby Quad No. | Legal Description   | Length (feet, ~) | Acreage |
|--------------------------|--|--------|---------------|---|------------------|---------|
| 31                       | Build New Road from Leonard Creek Road to MLV 31   | 493.2  | 85            | Portions of the SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> of Section 25, T42N, R30E.  | 280              | 0.19284 |
| 32                       | Revised Location for Cathodic Protection Site<br>47.32 ft wide<br>739.70 ft (W boundary)<br>755.88 ft (E boundary) | 509.7  | 88            | Portions of the SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> of Section 13, T42N, R27E.  | NA               | 0.81222 |
| 32                       | Build New Road from Pearl Camp Road to MLV 32  | 509.7  | 88            | Portions of the SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> of Section 13 and the NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> of Section 24, T42N, R27E | 128              | 0.08815 |
| 33                       | Build New Road from H-50A to MLV 33  | 528.13 | 91            | Portion of the SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 7, T42N, R25E  | 25               | 0.01722 |

### A. Description of the Proposed Action and Any Applicable Mitigation Measures

The Ruby Pipeline Project (Project), proposed by Ruby Pipeline, LLC (Ruby), is composed of approximately 675.2 miles of 42-inch diameter natural gas pipe, along with associated compression and measurement facilities, located between Opal, Wyoming, and Malin, Oregon. The Project includes an approximate 2.6-mile lateral, known as the PG&E Lateral, to be constructed in Klamath County, Oregon. As proposed, the Project has a design capacity of approximately 1.5 million Dekatherms per day, depending on final subscriptions. The Project's right-of-way (ROW) crosses four states: Wyoming, Utah, Nevada, and Oregon. In addition to the existing King Compressor Station at Opal, Wyoming, Ruby installed four new compressor stations for the Project: one located near the Opal Hub in Wyoming, one in western Utah, one near the mid-point of the Project north of Elko, Nevada, and one northwest of Winnemucca, Nevada.

The original Proposed Route for the pipeline was analyzed in the Ruby Pipeline Project Final Environmental Impact Statement (FEIS) published in January 2010. As part of its ROW grant application, Ruby submitted a "detailed construction, operation, rehabilitation, and environmental protection plan," also known as a Plan of Development (POD) to BLM for the Ruby Pipeline Project, (43 CFR §2804.25(b)). Ruby's POD describes how it will comply with the applicable laws, regulations, and BLM Resource Management Plans (RMPs) in the construction and operation of the Project. The POD also describes additional environmental protection measures that Ruby will implement on the public and private lands crossed by the

Project. The Project POD, incorporated by reference herein, also identifies avoidance, minimization, and conservation measures to address potential impacts to resources.

The actions addressed in this Winnemucca District DNA are part of a larger action spread along the entire completed Ruby Pipeline that includes construction of four cathodic protection groundbeds and 15 short segments of new access roads. In total, Ruby's cathodic protection and access proposals would affect about 9 acres in 6 BLM Field Offices and 1 National Forest. The MLV sites provide the pipeline with power (purchased or thermally electrically generated [using natural gas to generate the electricity]). Deep well cathodic protection groundbeds would be located at most of the MLVs. Cathodic protection is needed to protect the pipeline from corrosion and to comply with U.S. Department of Transportation requirements. To be effective, a ground bed must extend at approximately 90 degrees from the pipeline, i.e. 90 degrees down, or 90 degrees perpendicular to the line on the surface.

The soil conditions below the right of way at the four proposed locations will not support an effective deep hole (i.e. drilled in a single hole on the right of way) groundbed. To be effective, the ground bed must extend approximately 700 feet and, again, due to the soil conditions, the only effective way for a ground bed to work at these locations is to extend along the surface. This requires that the four proposed cathodic protection groundbeds extend beyond the existing ROW.

Ruby has positioned the MLVs along access roads and the valves are set off from the road ROW edge. As a result, short access roads are needed so operations personnel do not have to drive across the ROW to get to the valves.

For this DNA Ruby's proposed action in the Winnemucca District is:

- For Mainline Valve (MLV) 26
  - Build a new road from H-3A to MLV 26
- For MLV 29
  - Build a new road from Old Denio Road to MLV 29
- For MLV 31
  - Build a new road from Leonard Creek Road to MLV 31
- For MLV 32
  - Build an above ground cathodic protection site
  - Build a new road from Pearl Camp Road to MLV 32
- For MLV 33
  - Build a new road from H-50A to MLV 33

The proposed actions would create about 1.4 acres of new disturbance in the Winnemucca District area.

### Above Ground Cathodic Protection Facilities

Construction would begin with top soiling the work area from the MLV site to the end of the work area where the groundbed would be installed, a width of no greater than 15 feet. A backhoe or ditcher would be used to install a #2 cp cable at least 2 feet deep from the block valve to the start of the anode bed. This single ditch would be approximately 440 feet long. At the end of the single ditch, the anode bed would be installed using a backhoe. A trench would be dug 6 feet deep by 16 inches wide and 260 feet long, for installation of the anodes and coke breeze. The anodes would be 20 Duriron Type D FeSiCr anodes with individual lead wires attached. These wires would be connected to the # 2 cable either by direct splice or through a junction box placed at the first anode. A 6 inch layer of Loresco DW-1 coke breeze would be placed in the ditch and the anodes laid on top of the coke breeze and then covered with an additional 6 inches of coke breeze. Then the 16 inch wide ditch would be backfilled and cleaned up and the top soil replaced. The right-of-way would then be revegetated, using the seed mix prescribed in the Reclamation Plan. This would be a one-time only activity that would occur this late summer or fall, and monitoring of and remediation of the reclamation effort would be included in the overall monitoring effort that would occur under the Reclamation Plan.

Once a cathodic protection facility is constructed, there would be no ongoing access beyond that already contemplated and discussed in the EIS and other permit documents. This would involve a one-time per year entry to each valve location. The main purpose would be to check and lubricate the valve.

### New Access Roads

The 0.6 miles of new access road, which are 25 to 370 feet long and up to 30 feet wide, would be surfaced with on-site materials. They would be flat bladed and would eventually become two-track roads used for permanent access. Construction would be completed in one to two days at each of the sites.

### Mitigating Measures

All applicable mitigating measures developed in conjunction with the Ruby Pipeline FEIS and Record of Decision would be applied to construction and operation, including limited operating periods for protection of wildlife, and handling of soils and restoration of vegetation on the cathodic protection sites and along the new access roads. The roads would be reclaimed when they are no longer needed for project use.

## **B. Land Use Plan (LUP) Conformance**

| LUP Name                                 | Date Approved        |
|--|----------------------|
| Sonoma-Gerlach Management Framework Plan | 1982 as Amended 1999 |
| Paradise-Denio Management Framework Plan | 1982 as Amended 1999 |

\*List applicable LUPs (for example, resource management plans; activity, project, management or program plans; or applicable amendments thereto).

The proposed action is in conformance with the applicable LUPs, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms and conditions): It is the intent of the plan “to provide lands for rights-of-way on or across public lands.” The Proposed Route and Route Variation fell within the intent and required no land use plan amendments.

**C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

Ruby Pipeline Project Final Environmental Impact Statement, January 2010 (FERC/EIS-0232F)

Ruby Pipeline Summit Lake Route Variation (DOI-BLM-NV-W030-2011-0001-DNA)

**D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes  
 No

There are numerous citations that indicate that access roads and MLVs with cathodic protection, and ongoing monitoring of those facilities are included in the proposed action and action alternatives analyzed.

Page 2-4, Table 2.1.2-1 lists MLV locations along the entire route of the pipeline and Page 2-27 states that “All underground piping would be coated and equipped with cathodic protection to prevent corrosion.” This is repeated on Page 4-41, “Ruby would use externally coated pipe and install cathodic protection where necessary to guard against corrosion.” Additionally, Page 2-31 relates that the “pipeline cathodic protection system also would be monitored and inspected by pipeline personnel periodically to ensure proper and adequate corrosion protection.” Page 2-32, says that “Ruby would also inspect MLVs annually and document the inspection results.”

Page 2-3 of the FEIS acknowledges Ruby does not know exactly how or where road improvements would be required along any given road identified as potentially needing improvements. This information would not be available until after Ruby’s construction contractor identifies which roads it prefers to use, how it prefers to use the roads, and the weather at the time of use. There is reference to permanent access as part of normal maintenance and operations as well. Page 4-142 states that, “Access roads would be used extensively during pipeline construction and restoration activities and occasionally during operation to conduct monitoring and maintenance of pipeline facilities.”

Although the Ruby Pipeline Project FEIS assumes that Ruby would restore all roads to their preconstruction condition, except where the landowner has requested that the improvements be left in place (Page 4-163), a variance process provides for minor changes. Page 2-3 notes that Ruby could request route realignments or additional construction workspace needs indentified during construction under the post-approval variance process (see section 2.5.3). Minor route realignments and other workspace refinements often continue past the project planning phase and into the construction phase. As a result, the project location and areas of disturbance described in this EIS may require refinement after project approval (assuming the project is approved). These changes frequently involve minor route realignments, shifting or adding new temporary extra workspaces or staging areas, or adding additional access roads. In the Winnemucca District, only 1.4 acres of additional ROWs would be added to the ROW granted to the Ruby Pipeline. This is deemed to be a minor refinement to the proposed action that is eligible for a variance.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?**

Yes  
 No

Documentation of answer and explanation:

There is no need to assess additional alternatives because there would be no unresolved conflicts with construction of the proposed cathodic protection groundbed or access roads.

