3.9 LAND USE, RECREATION, AND VISUAL RESOURCES

3.9.1 Introduction

This section discusses land use and land ownership, recreation, and visual resources in the proposed Project area. The descriptions of these resources are based on information provided in the 2011 Final Environmental Impact Statement (Final EIS) as well as new circumstances or information relevant to environmental concerns that have become available since the publication of the Final EIS, including the proposed reroute in Nebraska. The information that is provided here builds on the information provided in the Final EIS and in many instances replicates that information with relatively minor changes and updates. Other information is entirely new or substantially altered from that presented in the Final EIS. Specifically, the following information, data, methods, and/or analyses have been substantially updated in this section from the 2011 document:

- Land ownership and land use types crossed by the pipeline have changed, with the majority changes occurring in Nebraska due to changes in the proposed Project route;
- The recreation and special interest areas crossed by the pipeline have changed, with the majority changes occurring in Nebraska due to changes in the proposed Project route; and
- The number and type of conservation easement and stream crossings have changed due to changes in the proposed Project route.

3.9.2 Environmental Setting

3.9.2.1 Land Ownership

The proposed Project would cross approximately 875 linear miles of land (see Table 3.9-1), including approximately 286 miles in Montana, 315 miles in South Dakota, and 274 miles in Nebraska. Ancillary facilities not adjacent to the proposed Project's pipeline would also be built in North Dakota and Kansas. The land crossed by the proposed Project is primarily private land (approximately 764 miles). In addition, the proposed route would cross approximately 47 miles of federal land and 64 miles of state- or local government-owned land.

The location of a proposed construction camp in northern Nebraska and the locations of four proposed pump stations (22 to 25) have not been determined at this time. The camp would occupy approximately 50 to 100 acres, with an ideal location being near the midpoint of Construction Spread 8 for the proposed pipeline (exp Energy Services, Inc. 2012a). The 16 proposed pump stations for which sites have been identified occupy a total of approximately 215 acres (see Table 2.1-3); thus it is assumed that the four pump stations (22 to 25) would each occupy approximately 12 to 15 acres.

Table 3.9-1 Land Ownership along the Proposed Project Route (miles)

	Land Ownership Status					
State	**Federal**	**State[a]**	**Local (Public)[b]**	**Private**	**Waterbody[c]**	**Total[d]**
Montana	46.6	30.6	0.5	207.6	0.6	285.9
South Dakota	0.0	26.3	1.8	286.4	0.5	315.0
Nebraska	0.0	4.1	0.1	269.8	0.8	274.8
Total[e]	**46.6**	**61.0**	**2.4**	**763.8**	**1.9**	**875.4**
Percent of Total	**5.3%**	**7.0%**	**0.3%**	**87.3%**	**0.2%**	**100%**

Sources: exp Energy Services, Inc. 2012a, exp Energy Services, Inc. 2012b.

[a] Includes state highway right-of-way (ROW).
[b] May not include all county road ROW.
[c] Includes waterbodies not located on a parcel under federal, state, or local ownership.
[d] Totals may not match due to rounding.
[e] Ancillary facilities in North Dakota and Kansas are discrete facilities and therefore are not associated with proposed Project pipeline mileage. The pipe yard and rail siding located in North Dakota would occupy 56.05 acres of private land. The two pump stations in Kansas would occupy 15.2 acres of private land.

Agricultural Land Use

Based on the mileage of land crossed as shown in Table 3.9-2, agricultural land constitutes approximately 39 percent of the land crossed by the proposed Project route. Crop production along the proposed pipeline route is estimated using statewide statistics. Table 3.9-3 shows the acreage devoted to crops in the states in which proposed Project facilities are located.

