

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Front Range Pipeline, LLC – Abandoned Pipeline Removal
Proposed:	6/11/2020
Implementation Date:	9/1/2020
Proponent:	Front Range Pipeline, LLC
Location:	SE ¼ of Section 13, T.25N., R.1W.
County:	Teton
Trust:	Public Land Trust-Navigable Rivers, (PLT-NR)

I. TYPE AND PURPOSE OF ACTION

Front Range Pipeline, LLC (FRPL) proposes to remove a section (40 feet) of an abandoned crude oil pipeline (Pipeline) from the Teton River, referred herein as the “Project”. The Pipeline is no longer in service and its removal will ensure that it does not become exposed in the future.

The Project will be completed in two phases, over 30 days. Phase I is the removal of the Pipeline and Phase II is bank stabilization. Before the removal of the Pipeline, FRPL will swab the interior of the pipe and remove any residual crude oil. The Pipeline will be removed through excavation as there is a concrete casing around it; the process is known as “daylighting”. The total linear feet of the Pipeline being removed is 1,490 linear feet, 40 feet of which is under the Teton River (approximately 2,000 square feet of disturbance of the riverbed). After the Pipeline is removed the trench will be backfilled and contoured to the original grade. Upland areas will be reseeded, stabilized with a bio-degradable erosion control blanket, and revegetation success and weeds will be monitored.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

The Project is located on private land owned by Howard Ellis Misner and FRPL is the proponent. Agencies involved in the permitting process include the Local Conservation District, Montana Department of Fish, Wildlife, and Parks (DFWP), Army Corps of Engineers (ACOE), Montana Department of Environmental Quality (DEQ), and the Department of Natural Resources and Conservation (DNRC).

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

FRPL is required to obtain a 310 Permit from the Local Conservation District, a Stream Protection Act (SPA) 124 Permit from the DFWP, a Floodplain Permit from the Local Flood Administrator, a Section 404 and Section 10 Permit from the ACOE, a 318 Authorization and a 401 Water Quality Certificate from the DEQ, and a Navigable Rivers Land Use License from the DNRC, Trust Lands Management Division. FRPL is in the process of obtaining all necessary permits described above.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action Alternative): Deny FRPL permission to remove 40 feet of the abandoned crude oil pipeline, under the Teton River.

Alternative B (Proposed Action): Grant FRPL permission to remove 40 feet of the abandoned crude oil pipeline, under the Teton River.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES* potentially impacted are listed on the form, followed by common issues that would be considered.
- Explain *POTENTIAL IMPACTS AND MITIGATIONS* following each resource heading.
- Enter "NONE" if no impacts are identified or the resource is not present.

4. GEOLOGY AND SOIL QUALITY, STABILITY, AND MOISTURE:

Consider the presence of fragile, compactable, or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts on soils.

Soil Quality and Moisture:

There are three soil types found within the Project footprint.

Ryell-Havre Loam; 0-2 percent slopes: These soils consist of very deep, well-drained soils that formed in stratified, calcareous, loamy alluvium. These soils are on flood-plain steps, drainage ways, alluvial fans, and stream terraces. Available water capacity is between 5.3 to 9.8 inches; mean annual precipitation for the region is 11 to 14 inches. (Choteau-Conrad Areas; Parts of Teton and Pondera Counties, Montana – Part 1, 2003). Per the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) this type of soil is rated as "Somewhat Limited" for shallow excavations (i.e. excavation of the Pipeline). "Somewhat limited indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation". (Web Soil Survey Report, 2020).

Hillon Clay Loam, 15-60 percent slopes: These soils consist of very deep, well-drained soils that formed in glaciated till plains and hills. These soils are located on hills. Available water capacity is 9.9 inches; mean annual precipitation for the region is 11 to 14 inches. (Choteau-Conrad Areas; Parts of Teton and Pondera Counties, Montana – Part 1, 2003). Per the NRCS WSS, this type of soil is rated as "Very Limited" for shallow excavations (i.e. excavation of the Pipeline). "Very limited indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures." (Web Soil Survey Report, 2020).

Kevin-Hillon Clay Loam, 2-8 percent slopes: These soils consist of very deep, well-drained soils that formed in glaciated till plains and hills. These soils are on foot slopes and shoulders. Available water capacity is between 9.2 to 9.9 inches; the mean annual precipitation for the region is 11 to 14 inches. (Choteau-Conrad Areas; Parts of Teton and Pondera Counties, Montana – Part 1, 2003) Per the NRCS WSS, this type of soil is rated as "Somewhat Limited" for shallow excavations (i.e. excavation of the Pipeline). "Somewhat limited indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation". (Web Soil Survey Report, 2020).

