



# 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

JAN 06 2012

## MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: <sup>ACTING</sup> Regional Director, Great Plains Region

SUBJECT: Environmental Assessment Addendum and Finding of No Significant Impact

In compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended, an Addendum has been completed and a Finding of No Significant Impact (FONSI) has been issued. The Addendum authorizes land use for installation of gathering pipelines connecting the Kodiak Moccasin Creek 16-3H and 16-3-11H well pad to the Saddle Butte trunk lines on the Fort Berthold Indian Reservation.

All the necessary requirements of the National Environmental Policy Act have been completed. Attached for your files is a copy of the EA Addendum, FONSI and Notice of Availability. The Council on Environmental Quality (CEQ) regulations require that there be a public notice of availability of the FONSI (40 C.F.R. Section 1506.6(b)). Please post the attached notice of availability at the Agency and Tribal buildings for 30 days.

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, Chairman, Three Affiliated Tribes (with attachment)  
Elgin Crows Breast, Tribal Historic Preservation Officer (with attachment)  
Derek Enderud, BLM, Bureau of Land Management (with attachment)  
Grady Wolf, SWCA (with attachment)  
Jonathon Shelman, Corps of Engineers  
Jeff Hunt, Fort Berthold Agency

***Finding of No Significant Impact***

***Saddle Butte Pipeline, LLC (SBP)***

***Addendum to:  
Saddle Butte Pipeline, LLC August 2010 Environmental Assessment  
Saddle Butte Trunk Lines***

***Fort Berthold Indian Reservation  
Dunn County, North Dakota***

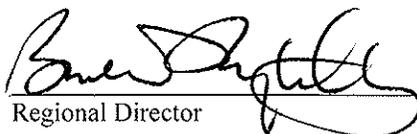
The U.S. Bureau of Indian Affairs (BIA) has received a proposal for an addendum to the above referenced Environmental Assessment (EA). The proposal is to acquire a 100-foot right-of-way (ROW) corridor (50 feet of temporary ROW and 50 feet of permanent ROW) for construction of approximately 5,750 feet of natural gas, oil and/or water pipelines (four lines) in Dunn County, North Dakota, on the Fort Berthold Reservation. Additional temporary ROW may be required at the bore location under BIA roadway 17. The new lines would connect to the Saddle Butte Trunk Lines (September 2010 EA/ Finding of No Significant Impact (FONSI)) The pipelines would tie in to the existing Kodiak Moccasin Creek 16-3H and 16-3-11H well pad in Section 3, T147N, R93W.. Associated federal actions by BIA include determinations of impacts and effects regarding environmental resources for developments on tribal lands.

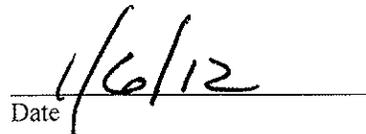
The potential of the proposed actions to impact the human environment is analyzed in the attached addendum to an existing EA, as required by the National Environmental Policy Act. Based on the recently completed addendum to the EA, I have determined that the proposed project will not significantly affect the quality of the human environment. No Environmental Impact Statement is required for any portion of the proposed activities.

This determination is based on the following factors:

1. Agency and public involvement solicited for the preceding NEPA document was sufficient to ascertain potential environmental concerns associated with the currently proposed project.
2. Protective and prudent measures were designed to minimize impacts to air, water, soil, vegetation, wetlands, wildlife, public safety, water resources, and cultural resources. The remaining potential for impacts was disclosed for both the proposed actions and the No Action alternative.
3. Guidance from the U.S. Fish and Wildlife Service has been fully considered regarding wildlife impacts, particularly in regard to threatened or endangered species. This guidance includes the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250), Executive Order 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds", and the Endangered Species Act (16 U.S.C. 1531 et seq.).
4. The proposed actions are designed to avoid adverse effects to historic, archaeological, cultural and traditional properties, sites and practices. Compliance with the procedures of the National Historic Preservation Act is complete.
5. Environmental justice was fully considered.
6. Cumulative effects to the environment are either mitigated or minimal.
7. No regulatory requirements have been waived or require compensatory mitigation measures.
8. The proposed projects will improve the socio-economic condition of the affected Indian community.