**3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes  
 No

Cultural and biological surveys have been completed. No new information or circumstances have arisen since completion of the Ruby Pipeline Project FEIS in 2010 that would substantially change the analysis of the new proposed action. All ID team members have reviewed the new proposed action and have jointly made this determination (see the attached ID Team Checklist). The only change in baseline conditions for the current proposed action is that the pipeline project has been completed.

There has been a US Fish and Wildlife Service (FWS) review regarding the status of the greater sage grouse and a BLM policy change regarding management of sage grouse.

The highest status described for greater sage-grouse in the Ruby Pipeline FEIS is “BLM Sensitive.” The EIS discusses the status of greater sage grouse (pg. 4-141) as having been previously petitioned for listing by the FWS under the Endangered Species Act (ESA). As stated in the FEIS, an initial finding on those petitions of “not warranted” for listing under the ESA was

subsequently challenged in court and prompted an additional review with a finding expected in February 2010. That finding has now been completed with a determination that greater sage-grouse is warranted for listing under the ESA but that further action on that listing is precluded by other priorities within the FWS (“warranted but precluded”). Thus the status of greater sage grouse currently remains consistent with that described in the FEIS as designated BLM Sensitive pending further action by FWS.

Since completion of the FEIS BLM Nevada has developed guidance for the protection of sage-grouse habitats encompassing 75 percent of the breeding population in each state. The guidance implements an internal tracking system for all projects initiated within the 75 percent identified breeding populations. The system will be used for tracking the number and location, spatially, of proposed projects that may have the potential to impact sage-grouse habitat and will be used to keep the State Director updated of proposed activities that have the potential to impact sage-grouse. The guidance does not add standards and guidelines for on-the-ground management of grouse habitat within these areas nor does it change the legal status of the species since the “warranted but precluded” finding by FWS. Based on current mapping, the proposed cathodic protection groundbed and access roads are within a half mile but are outside of the 75 percent areas.

The new cathodic protection groundbed and access roads would not add appreciably to the impacts on sage grouse analyzed in the Ruby Pipeline FEIS. In the Winnemucca District, only 1.4 acres of additional ROWs would be added to the ROW granted to the Ruby Pipeline Project. Timing limitations, buffers, and other measures for protection of sage grouse would be applied.

Therefore, the Ruby Pipeline FEIS analysis of potential impacts of construction within sage grouse habitat includes all aspects of the proposed action and is adequate for purposes of the current proposed action for a cathodic protection site and five short access roads.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes  
 No

BLM has conducted an interdisciplinary review to determine the adequacy of the analysis in the Ruby Pipeline FEIS for the current proposed action. The results of the review are documented in the attached ID team checklist. As stated in the response to Question 3, there have been no substantial changes in resources and conditions since publication of the FEIS. Based on this and the small footprint of the proposed action, approximately 1.4 acres of new disturbance any increment in direct, indirect, or cumulative impacts to lands, and resources would be negligible

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes  
 No

Public involvement efforts during preparation of the Ruby Pipeline Project FEIS are adequate for the proposed action. FERC, in close cooperation with the BLM, held six public scoping meetings in April 2008 at locations along the route to provide the public with an opportunity to learn more about the Ruby Pipeline Project and to comment on environmental issues that should be addressed in the Ruby Pipeline Project EIS. The draft EIS was filed with the US Environmental Protection Agency (EPA) and a formal notice of availability was issued in the Federal Register on June 26, 2009. A copy of the draft EIS was mailed to those agencies, tribes, organizations, and individuals that attended meetings or submitted written comments on the project, as well as other interested parties. A 45-day comment period was provided for the draft EIS. Seven public comment meetings were held during the comment period. All timely environmental comments on the draft EIS are addressed. The Ruby Pipeline Project FEIS was distributed to all interested members of the public and government agencies for review. In addition, the BLM has notified the public of this proposal by posting it on the Nevada BLM Ruby Pipeline Project web page at [http://www.blm.gov/nv/st/en/info/nepa/ruby\\_pipeline\\_project.html](http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html) and the Ruby Pipeline LLC website, [www.rubypipeline.com](http://www.rubypipeline.com). None of the agencies or other stakeholders have expressed opposition to the proposed cathodic protection groundbed or access roads.

**E. BLM Interdisciplinary Staff Consulted:**

CONCLUSION *(If you found that one or more of these criteria is not met, then you cannot conclude that the NEPA documentation fully covers the proposed action).*

Plan Conformance:

This proposal conforms to the applicable land use plan.

Determination of NEPA Adequacy

Based on the review documented above, I conclude that the existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

/s/Gene Seidlitz  
District Manager  
Winnemucca District

October 28, 2011  
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**ATTACHMENTS:**

- Attachment 3. ID Team Checklist
- Attachment 4. Amendment Maps

# Determination of NEPA Adequacy

## DOI-BLM-CA-N070-2011-0022-DNA

---

### Ruby Pipeline: Cathodic Protection Facilities

---

**November 1, 2011**

*Prepared by:*

Bureau of Land Management  
Surprise Field Office  
602 Cressler Street  
Cedarville, California 96104



**Worksheet**

**Documentation of Land Use Plan Conformance  
and  
Determination of NEPA Adequacy**

U.S. Department of the Interior  
California Bureau of Land Management  
Surprise Field Office

---

The signed CONCLUSION at the end of this worksheet for a Determination of NEPA Adequacy (DNA) is part of an interim step in the Bureau of Land Management’s (BLM’s) internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures. The route traverses lands managed by BLM’s, Surprise Field Office. The BLM is the federal agency responsible for issuing right-of-way grants for natural gas pipelines across federal lands for the Ruby Pipeline Project. As such, BLM will oversee this process in compliance with the National Environmental Policy Act (NEPA) and will have the lead in providing input and direction for activities associated with construction and restoration.

OFFICE: Surprise Field Office (Northern California District Office)

TRACKING NUMBER: FERC/EIS-0232F

CASE FILE/PROJECT NUMBERS: 2880 NVN-084650

PROPOSED ACTION TITLE/TYPE: Ruby Pipeline Project/Natural Gas Pipeline Cathodic Protection Facilities

APPLICANT: Ruby Pipeline, L.L.C.

LOCATION/LEGAL DESCRIPTION:

| Table 4. Cathodic Protection Facilities and Roads, Surprise Field Office (Page 1 of 2). |  |        |               |  |                  |         |
|---|--|--------|---------------|--|------------------|---------|
| Mainline Valve (MLV) No.  | Facilities Being Requested   | MP (~) | Ruby Quad No. | Legal Description                              | Length (feet, ~) | Acreage |
| 34  | Build Cathodic Protection Site<br>100.13 ft wide<br>740.28 ft<br>(SW boundary)<br>680.69 ft<br>(NE boundary) | 547.84 | 94            | Portions of the SW¼NE¼, Section 6, T42N, R22E. | NA               | 1.61016 |

| Mainline Valve (MLV) No. | Facilities Being Requested                   | MP (~) | Ruby Quad No. | Legal Description  | Length (feet, ~) | Acreage |
|--------------------------|--|--------|---------------|--|------------------|---------|
| 34                       | Build New Road from W-4A to MLV 34           | 547.9  | 94            | Portions of the SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> of Section 6, T42N, R22E.  | 180              | 0.12397 |
| 35                       | Build New Road from County Road 34 to MLV 35 | 564    | 97            | Portions of the SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> of Section 1, T43N, R19E.  | 297              | 0.20455 |
| 36                       | Build New Road from W-15 to MLV 36           | 581.4  | 97            | Portions of the SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> of Section 13, T46N, R18E. | 425              | 0.29270 |

### A. Description of the Proposed Action and Any Applicable Mitigation Measures

The Ruby Pipeline Project (Project), proposed by Ruby Pipeline, LLC (Ruby), is composed of approximately 675.2 miles of 42-inch diameter natural gas pipe, along with associated compression and measurement facilities, located between Opal, Wyoming, and Malin, Oregon. The Project includes an approximate 2.6-mile lateral, known as the PG&E Lateral, to be constructed in Klamath County, Oregon. As proposed, the Project has a design capacity of approximately 1.5 million Dekatherms per day, depending on final subscriptions. The Project's right-of-way (ROW) crosses four states: Wyoming, Utah, Nevada, and Oregon. In addition to the existing King Compressor Station at Opal, Wyoming, Ruby installed four new compressor stations for the Project: one located near the Opal Hub in Wyoming, one in western Utah, one near the mid-point of the Project north of Elko, Nevada, and one northwest of Winnemucca, Nevada.