Soil Stability:

Soils identified on site have a Soil Erodibility (K) Factor of 0.25. The K Factor range is 0.02 to 0.69 (0.69 being the most susceptible to sheet and rill erosion by water). The K Factor is relatively low for the Project site and can be mitigated with appropriate Best Management Practices (BMPs).

FRPL Proposed BMPs:

FRPL proposes excavation of the Pipeline due to a coating of concrete that encases it; this coating covers approximately 156 feet of the Pipeline which includes the 40 feet that are under the riverbed. Activities for removal will include the excavation of 3-6 feet of overburden (i.e. daylighting). Given the type of soils, excavation has the potential to result in erosion of the riverbed and banks. FRPL proposes Project activities be conducted in September when flows are at their lowest, and original substrate to be retained for fill, and re-establishment of riverbed contours. FRPL proposes hard plugs to minimize flow into the excavated trenches in the overbank areas, and bank stabilization through seeding and biodegradable erosion control matting.

Determination:

Effect; Not Likely to Adversely Effect. The Project has the potential to impact soils, however, if BMPs are employed as described by FRPL in the Land Use License Application (summarized above) then the Project is not expected to result in significant cumulative impacts.

5. WATER QUALITY, QUANTITY, AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify the cumulative effects on water resources.

Surface or Groundwater Resources:

One Water Right claim is identified on the Project Site, Water Right Code 41017804800. This Water Right includes consumptive use by livestock directly from the source.

Existing Water Quality:

The Montana Department of Environmental Quality (MDEQ) identifies pollutants in the lower Teton River to be sediment, salinity/total dissolved solids (TDS)/sulfate, specific conductivity (SC), temperature, and phosphate. (Water Quality Management Plan & TMDLS for the Teton River Watershed, 2003). Dewatering activities for irrigation in the upper Teton River add to pollutants and decrease the overall water quality of the lower Teton River.

FRPL Proposed BMPs:

FRPL proposes Project activities be conducted in September when flows are at their lowest and minimized equipment time in the channel. FRPL has obtained all necessary permits and will abide by its Section 401 Water Quality Certificate.

Determination:

Effect, Not Likely to Adversely Effect. The Project has the potential to temporarily increase sediment in the Teton River due to excavation of the riverbed, however, the BMPs proposed above along with the 401 Water Quality Certificate would mitigate cumulative impacts to water quality.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify the cumulative effects on air quality.

Air Quality:

There are no Nonattainment areas located on or near the Project, per the Environmental Protection Agency (EPA) Nonattainment area maps (NEPAssist, 2020). The proposed activities will not result in any new air emissions.

Determination:

No Effect. It is not anticipated that the Project would result in cumulative impacts to air quality.

7. VEGETATION COVER, QUANTITY, AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify the cumulative effects on vegetation.

Vegetative Community:

Vegetation on the Project site consists of native grasses and noxious weeds. The Natural Heritage Program database did not indicate species of concern within Township 25N Range 1W.

FRPL Proposed BMPs:

Approximately 50 feet of the north and south banks will be disturbed by excavation activities. FRPL proposes to backfill the trench with retained subsoil and topsoil (with the topsoil replaced last). The disturbed area will be reseeded with a riparian seed mix and bio-degradable erosion control blankets will be placed on the area and secured per manufacturer's specifications. Revegetation success and noxious weeds will be monitored by the responsible party. Soil disturbance will not occur on state-owned land.

Determination:

No Effect. The Project is not expected to have cumulative impacts on vegetative resources as revegetation success and noxious weeds will be monitored. Additionally, soil disturbance will not occur on state-owned land.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds, or fish. Identify the cumulative effects on fish and wildlife.

Habitat:

The Project site is not considered Critical Habitat per the EPA. The surrounding area provides habitat for a variety of big game species, predators, upland game birds, other non-game mammals, birds of prey, and various songbirds. Fisheries management for this section of the Teton includes Blue suckers (*Cycleptus elongatus*), Channel catfish (*Ictalurus punctatus*), Shovelnose sturgeon (*Scaphirhynchus platyrhynchus*), Stonecat (*Noturus flavus*), Sauger (*Sander canadensis*), and Northern Pike (*Esox Lucius*). The lower Teton River aquatic habitat is considered poor quality due to dewatering by irrigation activities located in the upper Teton River.

FRPL Proposed BMPs:

Impacts on wildlife and aquatic habitat will be temporary (e.g. noise impacts and high turbidity during construction days), equipment time in the channel will be minimized as practical and safe as possible. Project activities will occur during the dryer months to have minimal impact on aquatic habitat and outside of bird nesting season (March-August).