ACTING

  
Regional Director

  
Date

# ENVIRONMENTAL ASSESSMENT

## *Addendum*

United States Bureau of Indian Affairs

Great Plains Regional Office  
Aberdeen, South Dakota



Saddle Butte Pipeline, LLC

### ***Bad Guns Moccasin Creek Extension Pipelines***

**Addendum to:**

Saddle Butte Pipeline, LLC August 2010 Environmental Assessment  
Saddle Butte Trunk Lines

Fort Berthold Indian Reservation

January 2012

*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*

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# 1 PURPOSE AND NEED FOR THE PROPOSED ACTION

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Saddle Butte Pipeline, LLC (SBP) proposes to construct approximately 5,750 feet of natural gas, oil and/or water pipelines (4 lines) within a 100-foot right-of-way (ROW) corridor (50 feet of temporary (ROW) and 50 feet of permanent (ROW)) in Dunn County, North Dakota on the Fort Berthold Indian Reservation. The new lines would connect to the Saddle Butte Trunk Lines (September 2010 EA/ Finding of No Significant Impact (FONSI)). These pipelines are proposed to tie in to the existing Kodiak Moccasin Creek 16-3H and 16-3-11H well pad in Section 3, T 147N, R93W.

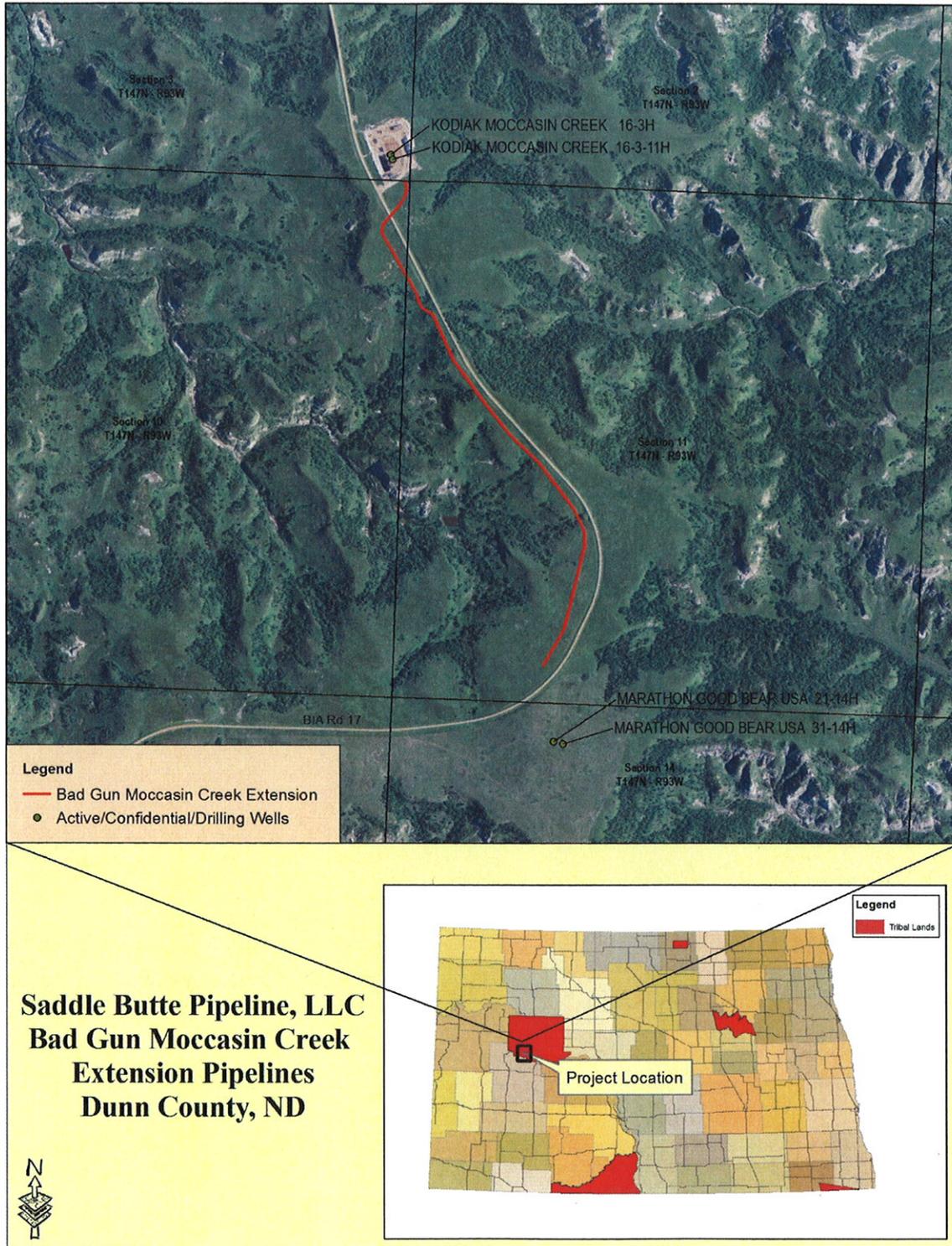
The proposed pipelines would be located on tribal lands and would connect to a pipeline alignment that has separately achieved a Finding of No Significant Impact (FONSI) approval under the National Environmental Policy Act (NEPA) of 1969, as amended. The proposed natural gas, oil and/or water pipelines would be located in the following location:

- T147N, R93W, Sections 10 & 11

The purpose of the proposed action is to allow SBP to install the proposed pipelines to transport gas, oil and/or water from the previously approved Kodiak wells to a central gathering facility for further transport to markets or an acceptable disposal facility. Installation of the proposed pipelines would further support important benefits to the Three Affiliated Tribes. It would also provide individual members of the tribes with needed employment and income.

Installation of the proposed pipelines would reduce waste of valuable resources associated with continued flaring of produced gas, as well as minimize truck traffic, environmental, and public health and safety concerns.

Please refer to **Error! Reference source not found..**



**Figure 1, Project Location Map**

## **2 AUTHORITIES**

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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**

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The proposed natural gas and oil pipelines would be located in Dunn County, North Dakota, in the following location:

- T147N, R93W, Sections 10 & 11

## **4 SCOPE OF WORK FOR PROPOSED ACTION**

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The proposed action includes authorization by the BIA to install up to four pipelines, gathering system, and other appurtenances above or below ground to move produced gas and liquids to a suitable processing location. The proposed oil and gas pipelines would likely consist of steel lines up to eight inches in diameter and the water line would likely consist of a poly line up to six inches in diameter.

Twenty eight miles of natural gas and oil pipelines were approved in a FONSI for the Saddle Butte Trunk Lines project on September 9, 2010. Since that time, plans have been developed to construct additional lines to newly developed oil and gas wells in the surrounding area, connecting to the Saddle Butte Trunk Lines. Construction of the new lines is expected to take approximately 90 days and would be confined to the 100-foot ROW corridor along with any additional temporary ROW required for boring under BIA 17.

As current estimates expect the Bakken field to remain active for 30 to 40 years, it is important that pipeline systems are designed to perform for this period of time. Pipelines, if designed effectively and well maintained, may have an indefinite life expectancy.

To ensure their long-term viability, all pipelines would be coated with between 14-16 mils of fusion bonded epoxy coating, which helps protect the pipelines against corrosive elements in the soil. The coating would be inspected thoroughly at the time of installation, both visually and by electronic testing means. Saddle Butte also utilizes specialty coatings that are applicable for underground fittings, bore crossings, etc. to provide additional levels of protection in areas that require it. Velocities and pressure drops for the pipeline system are carefully evaluated and lines are sized so as to prevent erosion velocity. Additionally, lines are designed to be cleaned and inspected via internal tools (e.g., cleaning pigs and smart pigs), which helps in the identification of issues in the pipes.

Following design and installation, Saddle Butte would immediately conduct a cathodic survey utilizing test stations, rectifier pads and other means designed by cathodic protection specialists. Saddle Butte would also install pig launchers and receivers on its trunk lines and primary laterals to identify pipeline conditions both internally and externally to maintain the integrity of the pipeline system.

All Saddle Butte installations are monitored by an inspection/construction management team as well as independent third party contract experts. Saddle Butte's construction specifications require contractors to allow for inspection, and no pipeline is laid and backfilled without appropriate approvals. Hydrotesting of pipelines would be used to assure no possibility of leakage at the time of installation.

The proposed project would also require approval for the associated ROW acquisition consisting of 50 feet of permanent ROW and 50 feet of temporary ROW for construction. Installation of the pipelines may require clearing and grading within the 100-foot ROW along the entire pipeline corridor. In addition, boring of the pipeline under the BIA 17 may require additional temporary ROW. Every effort would be made to minimize surface disturbance during the construction process. Topsoil would be separated and stockpiled along either side of any disturbed cross section to be used for prompt reseeded and reclamation of the disturbed area. If construction activities take place close to the end of construction season, topsoil would only be removed far enough in advance that the pipeline could be installed and the site re-graded prior to the end of the construction season. If topsoil cannot be spread in a timely manner that allows vegetation to reestablish prior to winter, topsoil would be spread the following spring and reseeded so as to not be susceptible to wind and/or water erosion over the winter.