Table 3.9-2 Land Use Crossed by the Proposed Project Route (miles)

	Land Use Type						
State	**Agriculture**	**Developed**	**Forest**	**Rangeland**	**Water**	**Wetland[a]**	**Total[b]**
Montana	68.1	2.6	1.4	210.9	2.2	0.5	285.7
South Dakota	79.3	3.0	0.9	229.4	1.7	1.0	315.3
Nebraska	197.6	4.6	4.2	65.3	1.4	1.4	274.5
Total[c]	**345.0**	**10.2**	**6.5**	**505.6**	**5.3**	**2.9**	**875.4**
Percent of Total	**39.4%**	**1.2%**	**0.7%**	**57.8%**	**0.6%**	**0.3%**	**100%**

Source: exp Energy Services, Inc. 2012a, exp Energy Services, Inc. 2012b.

[a] The designations in Table 3.9-2 reflect mapping of actual use of the land surface. Some wetland areas that are part of (and used as) cultivated fields, forests, rangeland, or developed areas may not be included in the wetlands category. As a result, the values for wetlands and waterbodies in Table 3.9-2 may differ from values in Section 3.3, Water Resources; Section 3.4, Wetlands; and Section 3.5, Terrestrial Vegetation.
[b] Totals may not match due to rounding.
[c] Ancillary facilities in North Dakota and Kansas are discrete facilities and therefore are not associated with proposed Project pipeline mileage. The pipe yard and rail siding located in North Dakota would occupy 56.05 acres of private land. The two pump stations in Kansas would occupy 15.2 acres of private land.

Table 3.9-3 State Harvested Acreages of Most Commonly Harvested Crops, 2007[a]

State	Crop	State Harvested Acres (1,000s)	Percent of Total Harvested Area (by State)
Montana	Wheat for Grain, All	5,060	27.7%
	Hay and Forage, All	2,822	15.5%
	Barley for Grain	719	3.9%
	Other Crops	9,641	52.9%
	Total Cropland	**18,242**	100%
North Dakota	Corn for Grain	2,348	8.5%
	Wheat, All	8,428	30.6%
	Corn for Silage	1,965	7.1%
	Barley for Grain	1,385	5.0%
	Soybeans	3,074	11.2%
	Hay and Forage, All	2,525	9.2%
	Other Crops	7,802	28.3%
	Total Cropland	**27,527**	100%
South Dakota	Corn for Grain	4,455	23.3%
	Soybeans	3,223	16.9%
	Hay, All	3,240	17.0%
	Wheat for Grain, All	3,342	17.5%
	Other Crops	4,834	25.3%
	Total Cropland	**19,094**	100%
Nebraska	Corn for Grain	9,193	42.8%
	Soybeans	3,835	17.8%
	Hay and Forage, All	2,564	11.9%
	Wheat for Grain, All	1,964	9.1%
	Other Crops	3,930	18.3%
	Total Cropland	**21,486**	100%
Kansas	Corn for Grain	3,680	13.0%
	Wheat for Grain, All	8,528	30.2%
	Sorghum for Grain	2,626	9.3%
	Soybeans, All	2,591	9.2%
	Hay and Forage, All	2,800	9.9%
	Other Crops	7,991	28.3%
	Total Cropland	**28,216**	100%

Source: U.S. Department of Agriculture (USDA) 2009.

[a] 2007 is the most recent year for which agricultural census data are available.

Developed Land

As stated in the Final EIS, the proposed Project route was surveyed in spring 2009 to determine the number of inhabited or abandoned buildings within 25 feet and 500 feet of the construction right-of-way (ROW), and to develop site-specific crossing plans and procedures for residences in close proximity of the ROW. The Nebraska portion of the proposed ROW, as well as other route modifications in Montana and South Dakota, were surveyed in spring/summer 2012. As discussed in the Section 3.12.3, Noise, and as shown in Table 3.12-7, 27 structures (but no residences) are located within 25 feet of the proposed construction ROW, and 417 structures (including 31 residences) are located within 500 feet of the proposed construction ROW (these figures exclude ancillary facilities in North Dakota and Kansas). The closest residences are located approximately 200 feet from the proposed ROW. Nearly half (204) of the structures within 500 feet, and 24 of the 31 residences are located in Nebraska.