Determination:

Effect; Not Likely to Adversely Effect. The Project is not expected to have cumulative impacts on wildlife or aquatic habitat.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine the effects on wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

Species of Concern/Threatened/Endangered:

Federally listed species that occur in Teton County include Grizzly bear (*Ursus arctos horribilis*), Canada Lynx (*Lynx canadensis*), Red Knot (*Calidris canutus rufa*), Piping Plover (*Charadrius melodus*), Wolverine (*Gulo gulo luscus*), and Whitebark Pine (*Pinus albicaulis*).

Species of concern that occur in Township 25N Range 1W include Baird's sparrow (*Centronyx bairdii*) Loggerhead shrike (*Lanius ludovicianus*), Long-billed curlew (*Numenius americanus*), Spiny softshell turtle (*Apalone spinifera*), Greater short-horned lizard (*Phrynosoma hernandesii*), and Sauger (*Sander canadensis*).

Wetlands:

The National Wetland Inventory identifies a portion of the Project site as Riverine habitat with a classification code of R2USA and R2UBG; for a complete description of wetland classification codes go to <https://www.fws.gov/wetlands/data/Mapper.html>

FRPL Proposed BMPs:

Impacts on wildlife and aquatic habitat will be temporary (e.g. noise impacts and high turbidity during construction days). Project activities will occur during the dryer months to have minimal impact on aquatic habitat and outside of the bird nesting season (March-August). FRPL has obtained the necessary permits to complete work within a Riverine habitat (e.g. Section 404 Permit, Section 10 Permit, 401 Certification, etc.).

Determination:

Effect, Not Likely to Adversely Effect. The Project has the potential to temporarily impact species and habitat, however, if FRPL employs the proposed BMPs and follows all permit regulations it is not expected to have a cumulative impact on species and their habitat.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects on historical, archaeological, or paleontological resources.

Historical and Archeological Sites:

A Class I (literature review) level review was conducted by the DNRC staff archaeologist for the area of potential effect (APE). This entailed inspection of project maps, DNRC's sites/site leads database, land use records, General Land Office Survey Plats, and control cards. The Class I search revealed that no cultural or paleontological resources have been identified in the APE. Because the state land in the APE is restricted to the river bed, no on-site archaeological investigative work will be conducted in response to this proposed development.

Determination.

No Effect. The Project is not expected to impact historical, archaeological, or paleontological resources.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or maybe visible from populated or scenic areas. What level of noise, light, or visual change would be produced? Identify the cumulative effects on aesthetics.

Visual and Noise:

The Project is located 5 miles northeast of the town of Dutton (population 320) and 3 miles east of Interstate 15, the project will not be visible from these two points due to the landscape being rolling hills. The proposed activities will not result in any new structures placed on the surface and noise impacts from operating heavy equipment will occur during construction days.

Determination:

No Effect. Given the distance of the Project from populated areas, no structures, and the Project site being restored to original grade, it is not expected to have cumulative impacts on aesthetics.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No Effect. The Project does not propose the use of natural resources and is not expected to have cumulative impacts to environmental resources.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans, or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state, or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

Located approximately 300 feet upstream from the Pipeline is an active underground pipeline that will remain operational. Removal of the abandoned Pipeline will decrease the likeliness of cumulative impacts (e.g. exposure leading to erosion) of having two pipelines in this section of the river.

Surrounding land is privately owned by Howard Ellis Misner and use consists mainly of ag and grazing. Any future development in this area will most likely be restricted to utility or mineral development, with little disturbance. Future development or projects are not expected to have negative cumulative impacts.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

Human Health and Safety:

The Project has the potential to release remnants of crude oil located in the Pipeline into the Teton River.

FRPL Proposed BMPs:

Before cutting the Pipeline, FRPL proposes to swab the interior with three passes of ploy pig to remove any remaining crude oil. Then a series of passes with a foam pig will be conducted until the line is clean. Any contents that are removed from the pipe will be contained in a frac tank or roll-off container placed in the uplands and properly disposed of offsite.

Determination:

Effect, Not Likely to Adversely Effect. The Project has the potential to release remnants of crude oil however, with the proposed BMPs described above it is not expected to have cumulative impacts on human health and safety.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

No Effect. A portion of the Pipeline is located on a privately owned agricultural field that is not actively producing this year, removal of that portion is not expected to have cumulative impacts on production.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify the cumulative effects on the employment market.

Effect, Beneficial Effect. The Project will have a beneficial impact through increasing employment opportunities for this region for the short term (e.g. 30 days). Negative and long-term cumulative impacts on the employment market are not expected.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects on taxes and revenue.

