



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Great Plains Regional Office
115 Fourth Avenue S.E. Suite 400
Aberdeen, South Dakota 57401



IN REPLY REFER TO:
DESCRM
MC-208

SEP 21 2011

MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: Regional Director, Great Plains Region 

SUBJECT: Supplemental to Environmental Assessment

A Categorical Exclusion has been completed in compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended. The proposed Supplemental Categorical Exclusion is for information tiering off of an existing Environmental Assessment for Saddle Butte Pipeline, and authorizes substitution of an eight inch waterline in place of the previously approved four inch gas line. No new surface disturbances will be associated with the proposed action.

All the necessary requirements of the National Environmental Policy Act have been completed. Attached for your files is a copy of the Categorical Exclusion.

If you have any questions, please call Marilyn Bercier, Regional Environmental Scientist, Division of Environment, Safety and Cultural Resources Management, at (605) 226-7656.

Attachment

cc: Tex Hall, Three Affiliated Tribes (with attachment)
Elgin Crows Breast, THPO (with attachment)
Derek Enderud, BLM, Dickinson, ND (with attachment)
Grady Wolf, KLJ, (with attachment)
Jeffrey Hunt, Fort Berthold Agency



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EXCEPTION CHECKLIST FOR BIA CATEGORICAL EXCLUSIONS

Date: 9/13/2011

Project: Supplemental to Environmental Assessment for Saddle Butte Pipeline, Saddle Butte Trunk Lines, September 2010, and Environmental Assessment Addendum for Saddle Butte Pipeline, Saddle Butte Trunk Lines, September 2010, to authorize the substitution of a 4-inch gas line with an 8-inch water line.

Nature of Proposed Action: The purpose of the proposed action is to authorize Saddle Butte Pipeline to install an 8-inch water line in place of a previously approved 4-inch gas line. The proposed action would occur within a 100-foot right-of-way that was previously approved by the Environmental Assessment Addendum for Saddle Butte Pipeline, Saddle Butte Trunk Lines, FONSI signed October 1, 2010. The 4-inch gas line was planned to be installed to provide a lower BTU dry fuel source at the pad locations to run possible wellhead or compressor equipment. It was later determined that this line would no longer be needed. The proposed water line would transport produced water from the wellhead to a central location for disposal, reducing the need for truck transportation. No additional environmental impacts outside of those identified in the EA would result from the proposed action.

Exclusion category and number: 516 DM 10.5F(1)

Evaluation of Exceptions to use of Categorical Exclusion:

1. This action would have significant adverse effects on public health or safety. No Yes
2. This action would have an adverse effect on unique geographical features, such as wetlands, wild or scenic rivers, refuges, floodplains, rivers placed on nationwide river inventory, or prime or unique farmlands. No Yes
3. The action will have highly controversial environmental effects. No Yes
4. The action will have highly uncertain environmental effects or involve unique or unknown environmental risks. No Yes
5. This action will establish a precedent for future actions. No Yes
6. This action is related to other actions with individually insignificant, but cumulatively significant environmental effects. No Yes

- 7. This action will affect properties listed or eligible for listing in the National Register of Historic Places. No X Yes
- 8. This action will affect a species listed, or proposed to be listed as endangered or threatened. No X Yes
- 9. This action threatens to violate federal, state, local or tribal law or requirements imposed for protection of the environment. No X Yes
- 10. This action will have a disproportionately high and adverse effect on low income or minority populations. No X Yes
- 11. This action will limit access to, and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites. No X Yes
- 12. This action will contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or may promote the introduction, growth, or expansion of the range of such species. No X Yes

A "yes" to any of the above exceptions will require that an EA be prepared.

NEPA Action - - - CE X EA

Preparer's Name and Title: Mike Huffington, Environmental Planner, KL&J, Fargo, ND

Regional Archeologist Concurrence with Item 7 Carson B. Munday

Concur: Jeffrey R. Davis Date: 9-19-2011
 Regional Office/Agency Environmental Coordinator

Concur: [Signature] Date: 9-21-11
 Regional Director/Superintendent

CATEGORICAL EXCLUSION

Supplementary Information

United States Bureau of Indian Affairs

Great Plains Regional Office
Aberdeen, South Dakota



Saddle Butte Pipeline

Supplementary Information for:

Saddle Butte Pipeline, LLC. CAT-EX for a pipeline revision to Environmental Assessment Saddle Butte Trunk Lines, September 2010 and Environmental Assessment Addendum Saddle Butte Trunk Lines, September 2010.