3.9.2.2 Conservation Programs

Table 3.9-4 details the conservation easements that would be crossed by the proposed Project route. As stated in the Final EIS, these easements are managed by either the USDA or the U.S. Fish and Wildlife Service (USFWS). Most of the easement miles crossed are associated with the Rainwater Basin Wetland Management District in Nebraska.

Table 3.9-4 USFWS, USDA, and Other Easements and Agreements Crossed by the Proposed Project Route

Easements[c]	Miles Crossed
Montana	
Cornwell Ranch Conservation Agreement (FWP)[a]	3.1
Philips County USFWS Wetland Easement	0.8
CRP[b] Agreement Land (consists of 39 easements)	9.4
South Dakota	
CRP Agreement Land (consists of 39 easements)	8.4
Nebraska	
CRP Agreement Land (consists of 36 easements)	3.9
Rainwater Basin Wetland Management District (USFWS)	89.4

Source: exp Energy Services, Inc. 2012a, exp Energy Services, Inc. 2012b.

[a] FWP = Farmable Wetlands Program.
[b] CRP = Conservation Reserve Program, see description in text.
[c] Ancillary facilities in North Dakota and Kansas are discrete facilities and therefore are not associated with proposed Project pipeline mileage.

USDA Programs

The Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS), both part of the USDA, manage various types of government land conservation, cost-sharing, and financial programs. FSA programs include the CRP and the FWP, which enrolls land through the CRP. The CRP is one of the largest conservation programs in the country. Landowners with CRP contracts are provided rental payments and cost-sharing to develop long-term conservation vegetative covers on eligible farmland (including vegetative covers that enhance wetland

function on FWP land). The program goals are the reduction of erosion, improvement of water quality, enhancement of forest and wetland resources, and establishment of wildlife habitat. Landowners are encouraged to plant grasses, trees, and other vegetation on highly erodible cropland.

NRCS programs are voluntary private land conservation programs. They include easement programs to protect and restore wetlands and agricultural working lands, and financial assistance programs to help farmers and ranchers improve the condition of the natural resources on their lands. The Grassland Reserve Program is implemented by both the FSA and NRCS and provides rental and easement options. Both easements and rental contracts for these programs are available for a variety of durations, and some easements can be made in perpetuity. The proposed Project would not cross any NRCS conservation easements, but the proposed Project would affect a number of NRCS financial assistance conservation program agreements, as well as a number of FSA CRP and FWP agreements.

USFWS Programs

A USFWS wetland easement is a legal agreement that provides compensation to landowners to permanently protect wetlands. Wetlands covered by an easement cannot be drained, filled, leveled, or burned. When these wetlands dry up naturally, they can be farmed, grazed, or hayed. The easements typically allow localized, low-intensity, or broad extraction of natural resources (e.g., logging or mining). The proposed Project route would cross a wetland easement in Phillips County, Montana. It would also cross portions of the Rainwater Basin Wetland Management District (WMD). The Rainwater Basin itself is a "complex of wetlands scattered throughout a 17-county area" south of the Platte River in south-central Nebraska (USFWS 2012a). The Rainwater Basin wetlands are used by migratory birds in the spring and fall. The Rainwater Basin WMD is a public entity. Within the WMD, designated and enrolled wetlands and some surrounding lands are managed jointly by the USFWS and the Nebraska Game and Parks Commission to maintain wetland function and wildlife habitat. While the proposed Project route would cross through the WMD, it would not cross any wetlands or other lands managed by the USFWS or the State of Nebraska.

Recreation and Special Interest Areas

The proposed Project route would cross approximately 87.4 miles of recreation and special interest areas in Montana, South Dakota, and Nebraska (see Table 3.9-5). These areas would include local, state, or federal public lands, recreational waterbodies, state parks and forests, national historic trails, wildlife management areas, and wildlife refuges. The proposed Project would not affect any national parks or national forests; however, the proposed Project route would cross five national historic trails. The National Park Service (NPS) manages these national historic trails, which "commemorate historic (and pre-historic) routes of travel that are of significance to the entire Nation" (NPS 2012).