No Effect. The Project will add to the tax revenue, no cumulative impacts on taxes and revenue are expected.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

No Effect. The Project is a small scale with a duration of 30 days and funded by FRPL. No additional infrastructure is required for the Project, it is not expected cumulative impacts will occur.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

No Effect. FRPL is in the process of obtaining all necessary permits to complete the Project, see Section II (2) for a full list of permits.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on the recreational potential within the tract. Identify the cumulative effects on recreational and wilderness activities.

No Effect. The Project is located on privately owned land with no legal access. Additionally, since the lower Teton River has poor water quality due to dewatering, the DFWP would address fisheries management issues (i.e. flows) before seeking to provide more public access sites. (DFWP, 2020). The Project is not expected to have cumulative impacts on recreational and wilderness activities.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects on population and housing.

No Effect. The Project is a small scale with a duration of 30 days, it is not expected to have cumulative impacts on population and housing.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

No Effect. The Project is located on privately owned land with no native or traditional lifestyles or communities in the surrounding area.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

No Effect. The Project is a small scale with a duration of 30 days and will be restored to its original grade and contours, it is not expected to cumulatively impact the unique quality of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The Project will benefit the School Trust in terms of a onetime Land Use License fee of \$150.00.

Any future development in this area will most likely be restricted to utility or mineral development, with little disturbance. Future development or projects are not expected to have negative cumulative impacts.

Removal of the Pipeline will eliminate the potential for future exposure that may lead to erosion, and therefore, the Project would result in a net benefit to the surrounding area.

EA Checklist Prepared By:	Name: Michaela Hanson	Date: 7/29/2020
	Title: Land Use Specialist	

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (Proposed Action): Grant FRPL permission to remove 40 feet of the abandoned crude oil pipeline, under the Teton River.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

No significant impacts are expected. A temporary disturbance will occur as a result of project activities, but it has been determined that the effects will not be cumulative or significantly adverse. Removal of the Pipeline will be a benefit to the Teton River.

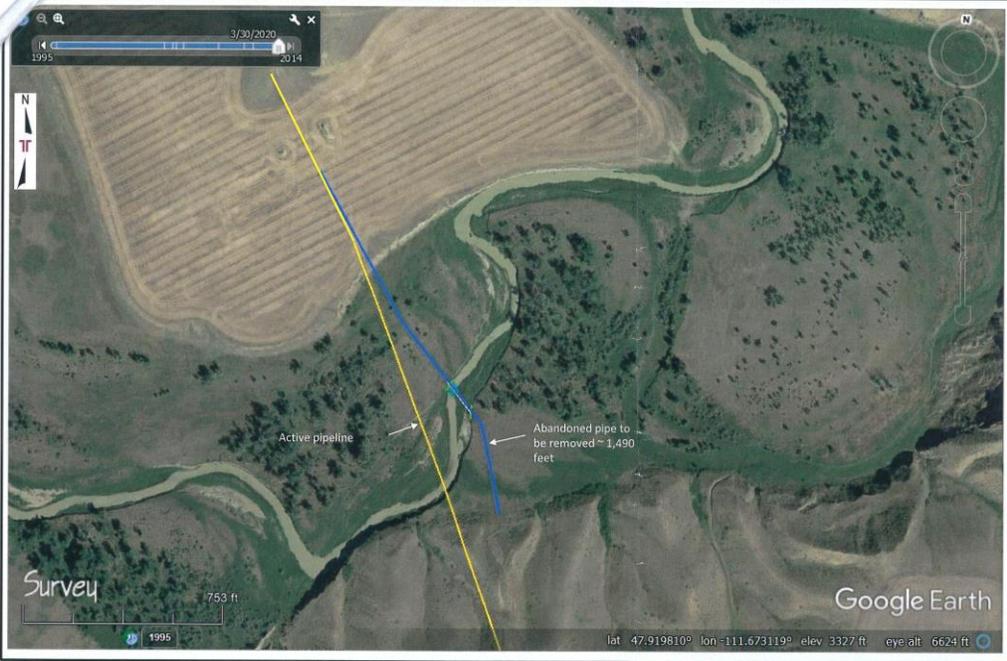
27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

EIS

More Detailed EA

No Further Analysis

EA Checklist Approved By:	Name: Erik Eneboe
	Title: Conrad Unit Manager
Signature: 	Date: July 30, 2020



Project No.	26197155	Project Manager:	JLR
Scale:	AS SHOWN	Drawn by:	JLR
Source:	GOOGLE EARTH	Checked by:	DCN
Date:	6/3/2020	Approved by:	DCN

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Site Details	
Front Range Pipeline, LLC – Out-of-Service Pipeline Removal – Teton River Teton County, Montana	
FIG.	JA-2