The original Proposed Route for the pipeline was analyzed in the Ruby Pipeline Project Final Environmental Impact Statement (FEIS) published in January 2010. As part of its ROW grant application, Ruby submitted a “detailed construction, operation, rehabilitation, and environmental protection plan,” also known as a Plan of Development (POD) to BLM for the Ruby Pipeline Project, (43 CFR §2804.25(b)). Ruby’s POD describes how it will comply with the applicable laws, regulations, and BLM Resource Management Plans (RMPs) in the construction and operation of the Project. The POD also describes additional environmental protection measures that Ruby will implement on the public and private lands crossed by the Project. The Project POD, incorporated by reference herein, also identifies avoidance, minimization, and conservation measures to address potential impacts to resources.

The actions addressed in this Surprise Field Office DNA are part of actions spread along the entire completed Ruby Pipeline that include construction of four cathodic protection sites and 15 short segments of new access roads. In total, Ruby's cathodic protection and access proposals would affect about 9 acres in six BLM Field Offices and one National Forest.

The MLV sites provide the pipeline with power (purchased or thermally electrically generated [using natural gas to generate the electricity]). Deep well cathodic protection groundbeds would be located at most of the MLVs. Cathodic protection is needed to protect the pipeline from corrosion and to comply with U.S. Department of Transportation requirements. To be effective, a ground bed must extend at approximately 90 degrees from the pipeline, i.e. 90 degrees down, or 90 degrees perpendicular to the line on the surface.

The soil conditions below the right of way at the four proposed locations will not support an effective deep hole (i.e. drilled in a single hole on the right of way) groundbed. To be effective, the ground bed must extend approximately 700 feet and, again, due to the soil conditions, the only effective way for a ground bed to work at these locations is to extend along the surface. This requires that the four proposed cathodic protection groundbeds extend beyond the existing ROW.

Ruby has positioned the MLVs along access roads and the valves are set off from the road ROW edge. As a result, short access roads are needed so operations personnel do not have to drive across the ROW to get to the valves.

Under this DNA Ruby proposes to:

- For MLV 34
  - Build an above ground cathodic protection site
  - Build a new road from W-4A to MLV 34
- For MLV 35
  - Build a new road from County Road 34 to MLV 35
- For MLV 36
  - Build a new road from W-15 to MLV 36

Several near surface cathodic protection ground beds on BLM lands were included in the ROW grant and have been authorized. The proposed ROWs amendments within the Surprise Field Office would add about 2.2 acres to the Ruby Pipeline ROW. Most of that acreage is related to the proposed cathodic protection site at MLV 34. There would be 900 feet of new low use roads ranging from 180 to 425 feet long.

#### Above Ground Cathodic Protection Facilities

Construction would begin with top soiling the work area from the MLV site to the end of the work area where the ground bed would be installed, a width of no greater than 15 feet. A backhoe or ditcher would be used to install a #2 cp cable at least 2 feet deep from the block valve to the start of the anode bed. This single ditch would be approximately 440 feet long. At the end of the single ditch, the anode bed would be installed using a backhoe. A trench would be dug 6 feet deep by 16 inches wide and 260 feet long, for installation of the anodes and coke breeze. The anodes would be 20 Duriron Type D FeSiCr anodes with individual lead wires attached. These wires would be connected to the # 2 cable either by direct splice or through a junction box

placed at the first anode. A 6 inch layer of Loresco DW-1 coke breeze would be placed in the ditch and the anodes laid on top of the coke breeze and then covered with an additional 6 inches of coke breeze. Then the 16 inch wide ditch would be backfilled and cleaned up and the top soil replaced. The right-of-way would then be revegetated, using the seed mix prescribed in the Reclamation Plan. This would be a one-time only activity that would occur this late summer or fall, and monitoring of and remediation of the reclamation effort would be included in the overall monitoring effort that would occur under the Reclamation Plan.

Once a cathodic protection facility is constructed, there would be no ongoing access beyond that already contemplated and discussed in the EIS and other permit documents. This would involve a one-time per year entry to each valve location. The main purpose would be to check and lubricate the valve.

#### New Access Roads

The approximately 900 feet of new access road, which are 180-425 feet long and no wider than 30 feet would be surfaced with on-site materials. They would be flat bladed and would eventually become two-track roads used for permanent access. Construction would be completed in one to two days at each of the sites.

#### Mitigating Measures

All applicable mitigating measures developed in conjunction with the Ruby Pipeline Final EIS and Record of Decision would be applied to construction and operation, including limited operating periods for protection of wildlife, and handling of soils and restoration of vegetation on the cathodic protection sites and along the new access roads. The roads would be reclaimed when they are no longer needed for project use.

### **B. Land Use Plan (LUP) Conformance**

| LUP Name                          | Date Approved |
|-----------------------------------|---------------|
| Surprise Resource Management Plan | 2008          |

The proposed action is in conformance with the Surprise Resource Management Plan, April 2008, Sections 2.21.5, which states:

#### **2.3.3.1 Goal**

Facilitate exploration for, and development of, leasable energy and mineral resources while simultaneously protecting sensitive resources.

#### **2.3.3.2 Objectives**

Permit exploration for, and development of, leasable minerals while simultaneously protecting other resource values. Protect or reclaim other resources through application of standard leasing terms and stipulations for exploration and development activities. Impose restrictive terms where necessary to protect ecosystems, particularly with regard to wildlife, vegetation, and water-related issues.

**C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

Ruby Pipeline Project Final Environmental Impact Statement (January 2010, FERC/EIS-0232F)

**D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes  
 No

Documentation of answer and explanation:

There are numerous citations that indicate that access roads and MLVs with cathodic protection, and ongoing monitoring of those facilities are included in the proposed action and alternatives analyzed.

Page 2-4, Table 2.1.2-1 lists MLV locations along the entire route of the pipeline and Page 2-27 states that “All underground piping would be coated and equipped with cathodic protection to prevent corrosion”. This is repeated on Page 4-41, “Ruby would use externally coated pipe and install cathodic protection where necessary to guard against corrosion. Additionally, Page 2-31 relates that the “pipeline cathodic protection system also would be monitored and inspected by pipeline personnel periodically to ensure proper and adequate corrosion protection.” Page 2-32, says that “Ruby would also inspect MLVs annually and document the inspection results.”

Page 2-3 of the FEIS acknowledges Ruby does not know exactly how or where road improvements would be required along any given road identified as potentially needing improvements. This information would not be available until after Ruby’s construction contractor identifies which roads it prefers to use, how it prefers to use the roads, and the weather at the time of use. There is reference to permanent access as part of normal maintenance and operations as well. Page 4-142 states that, “Access roads would be used extensively during pipeline construction and restoration activities and occasionally during operation to conduct monitoring and maintenance of pipeline facilities.” Ruby provide the BLM with an email dated 6 October 2011 stating that additional biological and archeological surveys had been completed for these sites (email attached).

Although the Ruby Pipeline Project FEIS assumes that Ruby would restore all roads to their preconstruction condition, except where the landowner has requested that the improvements be left in place (Page 4-163) a variance process provides for minor changes. Page 2-3 notes that Ruby could request route realignments or additional construction workspace needs identified during construction under the post-approval variance process (see section 2.5.3). Minor route realignments and other workspace refinements often continue past the project planning phase and

into the construction phase. As a result, the project location and areas of disturbance described in the EIS may require refinement after project approval (assuming the project is approved). These changes frequently involve minor route realignments, shifting or adding new temporary extra workspaces or staging areas, or adding additional access roads. In the Surprise Field Office, only 2.2 acres of additional ROWs would be added to the over 10,000 acres of ROW granted to the Ruby Pipeline. This is deemed to be a minor refinement to the proposed action that is eligible for a variance.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?**

Yes  
 No

Documentation of answer and explanation:

There is no need to assess additional alternatives because there would be no unresolved conflicts with construction of the proposed cathodic protection groundbed or access roads.

**3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes  
 No

Documentation of answer and explanation:

Cultural and biological surveys have been completed. No new information or circumstances have arisen since completion of the Ruby Pipeline Project FEIS in 2010 that would substantially change the analysis of the new proposed action. All ID team members have reviewed the new proposed action and have jointly made this determination (see the attached ID Team Checklist). The only change in baseline conditions for the current proposed action is that the pipeline project has been completed.

There has been a U.S. Fish and Wildlife Service (FWS) review regarding the status of the greater sage grouse and a BLM policy change regarding management of sage grouse.

The highest status described for greater sage-grouse in the Ruby Pipeline FEIS is “BLM Sensitive”. The EIS discusses the status of greater sage grouse (pg. 4-141) as having been previously petitioned for listing by the FWS under the Endangered Species Act (ESA). As stated in the FEIS, an initial finding on those petitions of “not warranted” for listing under the ESA was subsequently challenged in court and prompted an additional review with a finding expected in

February 2010. That finding has now been completed with a determination that greater sage-grouse is warranted for listing under the ESA but that further action on that listing is precluded by other priorities within the FWS (“warranted but precluded”). Thus the status of greater sage grouse currently remains consistent with that described in the FEIS as designated BLM Sensitive pending further action by FWS.

Since completion of the FEIS BLM Nevada has developed guidance for the protection of sage-grouse habitats encompassing 75 percent of the breeding population in each state. The guidance implements an internal tracking system for all projects initiated within the 75 percent identified breeding populations. The system will be used for tracking the number and location, spatially, of proposed projects that may have the potential to impact sage-grouse habitat and will be used to keep the State Director updated of proposed activities that have the potential to impact sage-grouse. The guidance does not add standards and guidelines for on-the-ground management of grouse habitat within these areas nor does it change the legal status of the species since the “warranted but precluded” finding by FWS. Based on current mapping, the proposed cathodic protection groundbed and access roads are within a half mile but are outside of the 75 percent areas.