Table 3.9-5 Recreation and Special Interest Areas Crossed by the Proposed Project Route

State	Name/Ownership	Miles Crossed
Montana	Montana State Trust Lands (consists of 25 parcels)	19.5
	Bureau of Land Management (consists of 50 parcels)	42.5
	Missouri River (Milepost [MP] 88.9); Yellowstone River (MP 196.0)	0.2
	Lewis and Clark National Historic Trail	<1
South Dakota	Spring Creek (MP 346.8); Cheyenne River (MP 425.6); Sarah Laribee Creek (MP 464.8)	0.4
	State School Land	22.4
	Mni Wiconi Water Project (USBR)	<1
Nebraska	Bureau of Reclamation—canal	0.1
	Nebraska Board of Education/School Lands	3.9
	Cowboy Hiker/Biker Trail	<1
	Outlaw Scenic Byway (state)	<1
	Mormon Pioneer National Historic Trail	<1
	Pony Express National Historic Trail	<1
	California National Historic Trail	<1
	Oregon National Historic Trail	<1
Total[a]		**87.4**

Source: exp Energy Services, Inc. 2012a, exp Energy Services, Inc. 2012b.

[a] Excludes trail crossings. Ancillary facilities in North Dakota and Kansas are discrete facilities and therefore are not associated with proposed Project pipeline mileage.

Bureau of Land Management (BLM) field offices are required to manage federally owned public lands that would be crossed by the proposed Project route according to the following resource management plans, all of which are for lands in Montana: Big Dry, Powder River, and Judith Valley Phillips (BLM 1995, 1985, and 1992, respectively). These BLM lands are primarily composed of grasslands leased to farmers with livestock. Planned construction and operation of the proposed Project would be consistent with existing leases, management plans, and current land uses.

As discussed in the Section 3.3.3, Surface Water, the proposed Project route would cross 1,073 waterbodies in Montana, South Dakota, and Nebraska, including 56 perennial streams or rivers. Existing water-based recreational use likely takes place on or near these perennial waterbodies. State environmental agencies have listed recreation as a designated use for 34 of these waterbodies (including some waterbodies other than perennial streams and rivers), as shown in Table 3.9-6.

Table 3.9-6 Perennial Waterbodies with Recreational Use Designations[a]

Montana	South Dakota[b]	Nebraska
Frenchman River	Little Missouri River	Keya Paha River
Buggy Creek	South Fork Grand River	Niobrara River
Cherry Creek	Clarks Fork Creek	Big Sandy Creek

Montana	South Dakota[b]	Nebraska
Milk River	North Fork Moreau River	North Branch Eagle Creek
Missouri River	South Fork Moreau	Middle Branch Eagle Creek
Middle Fork Prairie Elk Creek	Pine Creek	South Branch Verdigre Creek
East Fork Prairie Elk Creek	Cheyenne River	Elkhorn River
Redwater River	Bad River	Beaver Creek
Yellowstone River	Williams Creek	Loup River
Pennel Creek	White River	Platte River
Sandstone Creek		West Fork Big Blue River
Little Beaver Creek		
Boxelder Creek		

Source: See sources for Tables 3.3-3, 3.3-5, and 3.3-7 in Section 3.3.3, Surface Water.

[a] Ancillary facilities in North Dakota and Kansas are discrete facilities and therefore are not associated with proposed Project pipeline mileage.
[b] All listed waterbodies in South Dakota are designated for "limited contact recreation" except for Williams Creek, which has no such limitation.

None of the waterbodies that would be crossed have been designated by federal, state, or local authorities as wild and/or scenic. The Niobrara River crossing point for the proposed Project route is approximately 12 miles downstream from the eastern (downstream) terminus of the Niobrara Scenic River segment.

