

Ruby Pipeline
Record of Decision 4

ATTACHMENT 4

Concurrence Letters



File Code: 1950
Date: June 29, 2012

Ms. Amy Lueders
State Director
Bureau of Land Management
Nevada State Office
P.O. Box 12000
Reno, NV 89520-0006

RE: Ruby Pipeline Project
Bureau of Land Management Environmental Impact Statement CP09-54-000
Case File Number: 2880 OR-64807

Dear Ms. Lueders:

Staff members of the Fremont-Winema National Forests have cooperated with the Nevada State Office of the Bureau of Land Management (BLM) in the review of the Long Term Monitoring Plan for the Ruby Pipeline Project. The pipeline route crosses portions (approximately 17 miles) of the Lakeview Ranger District of the Fremont-Winema National Forests in Lake and Klamath Counties, Oregon.

I concur with the BLM's decision to amend Right of Way Grant (2880 NVN-084650, OR-64807, UTU-82880, WYW-171168 (W0350) to incorporate changes to the legal descriptions, alignment sheets and rental calculations. These changes reflect previously approved decisions and thus reflect the pipeline as built. In addition, I concur with the amendment of the Plan of Development to include the addition of Appendix W, the Long Term Monitoring Plan, as well as minor changes to the POD as presented in the BLM's Attachment 5.

I understand that all other elements of the BLM's July 12, 2010 Record of Decision (CP09-54-000) remain in full force and effect, including all stipulations, monitoring, and mitigation measures.

Sincerely,



ALLAND. HAHN
Lakeview District Ranger

cc: Catherine Callaghan and Rachelle Huddleston-Lorton





United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Region
Klamath Basin Area Office
6600 Washburn Way
Klamath Falls, OR 97603-9365

IN REPLY REFER TO:

KO-300 (KHiatt)
LND-6.00

JUL 18 2012

MEMORANDUM

To: Director, Nevada State Office, Bureau of Land Management, 1340 Financial Blvd.,
Reno, NV 89502
Attn: Amy Lueders

From: *for* Jason Phillips *Regina D. Lueders*
Area Manager, Klamath Basin Area Office, U.S. Bureau of Reclamation

Subject: Concurrence Relating to the Bureau of Land Management's (BLM), Record of Decision (ROD), Amendment 4 to amend the Right-of-Way Grant (Grant), and Plan of Development (POD), for the Ruby Pipeline Project (Project)

This memorandum is in reference to the BLM ROD Amendment 4 and issuance of an amended Grant and POD. Pursuant to Section 28 of the Mineral Leasing Act of 1920 and 43 CFR 2800, the BLM is authorized to grant or renew rights-of-way or permits for the Project through Federal lands.

Since November 7, 2008, the Bureau of Reclamation has been a cooperating agency in the development of the Federal Energy Regulatory Commission's (FERC) Final Environmental Impact Statement (EIS) for the Project and the associated environmental analysis processes. Reclamation also participated in the preparation of the POD and reviewed and concurred with the decision of the BLM on July 12, 2010, to issue a Grant and Temporary Use Permit (TUP) No. NVN-084650 for the Project.

Construction on the pipeline did not begin with the July 12, 2010, decision. BLM issued multiple Notices to Proceed to approve construction for each segment after Ruby Pipeline, LLC (Ruby) demonstrated that all conditions and stipulations had been met for a given segment. During construction, a 3-tiered variance review process, outlined in the POD, was used to assess and decide on requests from Ruby to deviate from the project as permitted. The pipeline went into service on July 28, 2011.

As a result of the approved variances, the project as built varies from the project as permitted in the July 12, 2010, Grant. The ROD Amendment 4 will amend the Grant to include all of the revisions in a single Grant.

Additionally, as directed by the ROD, FERC Certificate, and EIS, Ruby developed a Long Term Monitoring Plan to be incorporated into the POD. The ROD Amendment 4 will also approve the

Long Term Monitoring Plan and amend the Grant to include the Long Term Monitoring Plan as an appendix of the POD.

This concurrence is supported by the analysis documented in the FERC's Final EIS and BLM's Determination of National Environmental Policy Act Adequacy prepared for the proposed amendment.

To ensure conformance with Reclamation's standards, all original stipulations included in the original Grant and TUP remain in full force and effect as it pertains to operation and monitoring of the pipeline on withdrawn lands under Reclamation's jurisdiction.

Reclamation requests notification of any further proposed changes to the ROD or the Grant and TUP, as amended, associated with the withdrawn lands under Reclamation's jurisdiction or Reclamation's easements. Reclamation looks forward to continued cooperation on the Project.

If you have any questions regarding lands related issues, please contact Elizabeth Gregory by phone at 541-880-2589 or email egregorv@usbr.gov. For all other issues, please contact Kristen Hiatt by phone at 541-880-2577 or email khiatt@usbr.gov.

cc: MP-153 (ANickles), K0-300 (KHiatt), K0-400 (EGregory)



United States
Department of
Agriculture

Forest
Service

Uinta-Wasatch Cache NF
Supervisor's Office
www.fs.usda.gov/uwcnf

857 W. South Jordan Parkway
South Jordan, UT 84095
Tel. (801) 999-2103
FAX (801) 999-2185

File Code: 1950/2720

Date: July 20, 2012

Ms. Amy Lueders
State Director
Bureau of Land Management
Nevada State Office
P.O. Box 12000
Reno, NV 89520-0006

RE: Ruby Pipeline Project
Bureau of Land Management Environmental Impact Statement CP09-54-000
Case File Number: 2880 OR-64807

Dear Ms. Lueders:

Staff members of the Uinta-Wasatch-Cache National Forests have cooperated with the Nevada State Office of the Bureau of Land Management (BLM) in the review of the Long Term Monitoring Plan for the Ruby Pipeline Project. The pipeline route crosses portions (approximately 1 mile) of the Ogden Ranger District of the Uinta-Wasatch-Cache National Forests in Cache County, Utah

I concur with the BLM's decision to amend Right of Way Grant (2880 NVN-084650, OR-64807, UTU-82880, WYW-171168 (W0350) to incorporate changes to the legal descriptions, alignment sheets and rental calculations. These changes reflect previously approved decisions and thus reflect the pipeline as built. In addition, I concur with the amendment of the Plan of Development to include the addition of Appendix W, the Long Term Monitoring Plan, as well as minor changes to the POD as presented in the BLM's Attachment 5.

I understand that all other elements of the BLM's July 12, 2010 Record of Decision (CP09-54-000) remain in full force and effect, including all stipulations, monitoring, and mitigation measures.

Sincerely,

DAVID C. WHITTEKIEND
Forest Supervisor

cc: Larry C. Lucas