The new cathodic protection groundbed and access roads would not add appreciably to the impacts on sage grouse analyzed in the Ruby Pipeline FEIS. In the Surprise Field Office, only 2.2 acres of additional ROWs would be added to the over 10,000 acres of ROW granted to the Ruby Pipeline Project. Timing limitations, buffers, and other measures for protection of sage grouse would be applied.

Therefore, the Ruby Pipeline FEIS analysis of potential impacts of construction within sage grouse habitat includes all aspects of the proposed action and is adequate for purposes of the current proposed action for a cathodic protection groundbed and three short access roads.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes  
 No

Documentation of answer and explanation:

BLM has conducted an interdisciplinary review to determine the adequacy of the analysis in the Ruby Pipeline FEIS for the current proposed action. The results of the review are documented in the attached ID Team Checklist. As stated in the response to Question 3, there have been no substantial changes in resources and conditions since publication of the FEIS. Based on this and the small footprint of the proposed action, approximately 2.2 acres of new disturbance any increment in direct, indirect, or cumulative impacts to lands, and resources would be negligible

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes  
 No

Documentation of answer and explanation:

Public involvement efforts during preparation of the Ruby Pipeline Project FEIS are adequate for the proposed action. FERC, in close cooperation with the BLM, held six public scoping meetings in April 2008 at locations along the route to provide the public with an opportunity to learn more about the Ruby Pipeline Project and to comment on environmental issues that should be addressed in the Ruby Pipeline Project EIS. The draft EIS was filed with the U.S. Environmental Protection Agency (EPA) and a formal notice of availability was issued in the Federal Register on June 26, 2009. A copy of the draft EIS was mailed to those agencies, tribes, organizations, and individuals that attended meetings or submitted written comments on the project, as well as other interested parties. A 45-day comment period was provided for the draft EIS. Seven public comment meetings were held during the comment period. All timely environmental comments on the draft EIS are addressed. The Ruby Pipeline Project FEIS was distributed to all interested members of the public and government agencies for review. In addition, the BLM has notified the public of this proposal by posting it on the Nevada BLM Ruby Pipeline Project web page at [http://www.blm.gov/nv/st/en/info/nepa/ruby\\_pipeline\\_project.html](http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html) and the Ruby Pipeline LLC website, [www.rubypipeline.com](http://www.rubypipeline.com). None of the agencies or other stakeholders expressed opposition to the proposed cathodic protection groundbed and access roads.

**E. BLM Interdisciplinary Staff Consulted:**

| <u>Name</u>     | <u>Title</u>                            | <u>Resource/Program Represented</u>      |
|-----------------|---|--|
| Elias Flores Jr | Wildlife/Fish biologist                 | Fish and Wildlife, Riparian, Recreation, |
| Julie Rodman    | Archeologist                            | Cultural Resources                       |
| Steve Surian    | Supervisory Range Management Specialist | Grazing, Soils, Vegetation               |
| Daniel Ryan     | Realty Specialist                       | Lands and Minerals                       |

**CONCLUSION** (If you found that one or more of these criteria is not met, then you cannot conclude that the NEPA documentation fully covers the proposed action).

Plan Conformance:

This proposal conforms to the applicable land use plan.

Determination of NEPA Adequacy

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

*/s/ Allen Bollschweiler*  
Allen Bollschweiler  
Field Manager  
Surprise Field Office

November 16, 2011  
Date

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**ATTACHMENTS:**

Attachment 3. ID Team Checklist  
Attachment 4. Amendment Maps

# Determination of NEPA Adequacy

## DOI-BLM-OR-L050-2011-0028-DNA

---

## Ruby Pipeline: Cathodic Protection Facilities

---

**October 20, 2011**

*Prepared by:*

Bureau of Land Management  
Lakeview Resource Area  
1301 South "G" Street  
Lakeview, OR 97630



**Worksheet**

**Documentation of Land Use Plan Conformance  
and  
Determination of NEPA Adequacy**

U.S. Department of the Interior  
Bureau of Land Management  
Lakeview District  
Lakeview Resource Area

*The signed CONCLUSION at the end of this worksheet for a Determination of NEPA Adequacy (DNA) is part of an interim step in the Bureau of Land Management's (BLM's) internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures. The route traverses lands managed by BLM's, Lakeview Resource Area. The BLM is the federal agency responsible for issuing right-of-way grants for natural gas pipelines across federal lands for the Ruby Pipeline Project. As such, BLM, will oversee this process in compliance with the National Environmental Policy Act (NEPA) and will have the lead in providing input and direction for activities associated with construction and restoration.*

OFFICE: Lakeview Resource Area (Lakeview District Office)

TRACKING NUMBER: FERC/EIS-0232F

CASE FILE/PROJECT NUMBERS: 2880 NVN-084650

PROPOSED ACTION TITLE/TYPE: Ruby Pipeline Project/Natural Gas Pipeline Cathodic Protection Facilities

APPLICANT: Ruby Pipeline, L.L.C.

LOCATION/LEGAL DESCRIPTION:

| Table 5. Cathodic Protection Facilities and Roads, Lakeview Resource Area. |   |        |               |  |                  |         |
|--|---|--------|---------------|--|------------------|---------|
| Main Line Valve (MLV) No.  | Facilities Being Requested                    | MP (~) | Ruby Quad No. | Legal Description  | Length (feet, ~) | Acreage |
| 37   | Build New Road from Big Valley Road to MLV 37 | 595.8  | 102           | Portions of the SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> of Section 25, and portions of NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> of Section 36, T40S, R22E | 297              | 0.2     |

**A. Description of the Proposed Action and Any Applicable Mitigation Measures**

The Ruby Pipeline Project (Project), constructed by Ruby Pipeline, LLC (Ruby), is composed of approximately 675.2 miles of 42-inch diameter natural gas pipeline, along with associated compression and measurement facilities, located between Opal, Wyoming, and Malin, Oregon.

The Project would include an approximate 2.6-mile lateral, known as the PG&E Lateral, to be constructed in Klamath County, Oregon. As proposed, the Project would have a design capacity of approximately 1.5 million Dekatherms per day, depending on final subscriptions. The Project's right-of-way (ROW) would cross four states: Wyoming, Utah, Nevada, and Oregon. In addition to the existing King Compressor Station at Opal, Wyoming, Ruby proposes to install four new compressor stations for the Project: one located near the Opal Hub in Wyoming, one in western Utah, one near the mid-point of the Project north of Elko, Nevada, and one northwest of Winnemucca, Nevada.

The original Proposed Route for the pipeline was analyzed in the Ruby Pipeline Project Final Environmental Impact Statement (FEIS) published in January 2010. As part of its ROW grant application, Ruby submitted a "detailed construction, operation, rehabilitation, and environmental protection plan," also known as a Plan of Development (POD) to BLM for the Ruby Pipeline Project (43 CFR §2804.25(b)). Ruby's POD describes how it will comply with the applicable laws, regulations, and BLM Resource Management Plans (RPMs) in the construction and operation of the Project. The POD also describes additional environmental protection measures that Ruby will implement on the public and private lands crossed by the Project. The Project POD, incorporated by reference herein, also identifies avoidance, minimization, and conservation measures to address potential impacts to resources.

The action addressed in this Lakeview District DNA are part of actions spread along the entire completed Ruby Pipeline that include construction of four cathodic protection sites and 15 short segments of new access roads. In total, Ruby's cathodic protection and access proposals would affect about 9 acres in six BLM Field Offices and one National Forest.

The MLV sites provide the pipeline with power (purchased or thermally electrically generated [using natural gas to generate the electricity]). Deep well cathodic protection groundbeds would be located at most of the MLVs. Cathodic protection is needed to protect the pipeline from corrosion and to comply with U.S. Department of Transportation requirements. To be effective, a ground bed must extend at approximately 90 degrees from the pipeline, i.e. 90 degrees down, or 90 degrees perpendicular to the line on the surface.

The soil conditions below the right of way at the four proposed locations will not support an effective deep hole (i.e. drilled in a single hole on the right of way) groundbed. To be effective, the ground bed must extend approximately 700 feet and, again, due to the soil conditions, the only effective way for a ground bed to work at these locations is to extend along the surface. This requires that the four proposed cathodic protection groundbeds extend beyond the existing ROW.

Ruby has positioned the MLVs along access roads and the valves are set off from the road ROW edge. As a result, short access roads are needed so operations personnel do not have to drive across the ROW to get to the valves.

For this DNA Ruby's proposed action in the Lakeview District is to build a short access road from the Big Valley Road to MLV 37. The 297 feet of new access road would be up to 30 feet wide and would be surfaced with on-site materials. Construction would be completed in one to

two days. The route would be flat bladed and eventually become a “two-track” road used occasionally for access to the valve. This would involve a one-time per year entry to the valve location. The main purpose would be to check and lubricate the valve. The proposed action would create about 0.2 acres of new disturbance.