3.9.2.3 Visual Resources

Visual resources are the visible physical features of a landscape that have an aesthetic value to viewers from viewpoints such as residences, recreation areas, rivers, and highways. All land has inherent visual values that warrant different levels of management. Aesthetic judgment, especially related to landscape views, is often considered subjective.

As a federal land-management agency, BLM is charged with managing the scenic resources of public lands through the Federal Land Policy and Management Act of 1976, as amended. As a result of that responsibility, the BLM's Visual Resource Management (VRM) methodology has been developed to identify and evaluate scenic resources under its jurisdiction and develop management objectives for those resources. The system classifies resources based on scenic quality, viewer sensitivity to visual change, and viewing distance (BLM 1980, 1984, and 1986).

Regulatory Framework

BLM Visual Resource Management

Montana is the only state in which the proposed Project route crosses through federal lands. These lands are managed by the BLM, and are thus subject to BLM's VRM Objectives. The system includes four visual inventory classes: Classes I and II are the most valued, Class III represents a moderate value, and Class IV is of least value. Management objectives for each class are tailored to the inherent visual value of the respective landscape. The Class I objective is to preserve the existing character of the landscape, including the natural ecological qualities, although some very limited management activity is permitted. The Class II objective is to preserve the existing character of the landscape, while keeping landscape changes to a minimum. Whatever landscape changes occur should reflect the ambient colors, textures, and form of the

surrounding features. The Class III objective is to keep landscape changes moderate while retaining some portion of the existing character of the landscape. Landscape changes should reflect the basic features found in the landscape character and should not attract much attention or dominate the view. The Class IV objective allows management activities that require major alterations to the existing character of the landscape that may dominate the view, although the location, disturbance, and blending with the surrounding landscape should be minimized.

With respect to the proposed Project, visual resource analysts for the Malta and Miles City BLM Field Offices conducted land inventories within their respective jurisdictions in Montana. Both offices recognize that, even though BLM lands are intermingled among private lands along the proposed route, the quality of the landscape is not limited by ownership. BLM cannot enforce VRM provisions on lands that they do not manage; however, non-federal property adjacent to BLM land is often managed and maintained in a manner that is compatible to the VRM classifications. As described above, resource management plans for the Big Dry (BLM 1995), Powder River (BLM 1985), and Judith Valley Phillips (BLM 1992) Resource Areas contain additional information on VRM classifications.

National Historic Trails

The NPS manages the five national historic trails crossed by the proposed Project route (see Table 3.9-6). Visual resources on national historic trail property are governed by the regulations of the federal, state, local or private entity that owns each trail segment. For example, visual resources trail segments that cross BLM land are managed under BLM VRM provisions. Visual resources on trail segments on private land are managed through the legal agreement between the landowner and NPS or state agencies (if any exist). There are no specific NPS regulations or guidelines related to visual resources for the trails as a whole (NPS 1999).

BLM Scenic Byways

The proposed Project route would cross one scenic byway, the Big Sky Back Country Byway in Montana (designated by the BLM in 2000). BLM's Byways Program is a component of the National Scenic Byways Program (BLM 2012); visual resources along BLM-owned byways are managed according to VRM requirements.[1]

State Guidance

South Dakota and Nebraska do not have formal guidelines for managing visual resources for private or state-owned lands. Montana's Major Facility Siting Act regulates visual impacts, but exempts pipeline projects (Montana Environmental Quality Council 1985). The prevailing landscape characteristics for land surrounding the proposed Project area are discussed below.

Existing Visual Setting

The proposed Project route crosses a variety of landscapes, including wetlands, waterways, floodplains, grassland/rangeland, and upland forest. The most common landscapes that would be affected during construction of the proposed Project consist of grasslands, rangelands, upland forest, and riparian areas (some of which are forested). Portions of the proposed Project route would follow existing utility ROWs and roads, while other segments would require a new ROW.

[1] BLM Byways Handbook (8357-1) provides specific direction for BLM's Byways program.