Pipeline Revision

Fort Berthold Indian Reservation

September 2011

For information contact:

*Bureau of Indian Affairs, Great Plains Regional Office
Division of Environment, Safety and Cultural Resources
115 4th Avenue SE
Aberdeen, South Dakota 57401
605-226-7656*

CONTENTS

1	Purpose and Need for the Proposed Action.....	1
2	Authorities.....	3
3	Legal Land Description of Proposed Action.....	3
4	Scope of Work for Proposed Action.....	3
5	Applicable National Environmental Policy Act (NEPA) Documents.....	4
6	Assessment of Environmental Impacts	4
	A. Air Quality.....	4
	B. Public Health and Safety.....	4
7	NEPA Adequacy Criteria.....	4

EXHIBITS

Figure 1, Project Location Map.....	2
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1 PURPOSE AND NEED FOR THE PROPOSED ACTION

Saddle Butte Pipeline LLC. (SBP) proposes to authorize a pipeline revision from a 4-inch gas line previously authorized by the Saddle Butte Trunk Line EA dated September 2010, and their Saddle Butte Trunk Line EA Addendum dated October 2010, both of which a FONSI was issued for. The pipeline revision would involve the installation of an 8-inch produced water line in place of the previously approved 4-inch gas line. The 8-inch water line would be installed within the previously approved 100-foot right-of-way (ROW), as amended in the Environmental Assessment Addendum for Saddle Butte Pipeline, Saddle Butte Trunk Lines, dated October 1, 2010. No additional environmental impacts are anticipated for the proposed action. ***Please refer to Figure 1, Project Location Map.***

The purpose of the proposed pipeline revision is to replace an un-needed pipeline with a pipeline that would reduce truck traffic as well as minimizing environmental, public health and safety concerns. The previously approved 4-inch gas pipeline was determined to be unnecessary and is proposed to be substituted with an 8-inch produced water line that would transport produced water from the wellhead to a central location for disposal.

No additional on-site surveys are required for the proposed action.