The area has been surveyed for cultural, special status botanical, and special status wildlife resources. No resource concerns were identified. The additional 0.2 acres of ground disturbance is within the range of disturbance impacts already addressed in Chapter 4 of the FEIS.

Mitigating Measures

All applicable mitigating measures developed in conjunction with the Ruby Pipeline FEIS and Record of Decision would be applied to construction and operation, including limited operating periods for protection of wildlife, and handling of soils and restoration of vegetation and along the new access road. The road would be reclaimed when it is no longer needed for project use.

**B. Land Use Plan (LUP) Conformance**

List applicable LUPs (for example, resource management plans; activity, project, management or program plans; or applicable amendments thereto):

| LUP Name   | Date Approved |
|--|---------------|
| Lakeview Resource Management Plan/Record of Decision | November 2003 |

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

*Lands and Realty Management Goal 2 – Meet public needs for land use authorizations such as rights-of-way, leases, and permits (pages 92-95).* Authorizing the ROW for the preferred alignment was determined to be consistent with this management direction because providing a transmission corridor for natural gas meets an established “public need”. Authorizing a short, permanent access road within this same ROW is also consistent with this management goal.

*ROW Avoidance and Exclusion Areas (Map L-8) -* The preferred alignment crosses the western edge of a ROW avoidance area (South Warner Rim) that was originally designated to protect sage grouse breeding habitat. The management direction further states that new ROWs can be located in ROW avoidance areas if, *1) there are no other viable options, and 2) they are consistent with the reason for designating the avoidance area (page 93).*

Based on additional habitat inventory work conducted since the RMP was completed, the portion directly affected by the preferred alternative has been found to be heavily degraded by invasive western juniper and is not currently used by sage grouse. The avoidance area at this location does not contain the values for which it was originally designated. The RMP noted that such habitat inventory work would occur in the future and these avoidance areas could be modified based on the results of this inventory work. For these reasons, the preferred alignment was determined to be in conformance with the avoidance area management direction. Authorizing a short, permanent access road within this same ROW is also consistent with this management direction.

**C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

Ruby Pipeline Project Final Environmental Impact Statement (January 2010, FERC/EIS-0232F)

## D. NEPA Adequacy Criteria

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes  
 No

*Documentation of answer and explanation:*

There are numerous citations that indicate that access roads and MLVs with cathodic protection, and ongoing monitoring of those facilities are included in the proposed action and action alternatives analyzed.

Page 2-4, Table 2.1.2-1 lists MLV locations along the entire route of the pipeline and Page 2-27 states that “All underground piping would be coated and equipped with cathodic protection to prevent corrosion.” This is repeated on Page 4-41, “Ruby would use externally coated pipe and install cathodic protection where necessary to guard against corrosion.” Additionally, Page 2-31 relates that the “pipeline cathodic protection system also would be monitored and inspected by pipeline personnel periodically to ensure proper and adequate corrosion protection.” Page 2-32, says that “Ruby would also inspect MLVs annually and document the inspection results.”

Page 2-3 of the FEIS acknowledges Ruby does not know exactly how or where road improvements would be required along any given road identified as potentially needing improvements. This information would not be available until after Ruby’s construction contractor identifies which roads it prefers to use, how it prefers to use the roads, and the weather at the time of use. There is reference to permanent access as part of normal maintenance and operations as well. Page 4-142 states that, “Access roads would be used extensively during pipeline construction and restoration activities and occasionally during operation to conduct monitoring and maintenance of pipeline facilities.”

Although the Ruby Pipeline Project FEIS assumes that Ruby would restore all roads to their preconstruction condition, except where the landowner has requested that the improvements be left in place (Page 4-163) a variance process provides for minor changes. Page 2-3 notes that Ruby could request route realignments or additional construction workspace needs identified during construction under the post-approval variance process (see section 2.5.3). Minor route realignments and other workspace refinements often continue past the project planning phase and into the construction phase. As a result, the project location and areas of disturbance described in this EIS may require refinement after project approval (assuming the project is approved). These changes frequently involve minor route realignments, shifting or adding new temporary extra workspaces or staging areas, or adding additional access roads. In the Lakeview District, only 0.2 acres of additional ROWs would be added to the ROW granted to the Ruby Pipeline. This is deemed to be a minor refinement to the proposed action that is eligible for a variance.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?**

Yes  
 No

*Documentation of answer and explanation:*

There is no need to assess additional alternatives because there would be no unresolved conflicts with construction of the proposed access roads.

**3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes  
 No

*Documentation of answer and explanation:*

Cultural and biological surveys have been completed. No new information or circumstances have arisen since completion of the Ruby Pipeline Project FEIS in 2010 that would substantially change the analysis of the new proposed action. All ID team members have reviewed the new proposed action and have jointly made this determination (see the attached ID Team Checklist). The only change in baseline conditions for the current proposed action is that the pipeline project has been completed.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes  
 No

*Documentation of answer and explanation:*

Because the proposal would occur within an area that has already been disturbed by pipeline construction, the additional impacts to soils, water, vegetation, and other resources resulting from the minor ground disturbance associated with the proposed action would be within the range of those direct, indirect, and cumulative impacts already analyzed in Chapter 4 of the EIS.

The scope of the proposed action for the Lakeview District is very limited and it is within existing disturbance areas. BLM has conducted an interdisciplinary review to determine the adequacy of the analysis in the Ruby Pipeline FEIS for the current proposed action. The results

of the review are documented in the attached ID Team Checklist. As stated in the response to Question 3, there have been no substantial changes in resources and conditions since publication of the FEIS. Based on this and the small footprint of the proposed action, approximately 0.2 acres of new disturbance, any increment in direct, indirect, or cumulative impacts to lands, and resources would be negligible.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes  
 No

*Documentation of answer and explanation:*

Public involvement efforts during preparation of the Ruby Pipeline Project FEIS are adequate for the proposed action. FERC, in close cooperation with the BLM, held six public scoping meetings in April 2008 at locations along the route to provide the public with an opportunity to learn more about the Ruby Pipeline Project and to comment on environmental issues that should be addressed in the Ruby Pipeline Project EIS. The draft EIS was filed with the U.S. Environmental Protection Agency (EPA) and a formal notice of availability was issued in the Federal Register on June 26, 2009. A copy of the draft EIS was mailed to those agencies, tribes, organizations, and individuals that attended meetings or submitted written comments on the project, as well as other interested parties. A 45-day comment period was provided for the draft EIS. Seven public comment meetings were held during the comment period. All timely environmental comments on the draft EIS are addressed. The Ruby Pipeline Project FEIS was distributed to all interested members of the public and government agencies for review. In addition, the BLM has notified the public of this proposal by posting it on the Nevada BLM Ruby Pipeline Project web page at [http://www.blm.gov/nv/st/en/info/nepa/ruby\\_pipeline\\_project.html](http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html) and the Ruby Pipeline LLC website, [www.rubypipeline.com](http://www.rubypipeline.com). None of the agencies or other stakeholders have expressed opposition to the proposed access road.

**E. BLM Interdisciplinary Staff Consulted:**

| <u>Name</u>          | <u>Title</u>              | <u>Resource/Program Represented</u> |
|----------------------|---------------------------|-------------------------------------|
| <b>Tom Rasmussen</b> | Field Manager             | All Programs                        |
| <b>Paul Whitman</b>  | NEPA/Planning Coordinator | NEPA/ Planning                      |
| <b>Todd Forbes</b>   | Supervisory NRS           | Natural Resources                   |
| <b>Brennan Hauk</b>  | NRS/Botany and Weeds      | Reclamation                         |
| <b>Jimmie Leal</b>   | Fisheries Biologist       | Fisheries                           |

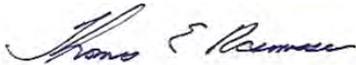
|                      |              |            |
|----------------------|--------------|------------|
| <b>Stephen Horne</b> | Archeologist | Archeology |
|----------------------|--------------|------------|

CONCLUSION *(If you found that one or more of these criteria is not met, then you cannot conclude that the NEPA documentation fully covers the proposed action).*

Plan Conformance: This proposal conforms to the applicable land use plan.

Determination of NEPA Adequacy

Based on the review documented above, I conclude that existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.



---

Thomas E. Rasmussen, Field Manager  
Lakeview Resource Area

October 20, 2011  
Date

Note: The signed Conclusion above is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA may be subject to protest or appeal under 43 CFR Part 4 or other program-specific regulations.

**ATTACHMENTS:**

Attachment 3. ID Team Checklist  
Attachment 4. Amendment Maps

# Determination of NEPA Adequacy

---

## Ruby Pipeline: Cathodic Protection Facilities

---

September 29, 2011

*Prepared by:*

Fremont-Winema National Forests  
1301 South "G" Street  
Lakeview, OR 97630



## Worksheet

### Documentation of Land Use Plan Conformance and Determination of NEPA Adequacy

U.S. Department of Agriculture  
Fremont-Winema National Forests  
Lakeview Ranger District; Lake County, Oregon

---

The signed CONCLUSION at the end of this worksheet for a Determination of NEPA Adequacy (DNA) is part of an interim step in the Bureau of Land Management's (BLM's) internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures. The route traverses lands managed by the Fremont-Winema National Forests. The BLM is the federal agency responsible for issuing right-of-way grants for natural gas pipelines across federal lands for the Ruby Pipeline Project. As such, BLM will oversee this process in compliance with the National Environmental Policy Act (NEPA) and will have the lead in providing input and direction for activities associated with construction and restoration.