The BLM manages all federal lands that the proposed Project route crosses—approximately 298 linear miles in Montana—and no federal lands are crossed by the route in other states. National historic trails are managed by NPS, but are not necessarily federal lands. Visual resources for these trails are managed in accordance with the regulations of the agency or entity that owns the land that the trail traverses. Table 3.9-7 summarizes the BLM VRM classifications for federal lands crossed by the proposed Project route in Montana.

Table 3.9-7 VRM Classifications of Land Crossed by the Proposed Project Route in Montana

VRM Class (Linear Miles Crossed)[a]				
Class I	**Class II**	**Class III**	**Class IV**	**Total**
0	10.2	2.4	15.2	27.7

Source: BLM 2012

[a] Reflects only the Big Dry and Powder River Resource Areas. VRM data for the Judith Valley-Phillips Resource Area were not available.

3.9.3 Connected Actions

This section describes the baseline conditions for land affected by actions connected to the proposed Project.

3.9.3.1 Bakken Marketlink Project

Construction and operation of the Bakken Marketlink Project would include metering systems, a 5-mile pipeline segment (route not yet determined) and three new storage tanks near Baker, Montana. Table 3.9-8 summarizes the land use types that would be crossed by the Marketlink pipeline. Except for road ROWs, this project would remain entirely on private land. As reported in the Final EIS, the property proposed for the Bakken Marketlink facilities near Pump Station 14 is currently used as pastureland and hayfields; a survey of the property indicated that there were no waterbodies or wetlands on the property.

Table 3.9-8 Land Use Crossed by the Bakken Marketlink Project

	Land Use (miles)					
	Agriculture	**Developed**	**Forest**	**Rangeland**	**Water/Wetland**	**Total[a,b,c]**
Length	1.0	<0.1	0	4.0	0	5.1
Percent of Total	19.6%	2.0%	0	78.4%	0	100%

Source: exp Energy Services, Inc. 2012c, USGS 2006

[a] Includes state highway ROW.
[b] May not include all county road ROW.
[c] Totals may not match due to rounding.

3.9.3.2 Big Bend to Witten 230-kV Transmission Line

This section discusses the land use, recreation, and visual resources potentially affected by the proposed Big Bend to Witten 230-kilovolt (kV) Transmission Line project.

Land Ownership and Land Use

The Applicant Preferred Route of the Big Bend to Witten 230-kV Transmission Line would cross approximately 9 miles of the Lower Brule Sioux Reservation. The remainder of the route would be on private land. Table 3.9-9 summarizes the land use categories that would be crossed by the Applicant Preferred Route.

Table 3.9-9 Land Use Crossed by the Big Bend to Witten 230-kV Transmission Line Applicant Preferred Route

	Land Use (miles)					
	Agriculture	**Developed**	**Forest**	**Rangeland**	**Water/Wetland**	**Total[a]**
Length	24.4	7.1	0.2	43.7	0.4	75.8
Percent of Total	32.2%	9.4%	0.3%	57.7%	0.5%	100%

Source: Basin Electric Power Cooperative (BEPC) 2011 (Appendix J), USGS 2006

[a] Totals may not match due to rounding.

Recreation and Special Interest Areas

The potential alternative corridors would be located within or near five identified recreation areas managed by the Lower Brule Indian Reservation in the Lake Sharpe area. The Good Soldier Creek Recreation Area and the Trailwaters Recreation Area are east and west of State Highway 47, and the proposed transmission line would parallel Highway 47 in this vicinity. The Counselor Creek Recreation Area is approximately 3 miles west of the transmission line corridors (which are close together in this location). The Fort Thompson Recreation Area and North Shore Recreation Area are on the north shore of Lake Sharpe, also near the point where the alternative corridors would cross the lake.

Year-round recreation opportunities in these areas include shore fishing, hiking, picnicking, camping, boating, horseback riding, all-terrain vehicle riding, snowmobile and dirt bike riding, cross-country skiing, wildlife viewing, and photography. Recreational access permits are required for all non-tribal members using these recreation areas and all other tribal lands.