For locations that are reclaimed in winter months or late fall such that no germination is possible, Saddle Butte would either use a sprayed reinforcement, lain matting reinforcement, spread and crimp straw and/or would minimize erosion issues with straw wattle and silt fence through winter months. Any temporary reclamation measures would remain until Saddle Butte can completely reclaim and revegetate the property in the spring. All temporary reclamation measures would be inspected on a monthly basis, or more frequently as necessary, throughout the winter. In addition, Saddle Butte would also install straw wattles or similar BMP's on slopes as needed to provide erosion breaks.

Continued use of pasture and livestock grazing areas would be maintained during construction via use of temporary fencing or cattle guards along with providing temporary crossings when crossing land with livestock present. Trenches would be excavated to a depth sufficient to maintain a minimum of 48 inches of ground coverage over the pipeline. The proposed route crosses BIA 17 which consists of a gravel roadway. A roadway crossing permit would be required to cross the roadway prior to construction. The roadway would be bored under and would provide for a minimal crossing depth of 72 inches. **Typical Right-of-way cross section is as shown in Figure 2.** It is understood that other utilities, including phone and water pipelines, may be present in the immediate area and would need to be coordinated with the appropriate utilities accordingly.

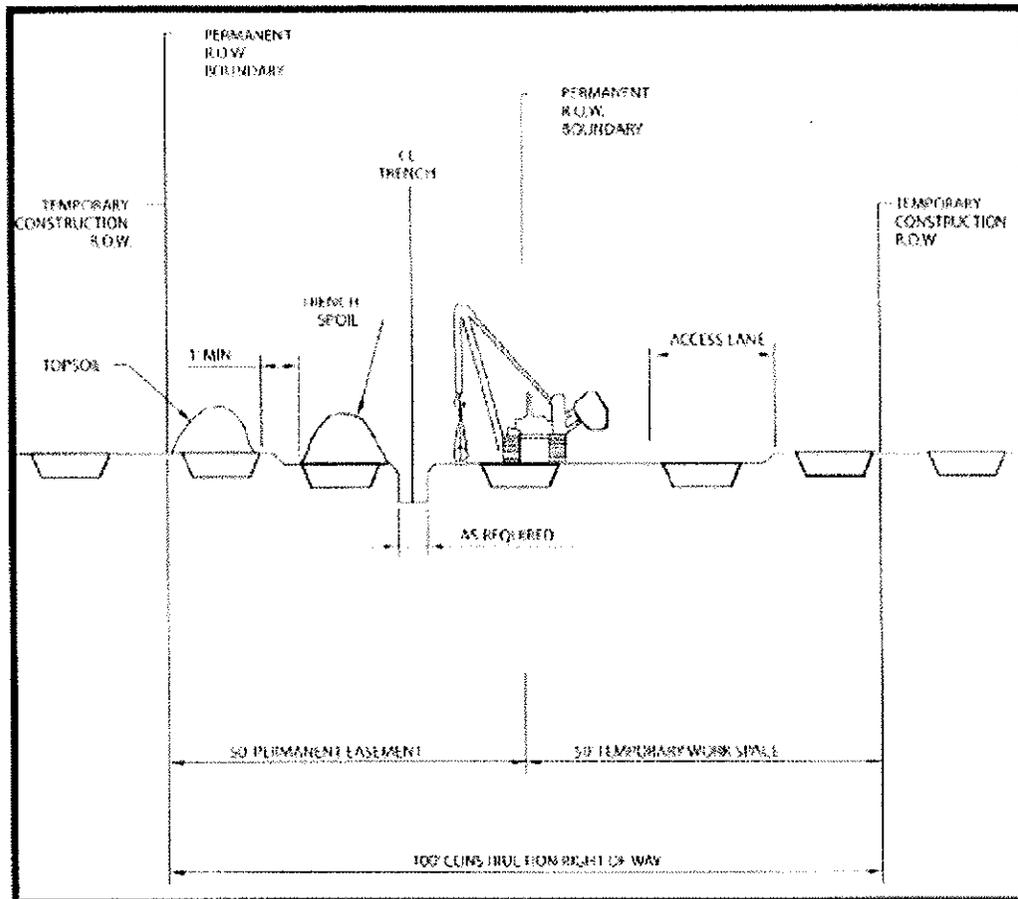


Figure 2, Typical Right-of-way Cross Section

## 5 APPLICABLE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTS

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

- Environmental Assessment, Saddle Butte Pipeline, LLC, Saddle Butte Trunk Lines, Fort Berthold Indian Reservation, August 2010. The EA FONSI was issued September 9, 2010.