OFFICE: Fremont-Winema National Forests

TRACKING NUMBER: FERC/EIS-0232F

CASE FILE/PROJECT NUMBERS: 2880 NVN-084650

PROPOSED ACTION TITLE/TYPE: Ruby Pipeline Project/Natural Gas Pipeline Cathodic Protection Facilities

APPLICANT: Ruby Pipeline, L.L.C.

LOCATION/LEGAL DESCRIPTION:

| Main Line Valve (MLV) No. | Facilities Being Requested                                    | MP         | Ruby Quad No. | Legal Description  | Length (feet,~) | Acreage |
|---------------------------|---|------------|---------------|--|-----------------|---------|
| 40                        | Build New Road from Forest Service Road 4017 (L-19) to MLV 40 | 643.06 (~) | 110           | Portions of the SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> of Section 14, T41S, R16E, WM. | 85              | 0.05854 |

## **A. Description of the Proposed Action and Any Applicable Mitigation Measures**

The Ruby Pipeline Project (Project), proposed by Ruby Pipeline, LLC (Ruby), is composed of approximately 675.2 miles of 42-inch diameter natural gas pipeline, along with associated compression and measurement facilities, located between Opal, Wyoming, and Malin, Oregon. The Project would include an approximate 2.6-mile lateral, known as the PG&E Lateral, to be constructed in Klamath County, Oregon. As proposed, the Project would have a design capacity of approximately 1.5 million Dekatherms per day, depending on final subscriptions. The Project's right-of-way (ROW) would cross four states: Wyoming, Utah, Nevada, and Oregon. In addition to the existing King Compressor Station at Opal, Wyoming, Ruby proposes to install four new compressor stations for the Project: one located near the Opal Hub in Wyoming, one in western Utah, one near the mid-point of the Project north of Elko, Nevada, and one northwest of Winnemucca, Nevada.

The original Proposed Route for the pipeline was analyzed in the Ruby Pipeline Project Final Environmental Impact Statement (FEIS) published in January 2010. As part of its ROW grant application, Ruby submitted a "detailed construction, operation, rehabilitation, and environmental protection plan," also known as a Plan of Development (POD) to BLM for the Ruby Pipeline Project (43 CFR §2804.25(b)). Ruby's POD describes how it will comply with the applicable laws, regulations, and BLM Resource Management Plans (RPMs) in the construction and operation of the Project. The POD also describes additional environmental protection measures that Ruby will implement on the public and private lands crossed by the Project. The Project POD, incorporated by reference herein, also identifies avoidance, minimization, and conservation measures to address potential impacts to resources.

The actions addressed in this Fremont-Winema National Forests DNA are part of actions spread along the entire completed Ruby Pipeline that include construction of four cathodic protection sites and 15 short segments of new access roads. In total, Ruby's cathodic protection and access proposals would affect about 9 acres in six BLM Field Offices and one National Forest.

The MLV sites provide the pipeline with power (purchased or thermally electrically generated [using natural gas to generate the electricity]). Deep well cathodic protection groundbeds would be located at most of the MLVs. Cathodic protection is needed to protect the pipeline from corrosion and to comply with U.S. Department of Transportation requirements. To be effective, a ground bed must extend at approximately 90 degrees from the pipeline, i.e. 90 degrees down, or 90 degrees perpendicular to the line on the surface.

The soil conditions below the right of way at the four proposed locations will not support an effective deep hole (i.e. drilled in a single hole on the right of way) groundbed. To be effective, the ground bed must extend approximately 700 feet and, again, due to the soil conditions, the only effective way for a ground bed to work at these locations is to extend along the surface. This requires that the four proposed cathodic protection groundbeds extend beyond the existing ROW.

Ruby has positioned the MLVs along access roads and the valves are set off from the road ROW edge. As a result, short access roads are needed so operations personnel do not have to drive across the ROW to get to the valves.

In the Fremont-Winema National Forests Ruby proposes to build an 85-foot long up to 30-foot wide permanent access road from Forest Service Road 4017 (L-19) to MLV 40. The main purpose of the road would be to check and lubricate the valve. The road would be surfaced with on-site materials. It would be flat bladed and would eventually become a two-track road used for permanent access. There would be no ongoing access beyond that already contemplated and discussed in the EIS and other permit documents. This would involve a one-time per year entry to MLV 40. Construction would be completed in one to two days and would create about 0.06 acres of new disturbance in the Fremont-Winema National Forests.

Mitigating Measures

All applicable mitigating measures developed in conjunction with the Ruby Pipeline FEIS and Record of Decision would be applied to construction and operation, including limited operating periods for protection of wildlife, and handling of soils and restoration of vegetation along the road. The road would be reclaimed when it is no longer needed for project use.

**B. Land Use Plan (LUP) Conformance**

| LUP Name  | Date Approved |
|---|---------------|
| Fremont Land and Resource Management Plan, as amended | 1989          |

LUP amendment Number 35

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

Record of Decision “RUBY PIPELINE PROJECT (FREMONT FOREST PLAN AMENDMENT NUMBER 35)”, signed by J. Richard Newton, Acting Forest Supervisor on May 14, 2010.

**C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

Ruby Pipeline Project Final Environmental Impact Statement (January 2010, FERC/EIS-0232F)

**D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes  
 No

Documentation of answer and explanation:

There are numerous citations that indicate that access roads and MLVs with cathodic protection, and ongoing monitoring of those facilities are included in the proposed action and action alternatives analyzed.

Page 2-4, Table 2.1.2-1 lists MLV locations along the entire route of the pipeline and Page 2-27 states that “All underground piping would be coated and equipped with cathodic protection to prevent corrosion.” This is repeated on Page 4-41, “Ruby would use externally coated pipe and install cathodic protection where necessary to guard against corrosion.” Additionally, Page 2-31 relates that the “pipeline cathodic protection system also would be monitored and inspected by pipeline personnel periodically to ensure proper and adequate corrosion protection.” Page 2-32, says that “Ruby would also inspect MLVs annually and document the inspection results.”

Page 2-3 of the FEIS acknowledges Ruby does not know exactly how or where road improvements would be required along any given road identified as potentially needing improvements. This information would not be available until after Ruby’s construction contractor identifies which roads it prefers to use, how it prefers to use the roads, and the weather at the time of use. There is reference to permanent access as part of normal maintenance and operations as well. Page 4-142 states that, “Access roads would be used extensively during pipeline construction and restoration activities and occasionally during operation to conduct monitoring and maintenance of pipeline facilities.”

Although the Ruby Pipeline Project FEIS assumes that Ruby would restore all roads to their preconstruction condition, except where the landowner has requested that the improvements be left in place (Page 4-163) a variance process provides for minor changes. Page 2-3 notes that Ruby could request route realignments or additional construction workspace needs identified during construction under the post-approval variance process (see Section 2.5.3). Minor route realignments and other workspace refinements often continue past the project planning phase and into the construction phase. As a result, the project location and areas of disturbance described in this EIS may require refinement after project approval (assuming the project is approved). These changes frequently involve minor route realignments, shifting or adding new temporary extra workspaces or staging areas, or adding additional access roads. Only 85 feet and .05 acres of additional ROWs would be added to the ROW granted to the Ruby Pipeline. This is deemed to be a minor refinement to the proposed action that is eligible for a variance.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?**

Yes  
 No

Documentation of answer and explanation:

There is no need to assess additional alternatives because there would be no unresolved conflicts with construction of the proposed access road.

**3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes  
 No

Documentation of answer and explanation:

Cultural and biological surveys have been completed. No new information or circumstances have arisen since completion of the Ruby Pipeline Project FEIS in 2010 that would substantially change the analysis of the new proposed action. All ID team members have reviewed the new proposed action and have jointly made this determination (see the attached ID Team Checklist). The only change in baseline conditions for the current proposed action is that the pipeline project has been completed.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes  
 No

Documentation of answer and explanation:

The scope of the proposed action for the Fremont-Winema National Forests is very limited and it is within existing disturbance area. The Forest Service has conducted an interdisciplinary review to determine the adequacy of the analysis in the Ruby Pipeline FEIS for the current proposed action. The results of the review are documented in the attached ID Team Checklist. As stated in the response to Question 3, there have been no substantial changes in resources and conditions since publication of the FEIS. Based on this and the small footprint of the proposed action, approximately 0.05 acres of new disturbance, any increment in direct, indirect, or cumulative impacts to lands, and resources would be negligible.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes  
 No

Documentation of answer and explanation:

Public involvement efforts during preparation of the Ruby Pipeline Project FEIS are adequate for the proposed action. FERC, in close cooperation with the BLM, held six public scoping meetings in April 2008 at locations along the route to provide the public with an opportunity to learn more about the Ruby Pipeline Project and to comment on environmental issues that should be addressed in the Ruby Pipeline Project EIS. The draft EIS was filed with the U.S. Environmental Protection Agency (EPA) and a formal notice of availability was issued in the Federal Register on June 26, 2009. A copy of the draft EIS was mailed to those agencies, tribes, organizations, and individuals that attended meetings or submitted written comments on the project, as well as other interested parties. A 45-day comment period was provided for the draft EIS. Seven public comment meetings were held during the comment period. All timely environmental comments on the draft EIS are addressed. The Ruby Pipeline Project FEIS was distributed to all interested members of the public and government agencies for review. In addition, the BLM has notified the public of this proposal by posting it on the Nevada BLM Ruby Pipeline Project web page at [http://www.blm.gov/nv/st/en/info/nepa/ruby\\_pipeline\\_project.html](http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html) and the Ruby Pipeline LLC website, [www.rubypipeline.com](http://www.rubypipeline.com). None of the agencies or other stakeholders have expressed opposition to the proposed access road.