Water-based recreational opportunities are present at perennial and intermittent stream crossings and on Lake Sharpe. The Applicant Preferred Route crosses three perennial streams, and run parallel to and within 100 feet of a perennial stream for approximately 5.3 miles (Appendix J, BEPC Routing Report) (see Section 4.3.5.2, Water Resources, Big Bend to Witten 230-kV Transmission Line).

Visual Resources

The Big Bend to Witten 230-kV Transmission Line alternatives would pass through sparsely populated areas in Lyman and Tripp counties. Communities within the alternative corridors include Reliance and Hamill, with 2010 populations of 191 and 11, respectively (U.S. Census Bureau 2010). The Lower Brule Indian Reservation is located at the proposed northern terminus.

3.9.3.3 Electrical Distribution Lines and Substations

The proposed Project would require electrical service from local power providers (see Section 2.1.12, Connected Actions) for pump stations and other aboveground facilities. This section describes the baseline conditions in areas that could potentially be affected by distribution lines from existing external power lines to facilities of the proposed Project. The pipe storage yard and rail siding in North Dakota would not require construction of electrical distribution lines or substations. At this time, the precise locations of at least four pump stations in Nebraska have not been determined. Information is pending and will be included in the Final Supplemental EIS, as available.

Land Ownership

Table 3.9-10 shows the ownership of land that the distribution line ROWs would cross in Montana and South Dakota. Private land comprises the majority of the land crossed by these ROWs.

Table 3.9-10 Land Ownership along the Proposed Power Distribution Line ROWs (Miles)

State[a]	Federal	State	Local	Private	Total[b]
Montana	38.6	7.5	1.2	90.9	138.2
South Dakota	6.1	12.7	3.1	139.1	161.0

Source: exp Energy Services, Inc. 2012b.

[a] The location of electrical distribution lines in Nebraska and Kansas have not been determined.
[b] Totals may not match due to rounding.

Land Use

Land use categories along the proposed power distribution line ROWs include developed land, agricultural land, rangeland, forest land, and waterbodies and wetlands (see Table 3.9-11). The descriptions of these uses are similar to those for lands that would be crossed by the proposed Project route, as discussed in Section 3.9.2, Environmental Setting. There would be 14 existing buildings within 50 feet of the power lines in Montana, and 48 in South Dakota (exp Energy Services, Inc. 2012b).

Table 3.9-11 Land Use along the Proposed Power Distribution Line ROWs (Miles)

	Land Use Type						
State[a]	**Agriculture**	**Developed**	**Forest**	**Rangeland**	**Water**	**Wetland**	**Total[b]**
Montana	25.8	2.7	0.5	107.6	1.3	0.5	138.2
South Dakota	42.5	17.4	0.5	97.9	1.6	1.1	161.0

Source: exp Energy Services, Inc. 2012b.

[a] The location of electrical distribution lines in Nebraska and Kansas have not been determined.
[b] Totals may not match due to rounding.

Recreation and Special Interest Areas

The proposed power distribution lines would likely cross recreation and special interest areas, as described in Table 3.9-12. No recreation or special interest areas would be crossed by these features in Nebraska.

Table 3.9-12 Recreation and Special Interest Areas Likely to be Crossed by Power Distribution Lines

State[a]	**Name/Ownership**	**Miles Crossed**
Montana	BLM: Resource Management Area, Malta District	17.1
	U.S. Forest Service (USFS): Bankhead-Jones Lands[b]	18.5
	USFWS: Charles M. Russell National Wildlife Refuge	2.1
	Montana State Trust Lands	7.7
South Dakota	USFS: Custer National Forest	2.6
	South Dakota State Trust Lands	10.1

Source: exp Energy Services, Inc. 2012b, USGS 2011.