## 6 FIELD RESOURCE SURVEYS

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An intensive, pedestrian resource survey of the proposed pipeline corridor was conducted on September 23, 2011 by Kadrmass, Lee & Jackson (KL&J). The purpose of the survey was to gather site-specific data and photos with regards to botanical, biological, threatened and endangered species, eagle, and water resources. A 200-foot wide pipeline corridor was evaluated for this site. In addition, a 0.50 mile wide buffer around all areas of project disturbance was used to evaluate the presence of eagles and eagle nests. Resources were evaluated using visual inspection and pedestrian transects across the site.

The BIA EA on-site assessment of the pipeline corridor was conducted on September 23, 2011. The BIA Environmental Protection Specialist, SBP, the Tribal Historic Preservation Office (THPO), and KL&J participated in this assessment. During this assessment, construction suitability with respect to topography, stockpiling, drainage, erosion control, and other surface issues were considered. Sections of the proposed route were adjusted in the field to avoid potential cultural resources. Those present at the on-site assessment agreed that the new location, along with the minimization measures Saddle Butte Pipeline plans to implement, are positioned in areas which would minimize impacts to sensitive wildlife and botanical resources.

A Class I Literature Review for the proposed site was conducted by KL&J on June 30, 2011. A Class III Cultural Resources Survey was conducted by KL&J on July 20, 2011, with a tribal monitor from the Three Affiliated Tribes THPO simultaneously conducting Traditional Cultural Property Surveys. The Area of Potential Effect (APE), or area surveyed, consisted of a 29 acre site which included a 200-foot corridor centered on the proposed pipeline centerline. The proposed alignment shifted a small amount from the original survey alignment, but the survey corridor covered the APE for the new alignment. Assessment of Environmental Impacts

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

### A. Ground Water

Saddle Butte's standard bore depth beneath an actively eroding drainage area is eight feet. However, bores are designed on a case by case basis to avoid any adverse effects of the natural surface in the vicinity of the bore. Additionally, bore pipe would be coated with abrasion resistant coating that provides substantial abrasion resistance if a large erosion or flooding event occurs.

Due to the drilling methods and pipeline standards mentioned above, no impacts to groundwater, including groundwater wells and aquifers, are expected to result from the proposed project.

### B. Land Use

The proposed project area is located within a predominantly rural area; land use consists primarily of grassland (79.9%). The proposed project would temporarily convert approximately 13.38 acres of land from its existing use into a pipeline corridor. **Please refer to Table 1, Land Use.** The pipelines would be buried underground and the majority of land uses would be able to resume following

construction and reclamation activities. Some activities, such as those associated with developed lands, may be restricted within the permanent 50-foot ROW. All above ground facilities and equipment will be painted shale green to blend in with the surrounding landscape. No mitigation is proposed.

**Table 1, Land Use**

LAND CLASSIFICATION	PERCENT OF STUDY AREA	IMPACTED ACRES
Grasslands	79.87	10.68
Developed	14.04	1.88
Woodland	4.17	0.56
Cultivated	1.4	0.19
Shrubland	0.49	0.07



**Figure 3, Vegetation along Route**

**C. Cultural Resources**

A cultural resource inventory of this pipeline route was conducted by personnel of Kadrmas, Lee & Jackson, Inc., using an intensive pedestrian methodology. Approximately 29 acres were inventoried on July 20, 2011 (Macy 2011). No historic properties were located that appear to possess the quality of integrity and meet at least one of the criteria (36 CFR 60.6) for inclusion on the National Register. As the lead federal agency, and as provided for in 36 CFR 800.5, on the basis of the information provided, BIA reached a determination of no historic properties affected for this undertaking. This

determination was communicated to the THPO on August 3, 2011; however the THPO did not respond within the allotted 30 day comment period.