**E. Forest Interdisciplinary Staff Consulted:**

| <u>Name</u>                | <u>Title</u>                         | <u>Resource/Program Represented</u> |
|----------------------------|--------------------------------------|-------------------------------------|
| <b>Barry Hansen</b>        | <b>Fire Management Officer</b>       | <b>Fire</b>                         |
| <b>Larry Hills</b>         | <b>Recreation/Visuals Specialist</b> | <b>Recreation</b>                   |
| <b>Catherine Callaghan</b> | <b>Realty Specialist</b>             | <b>Lands; Minerals; Access</b>      |
| <b>Allan Hahn</b>          | <b>District Ranger</b>               |                                     |

CONCLUSION

Plan Conformance:

This proposal conforms to the applicable land use plan as amended.

Determination of NEPA Adequacy

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan, as amended, and that the NEPA documentation fully covers the proposed action and constitutes BLM’s compliance with the requirements of the NEPA.

*/s/Allan D. Hahn*  
 Lakeview District Ranger  
 Fremont-Winema National Forests

October 1, 2011  
 Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**ATTACHMENTS:**

Attachment 3. ID Team Checklist

Attachment 4. Amendment Maps

---

# Determination of NEPA Adequacy

## DOI-BLM-OR-L040-2011-037-DNA

---

### Ruby Pipeline: Cathodic Protection Facilities

---

**October 5, 2011**

*Prepared by:*

Bureau of Land Management  
Klamath Falls Resource Area  
2795 Anderson Avenue,  
Building No. 25  
Klamath Falls, OR 97603



**Worksheet**

**Documentation of Land Use Plan Conformance  
and  
Determination of NEPA Adequacy**  
(DOI-BLM-OR-L040-2011-037-DNA)

U.S. Department of the Interior  
Oregon Bureau of Land Management  
Klamath Falls Resource Area

---

The signed CONCLUSION at the end of this worksheet for a Determination of NEPA Adequacy (DNA) is part of an interim step in the Bureau of Land Management’s (BLM’s) internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures. The route traverses lands managed by BLM’s, Klamath Falls Resource Area (KFRA). The BLM is the federal agency responsible for issuing right-of-way grants for natural gas pipelines across federal lands for the Ruby Pipeline Project. As such, BLM, with concurrence from the Fremont Winema National Forests, will oversee this process in compliance with the National Environmental Policy Act (NEPA) and will have the lead in providing input and direction for activities associated with construction and restoration.

OFFICE: Klamath Falls Resource Area (Lakeview District Office)

TRACKING NUMBER: FERC/EIS-0232F

CASE FILE/PROJECT NUMBERS: 2880 NVN-084650

PROPOSED ACTION TITLE/TYPE: Ruby Pipeline Project/Natural Gas Pipeline Cathodic Protection Facilities

APPLICANT: Ruby Pipeline, L.L.C.

LOCATION/LEGAL DESCRIPTION:

| Table 7. Cathodic Protection Facilities and Roads, Klamath Falls Resource Area (Page 1 of 2). |  |        |               |  |                 |         |
|---|--|--------|---------------|--|-----------------|---------|
| Main Line Valve (MLV) No.   | Facilities Being Requested   | MP (~) | Ruby Quad No. | Legal Description                            | Length (feet,~) | Acreage |
| 41  | Build Cathodic Protection Site<br>50 ft wide<br>740 ft<br>(SE boundary)<br>760 ft<br>(NW boundary) | 659.24 | 112A          | Portions of Lot 5, Section 19, T41S, R14.5E. | NA              | .086088 |

| Main Line Valve (MLV) No. | Facilities Being Requested         | MP (~)       | Ruby Quad No. | Legal Description                              | Length (feet,~) | Acreage |
|---------------------------|------------------------------------|--------------|---------------|--|-----------------|---------|
| 41                        | Build New Road from K-3B to MLV 41 | 659 (approx) | 112A          | Portions of Lot 5 in Section 19, T41S, R14.5E. | 90              | .06198  |

### A. Description of the Proposed Action and Any Applicable Mitigation Measures

The Ruby Pipeline Project (Project), proposed by Ruby Pipeline, LLC (Ruby), is composed of approximately 675.2 miles of 42-inch diameter natural gas pipeline, along with associated compression and measurement facilities, located between Opal, Wyoming, and Malin, Oregon. The Project would include an approximate 2.6-mile lateral, known as the PG&E Lateral, to be constructed in Klamath County, Oregon. As proposed, the Project would have a design capacity of approximately 1.5 million Dekatherms per day, depending on final subscriptions. The Project's right-of-way (ROW) would cross four states: Wyoming, Utah, Nevada, and Oregon. In addition to the existing King Compressor Station at Opal, Wyoming, Ruby proposes to install four new compressor stations for the Project: one located near the Opal Hub in Wyoming, one in western Utah, one near the mid-point of the Project north of Elko, Nevada, and one northwest of Winnemucca, Nevada.

The original Proposed Route for the pipeline was analyzed in the Ruby Pipeline Project Final Environmental Impact Statement (FEIS) published in January 2010. As part of its ROW grant application, Ruby submitted a “detailed construction, operation, rehabilitation, and environmental protection plan,” also known as a Plan of Development (POD) to BLM for the Ruby Pipeline Project (43 CFR §2804.25(b)). Ruby’s POD describes how it will comply with the applicable laws, regulations, and BLM Resource Management Plans (RMPs) in the construction and operation of the Project. The POD also describes additional environmental protection measures that Ruby will implement on the public and private lands crossed by the Project. The Project POD, incorporated by reference herein, also identifies avoidance, minimization, and conservation measures to address potential impacts to resources.

The actions addressed in this Klamath Falls Resource Area DNA are part of actions spread along the entire completed Ruby Pipeline that include construction of four cathodic protection sites and 15 short segments of new access roads. In total, Ruby's cathodic protection and access proposals would affect about 9 acres in six BLM Field Offices and one National Forest.

The MLV sites provide the pipeline with power (purchased or thermally electrically generated [using natural gas to generate the electricity]). Deep well cathodic protection groundbeds would be located at most of the MLVs. Cathodic protection is needed to protect the pipeline from corrosion and to comply with U.S. Department of Transportation requirements. To be effective, a ground bed must extend at approximately 90 degrees from the pipeline, i.e. 90 degrees down, or 90 degrees perpendicular to the line on the surface.

The soil conditions below the right of way at the four proposed locations will not support an effective deep hole (i.e. drilled in a single hole on the right of way) groundbed. To be effective, the ground bed must extend approximately 700 feet and, again, due to the soil conditions, the only effective way for a ground bed to work at these locations is to extend along the surface. This requires that the four proposed cathodic protection groundbeds extend beyond the existing ROW.

Ruby has positioned the MLVs along access roads and the valves are set off from the road ROW edge. As a result, short access roads are needed so operations personnel do not have to drive across the ROW to get to the valves.

Several near surface cathodic protection ground beds on BLM lands were included in the ROW grant and have been authorized. Under this DNA Ruby proposes to build an above ground cathodic protection site and a permanent access road from K-3B to MLV 41.

The proposed actions would create about 0.15 acres of new disturbance in the Klamath Falls Resource Area. Construction would be completed in one to two days at each of the sites.

#### Above Ground Cathodic Protection Facilities

Construction would begin with top soiling the work area from the MLV site to the end of the work area where the groundbed would be installed, a width of no greater than 15 feet. A backhoe or ditcher would be used to install a #2 cp cable at least 2 feet deep from the block valve to the start of the anode bed. This single ditch would be approximately 440 feet long. At the end of the single ditch, the anode bed would be installed using a backhoe. A trench would be dug 6 feet deep by 16 inches wide and 260 feet long, for installation of the anodes and coke breeze. The anodes would be 20 Duriron Type D FeSiCr anodes with individual lead wires attached. These wires would be connected to the # 2 cable either by direct splice or through a junction box placed at the first anode. A 6 inch layer of Loresco DW-1 coke breeze would be placed in the ditch and the anodes laid on top of the coke breeze and then covered with an additional 6 inches of coke breeze. Then the 16 inch wide ditch would be backfilled and cleaned up and the top soil replaced. The ROW would then be revegetated, using the seed mix prescribed in the Reclamation Plan. This would be a one-time only activity that would occur this fall, and monitoring of and remediation of the reclamation effort would be included in the overall monitoring effort that would occur under the Reclamation Plan.