[a] The location of electrical distribution lines in Nebraska and Kansas have not been determined.
[b] These lands are administered by USFS under the provisions of the Bankhead-Jones Farm Tenant Act of 1937 (7 United States Code 1000). This law "directs the Secretary of Agriculture to develop a program of land conservation and utilization in order to correct maladjustments in land use and thus assist in such things as control of soil erosion, reforestation, preservation of natural resources and protection of fish and wildlife" (USFWS 2012b).

Visual Resources

The BLM uses the VRM system (see Existing Visual Setting) to manage visual resources on its lands, while the USFS uses the Scenery Management System (SMS) to manage visual conditions on its lands. The SMS is comparable to the VRM system; Agriculture Handbook 701 (1995) provides guidance for implementation of the SMS. Within SMS, lands are determined to have High, Medium, or Low Scenic Integrity Objectives (USDA 1995). The specific VRM and SMS classes crossed by the power distribution lines would be dependent on the final alignment of those lines.

3.9.4 References

BLM. See Bureau of Land Management.

Bureau of Land Management (BLM). 1980. Visual Resource Management Program. Washington, D.C. United States Government Printing Office.

_____. 1984. BLM Manual 8400. Visual Resource Management. Washington Office, Washington, DC.

_____. 1985. Powder River Resource Area, Resource Management Plan, Final Environmental Impact Statement. Miles City District Office. March 1985.

_____. 1986. BLM Manual Handbook 8410-1. Visual Resource Inventory. Washington Office, Washington, DC. 20 pp.

_____. 1992. Final Judith Valley Phillips Resource Management Plan, Environmental Impact Statement. Montana State Office. October 1992.

_____. 1995. Final Big Dry Run Resource Management Plan/Environmental Impact Statement. Miles City District Office. February 1995

_____. 2012. BLM Byways Program. Website: http://www.blm.gov/wo/st/en/prog/Recreation/recreation_national/byways.html. Accessed September 15, 2012.

Exp Energy Services, Inc. 2012a. TransCanada Keystone XL Pipeline Project, Supplemental Environmental Report for the Nebraska Reroute. September 5, 2012.

_____. 2012b. TransCanada Keystone XL Pipeline Project, Environmental Report. September 7, 2012.

_____. 2012c. TransCanada Keystone XL Pipeline Project, Map of Proposed Bakken Marketlink Pipeline. October 11, 2012.

Montana Environmental Quality Council. 1985. Guide to the Montana Major Facility Siting Act. Helena.

National Park Service (NPS). 1999. Comprehensive Management and Use Plan and Final Environmental Impact Statement for the California National Historic Trail and Pony Express National Historic Trail; Management and Use Plan Update and Final Environmental Impact Statement for the Oregon National Historic Trail and Mormon Pioneer National Historic Trail.

_____. 2012. National Trails System Frequently Asked Questions. Website: http://www.nps.gov/nts/nts_faq.html. Accessed September 12, 2012.

NPS. See National Park Service.

USDA. See U.S. Department of Agriculture.

USFWS. See U.S. Fish and Wildlife Service.

USGS. See U.S. Geological Survey.

U.S. Census Bureau. 2010. 2010 Demographic Profile Data. Profile of General Population and Housing Characteristics: 2010.

U.S. Department of Agriculture (USDA). 1995. Landscape Aesthetics, a Handbook for Scenery Management, Agriculture Handbook Number 701.

_____. 2009. 2007 Census of Agriculture, Volume 1, Geographic Area Series, Part 51. AC-07-A-51. Updated December 2009.

U.S. Fish and Wildlife Service (USFWS). 2012a. Rainwater Basin Wetland Management District. Website: http://www.fws.gov/rainwater/. Accessed October 16, 2012.

_____. 2012b. Digest of Federal Resource Laws of Interest to the U.S. Fish and Wildlife Service, Bankhead-Jones Farm Tenant Act. Website: http://www.fws.gov/laws/lawsdigest/BANKJON.HTML. Accessed October 16, 2012.

U.S. Geological Survey (USGS) 2006. National Land Cover Database, 2006.

_____. 2011. Protected Areas Database of the United States (PADUS) Version 1.2.