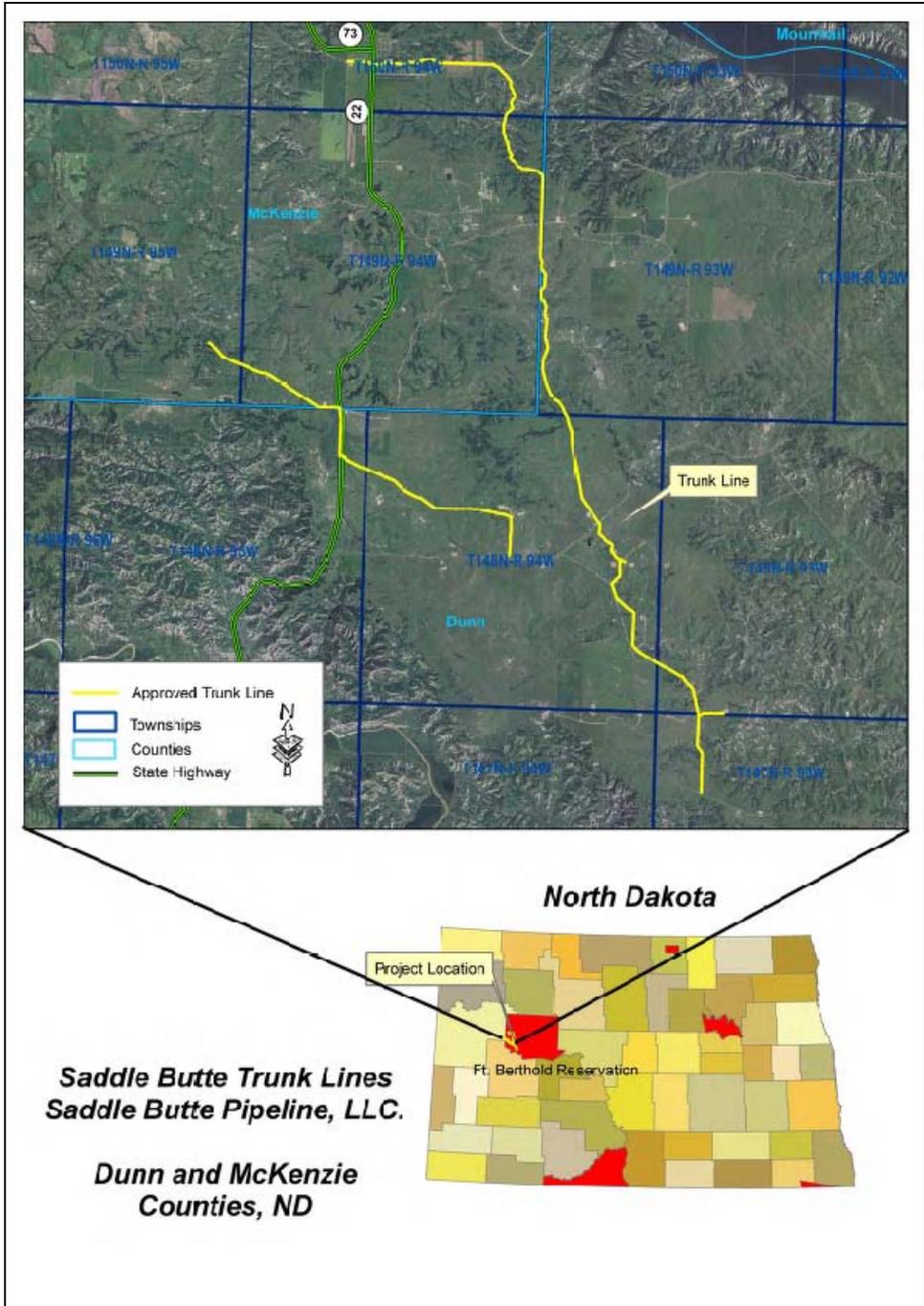


Figure 1, Project Location Map

2 AUTHORITIES

Oil and gas exploration and development activities are conducted under authority of the Indian Mineral Leasing Act of 1938 (25 United States Code [USC] 396a, et seq.), the Indian Mineral Development Act of 1982 (25 USC 2101, et seq.), and the Energy Policy Act of 2005 (42 USC 15801, et seq.).

3 LEGAL LAND DESCRIPTION OF PROPOSED ACTION

The proposed pipeline would be located in Dunn and McKenzie Counties, North Dakota, in the following locations:

- T147N, R93W, Sections 6 and 7
- T148N, R93W, Sections 31 and 32
- T148N, R94W, Sections 2, 7, 8, 11, 13, 14, 16, 17, 24, and 25
- T148N, R95W, Sections 1 and 12
- T149N, R93W, Sections 18, 19, 30, and 31
- T149N, R94W, Sections 1, 12, 13, and 31-33
- T149N, R95W, Sections 25 and 36
- T150N, R94W, Sections 26, 27, and 33-36

4 SCOPE OF WORK FOR PROPOSED ACTION

The proposed project would install an 8-inch produced water pipeline within the same ROW as was previously approved for the 4-inch gas line in the Saddle Butte Trunk Line EA Addendum. The proposed pipeline substitution would replace an un-needed gas pipeline with a produced water pipeline that would reduce trucking related transportation and reduce environmental, health and safety impacts. The previously approved 4-inch gas pipeline was determined to be unnecessary and is proposed to be changed to an 8-inch water line that would transport produced water from the wellhead to a central location for disposal. No additional environmental impacts aside from those disclosed in the Environmental Assessment are anticipated from construction of the proposed pipeline.

5 APPLICABLE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTS

The following NEPA documents have been previously approved by the BIA for the proposed action:

- Environmental Assessment, Saddle Butte Pipeline, Saddle Butte Trunk Lines, Fort Berthold Indian Reservation, September 2010. The EA FONSI was issued September 2010.
- Environmental Assessment Addendum, Saddle Butte Pipeline, Addendum to Saddle Butte Trunk Lines, Fort Berthold Indian Reservation, September 2010. The EA FONSI was issued October 2010.

6 ASSESSMENT OF ENVIRONMENTAL IMPACTS

The following discussion addresses environmental and social impacts as a result of the pipeline substitution. Impacts are only discussed if the pipeline substitution has changed the impact assessment reflected in the September 2010 EA and September 2011 EA Addendum, or to note why the impact assessment has not changed.

A. Air Quality

The proposed project would have a beneficial impact on air quality due to the anticipated reduction in truck related transportation. This would reduce truck related emissions as well as levels of fugitive dust associated with vehicular traffic on unpaved roadways.

B. Public Health and Safety

The proposed project would substitute a pipeline transporting potentially explosive hydrocarbons in a gaseous state with one transporting an unreactive stable liquid. In the unlikely event of a pipeline rupture, the proposed produced water line would be far less likely to result in a catastrophic event relative to the previously approved gas line. The proposed pipeline substitution would also reduce the volume of truck traffic on public roadways, making them safer for public travel.

7 NEPA ADEQUACY CRITERIA

This document has identified two previously prepared NEPA documents: Environmental Assessment, Saddle Butte Pipeline Trunk Lines, Fort Berthold Indian Reservation, September 2010 and Environmental Assessment Addendum, Saddle Butte Pipeline Trunk Lines, Fort Berthold Indian Reservation, September 2010 which adequately describes the environmental consequences of the newly proposed actions described herein, and meets the following NEPA Adequacy Criteria:

1. The proposed actions are substantially the same actions and at the sites specifically analyzed in the existing NEPA documents.
2. The range of alternatives is reasonable with respect to the current proposed actions in the existing NEPA documents, which appropriately considers and analyzes current environmental concerns, interests, and resource values.

3. The existing analysis and conclusions are adequate in the existing NEPA documents. The analysis is still valid in light of new studies and/or resource assessment information.
4. The methodology and analytical approach used in the existing NEPA documents continues to be appropriate for the proposed actions.
5. The direct and indirect impacts of the proposed actions are unchanged from those identified in the existing NEPA documents.
6. The cumulative impacts that would result from implementation of the proposed actions are unchanged from those analyzed in the existing NEPA documents.
7. A 30-day comment period involving public input and interagency review was used in the development of the existing NEPA documents.