Once the cathodic protection facility is constructed, there would be no ongoing access beyond that already contemplated and discussed in the EIS and other permit documents. This would involve a one-time per year entry to the MLV 41 location. The main purpose would be to check and lubricate the valve.

#### New Access Road

The total 0.6 miles of new access road, 90 feet long and up to 30 feet wide, would be surfaced with materials delivered from off site. The road would be flat bladed and would eventually become a two-track road used for permanent access.

## Mitigating Measures

All applicable mitigating measures developed in conjunction with the Ruby Pipeline Final EIS and Record of Decision would be applied to construction and operation, including limited operating periods for protection of wildlife, and handling of soils and restoration of vegetation on the cathodic protection sites and along the new access roads. The roads would be reclaimed when they are no longer needed for project use.

### **B. Land Use Plan (LUP) Conformance**

| LUP Name   | Date Approved |
|--|---------------|
| Klamath Falls Resource Area Resource Management Plan | 1995          |
| Klamath Falls Resource Management Plan               | 2008          |
|  |               |

The KFRA initiated planning and design for this project to conform and be consistent with the 1995 KFRA RMP. In December 2008, this plan was revised with the KFRA Record of Decision (ROD) and RMP Plan (2008 ROD/RMP).

On July 16, 2009 the US Department of the Interior, withdrew the 2008 ROD for the Western Oregon Plan Revision and directed the BLM to implement actions in conformance with the resource management plans for western Oregon that were in place prior to December 30, 2008. Because project planning and preparation of NEPA documentation for these projects began prior to the effective date of the 2008 ROD, these projects have been designed to comply with the land use allocations, management direction, and objectives of the 1995 RMP.

Following a March 31, 2011 decision by the US District Court for the District of Columbia in Douglas Timber Operators et al. v. Salazar, which vacated and remanded the administrative withdrawal of the KFRA 2008 ROD and RMP, the KFRA evaluated this project for consistency with both the 1995 RMP and the 2008 ROD and RMP. Based upon this review, I have determined that the selected alternative is consistent with both the 1995 ROD/RMP and the 2008 ROD/RMP. Although the selected alternative contains some design features not mentioned specifically in the 2008 ROD/RMP, these design features are consistent with the ROD and RMP.

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The 1995 RMP “Rights-of-Way Objectives” states that the District should “continue to make BLM-administered lands available for needed ROWs where consistent with local comprehensive plans, Oregon statewide planning goals, and rules, and the exclusion and avoidance of areas identified in the RMP” (BLM, 1995 [page 66]). The RMP also allows BLM to “consider new locations for ROW projects on a case by case basis. In cases where the applicant can demonstrate that the use of an existing route or corridor will not be technically or economically feasible; that the proposed project is otherwise consistent with the RMP; and that it is designed to minimize damage to the environment, the proposed action would conform to the utility location management direction in the RMP.”

The 2008 RMP Lands, Realty, Access, and Transportation management objectives (BLM, 2008 [page 50-51]) includes, “Provide needed rights-of-way, permits, leases, and easements over BLM-administered lands in a manner that is consistent with federal and state laws”; and “New permanent or temporary roads and stream-crossing structures will be constructed where needed for the implementation of management direction.”

No land use plan amendments are needed based on either RMP.

**C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

Ruby Pipeline Project Final Environmental Impact Statement (January 2010, FERC/EIS-0232F).  
Final-Klamath Falls Resource Area Management Plan and EIS (September 1994).  
Final Environmental Impact Statement for the Revision of the Resource Management Plans of the Western Oregon Bureau of Land Management (October 2008).

**D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes  
 No

Documentation of answer and explanation:

There are numerous citations that indicate that access roads and MLVs with cathodic protection, and ongoing monitoring of those facilities are included in the proposed action and action alternatives analyzed.

Page 2-4, Table 2.1.2-1 lists MLV locations along the entire route of the pipeline and Page 2-27 states that “All underground piping would be coated and equipped with cathodic protection to prevent corrosion.” This is repeated on Page 4-41, “Ruby would use externally coated pipe and install cathodic protection where necessary to guard against corrosion.” Additionally, Page 2-31 relates that the “pipeline cathodic protection system also would be monitored and inspected by pipeline personnel periodically to ensure proper and adequate corrosion protection.” Page 2-32, says that “Ruby would also inspect MLVs annually and document the inspection results.”

Page 2-3 of the FEIS acknowledges Ruby does not know exactly how or where road improvements would be required along any given road identified as potentially needing improvements. This information would not be available until after Ruby’s construction contractor identifies which roads it prefers to use, how it prefers to use the roads, and the weather at the time of use. There is reference to permanent access as part of normal maintenance and

operations as well. Page 4-142 states that, “Access roads would be used extensively during pipeline construction and restoration activities and occasionally during operation to conduct monitoring and maintenance of pipeline facilities.”

Although the Ruby Pipeline Project FEIS assumes that Ruby would restore all roads to their preconstruction condition, except where the landowner has requested that the improvements be left in place (Page 4-163), a variance process provides for minor changes. Page 2-3 notes that Ruby could request route realignments or additional construction workspace needs indentified during construction under the post-approval variance process (see section 2.5.3). Minor route realignments and other workspace refinements often continue past the project planning phase and into the construction phase. As a result, the project location and areas of disturbance described in this EIS may require refinement after project approval (assuming the project is approved). These changes frequently involve minor route realignments, shifting or adding new temporary extra workspaces or staging areas, or adding additional access roads. In the Klamath Falls Resource Area only 0.15 acres of additional ROWs would be added to the ROW granted to the Ruby Pipeline. This is deemed to be a minor refinement to the proposed action that is eligible for a variance.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?**

Yes  
 No

Documentation of answer and explanation:

There is no need to assess additional alternatives because there would be no unresolved conflicts with construction of the proposed cathodic protection groundbed or access road.

**3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes  
 No

Documentation of answer and explanation:

Cultural and biological surveys have been completed. No new information or circumstances have arisen since completion of the Ruby Pipeline Project FEIS in 2010 that would substantially change the analysis of the new proposed action. All ID team members have reviewed the new proposed action and have jointly made this determination (see the attached ID Team Checklist). The only change in baseline conditions for the current proposed action is that the pipeline project has been completed.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes  
 No

Documentation of answer and explanation:

Much of the proposal would occur within an area that has already been disturbed by pipeline construction or involves an existing road. The additional impacts to soils, water, vegetation, and other resources resulting from the minor ground disturbance associated with the proposed action would be within the range of those direct, indirect, and cumulative impacts already analyzed in Chapter 4 of the EIS.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes  
 No

Documentation of answer and explanation:

Public involvement efforts during preparation of the Ruby Pipeline Project FEIS are adequate for the proposed action. FERC, in close cooperation with the BLM, held six public scoping meetings in April 2008 at locations along the route to provide the public with an opportunity to learn more about the Ruby Pipeline Project and to comment on environmental issues that should be addressed in the Ruby Pipeline Project EIS. The draft EIS was filed with the U.S. Environmental Protection Agency (EPA) and a formal notice of availability was issued in the Federal Register on June 26, 2009. A copy of the draft EIS was mailed to those agencies, tribes, organizations, and individuals that attended meetings or submitted written comments on the project, as well as other interested parties. A 45-day comment period was provided for the draft EIS. Seven public comment meetings were held during the comment period. All timely environmental comments on the draft EIS are addressed. The Ruby Pipeline Project FEIS was distributed to all interested members of the public and government agencies for review. In addition, the BLM has notified the public of this proposal by posting it on the Nevada BLM Ruby Pipeline Project web page at [http://www.blm.gov/nv/st/en/info/nepa/ruby\\_pipeline\\_project.html](http://www.blm.gov/nv/st/en/info/nepa/ruby_pipeline_project.html) and the Ruby Pipeline LLC website, [www.rubypipeline.com](http://www.rubypipeline.com). None of the agencies or other stakeholders have expressed opposition to the proposed cathodic protection groundbed or access road.

**E. BLM Interdisciplinary Staff Consulted:**

| <u>Name</u>      | <u>Title</u>               | <u>Resource/Program Represented</u> |
|------------------|----------------------------|-------------------------------------|
| Don Hoffheins    | Supervisory Planner        | Resource Planning                   |
| Stephen Horne    | Archaeologist              | Cultural Resources                  |
| Andy Hamilton    | Hydrologist                | Water Resources                     |
| Steve Hayner     | Wildlife Biologist         | Terrestrial, Avian Species          |
| Grant Weidenbach | Outdoor Recreation Planner | Recreation, Visuals                 |
| Dana Eckard      | Range Conservationist      | Range, Wild Horses, Botany          |
| Shane Durant     | District Forester          | Vegetation Management               |

**CONCLUSION** *(If you found that one or more of these criteria is not met, then you cannot conclude that the NEPA documentation fully covers the proposed action).*

**Plan Conformance:**

This proposal conforms to the applicable land use plan.

**Determination of NEPA Adequacy**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

*/s/ Donald J. Holmstrom*

Donald J. Holmstrom  
Manager, Klamath Falls Resource Area

*10/5/11*

Date

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

**ATTACHMENTS:**

Attachment 3. ID Team Checklist  
Attachment 4. Amendment Maps