Macy, Jennifer N .(2011) Badgun-Moccasin Creek Extension: A Class III Cultural Resource Inventory, Dunn County, North Dakota. KLI Cultural Resources for Saddle Butte Pipeline Company, Durango, CO.

If cultural resources are discovered during construction or operation, work shall immediately be stopped, the affected site secured, and BIA and THPO notified. In the event of a discovery, work shall not resume until written authorization to proceed has been received from the BIA. All project workers are prohibited from collecting artifacts or disturbing cultural resources in any area under any circumstances.

#### D. Public Health and Safety

Third-party intrusions are one of the biggest contributing factors to spills. To aid in the prevention of such intrusions, Saddle Butte would fully comply with the marking requirements specified in the US Department of Transportation's rules and regulations, specifically contained in 49 CFR Parts 192 and 195. To ensure such compliance, Saddle Butte developed construction specifications to delineate the requirements for pipeline marking in accordance with applicable laws, rules, and regulations, including the locations of such markings (e.g., road crossings, waterbody crossings, line of sight, etc.) and the manner of marking such pipelines (e.g., height of markings and signage on the markings).

Saddle Butte has committed to developing a spill response plan that would be submitted to the BIA prior to the commencement of the construction activities. The response plan would include procedures that specifically address making the appropriate contacts, isolating the incident, protecting waterways and providing contact information for all the appropriate contractors and experts necessary to facilitate a rapid response.

#### E. Surface Water

During the field surveys, several wooded draws/drainages were identified near the proposed pipeline corridor. Avoidance of impacts to the wooded draws/drainages would be accomplished through use of BMP to minimize soil erosion. No significant impacts to surface water are expected to result from the proposed pipelines. The proposed project has been sited to avoid direct impacts to surface water and to minimize the disruption of drainage patterns across the landscape. Implementation of BMPs to control erosion would mitigate runoff of sediment downhill or downstream.

Two types of valves would be utilized for spill isolation:

- Check valves would be installed between trunk lines and lateral lines to prevent a "back feed" scenario to a spill, thereby limiting the volume of any spill to the wells that are directly contributing to it.
- Manual valve sets would also be installed at all intersections of laterals to trunk lines, allowing isolation at the wells themselves.

Saddle Butte has also developed a GIS database that establishes real time, web-based maps for use by its operations team and first responder personnel. In addition, Saddle Butte has provided options in its trunk lines for automatic isolation based on low pressure switching devices once the system pressure exceeds 1400 psi. These valves would automatically isolate the pipeline under most line

rupture circumstances. Based on these mitigation measures, the proposed project is not anticipated to result in measurable increases in runoff or impacts to surface waters.

## **7** NEPA ADEQUACY CRITERIA

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This document has identified one previously prepared NEPA document, *Saddle Butte Pipeline, LLC August 2010 Environmental Assessment for Approval of Saddle Butte Trunk Lines*, 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.



## 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



AUG 03 2011

IN REPLY REFER TO:  
DESCRM  
MC-208

Elgin Crows Breast, THPO  
Mandan, Hidatsa and Arikara Nation  
404 Frontage Road  
New Town, North Dakota 58763

Dear Mr. Crows Breast:

We have considered the potential effects on cultural resources of a pipeline compressor station in McKenzie County and a pipeline in Dunn County, North Dakota. Approximately 34.7 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the areas depicted in the enclosed reports. No historic properties were located which appear to possess the quality of integrity and meet at least one of the criteria (36 CFR 60.4) for inclusion on the National Register of Historic Places. No properties were located that appear to qualify for protection under the American Indian Religious Freedom Act (42 USC 1996).

As the surface management agency, and as provided for in 36 CFR 800.5, we have therefore reached a determination of **no historic properties affected** for these undertakings. Catalogued as **BIA Case Number AAO-1926/FB/11**, the proposed undertakings, locations, and project dimensions are described in the following reports:

Macy, Jennifer N.

(2011a) RTA North Compressor Station: A Class III Cultural Resource Inventory, McKenzie County, North Dakota. KLJ Cultural Resources for Saddle Butte Pipeline Company, Durango, CO.

(2011b) Badgun-Moccasin Creek Extension: A Class III Cultural Resource Inventory, Dunn County, North Dakota. KLJ Cultural Resources for Saddle Butte Pipeline Company, Durango, CO.

If your office concurs with this determination, consultation will be completed under the National Historic Preservation Act and its implementing regulations. We will adhere to the Standard Conditions of Compliance.

If you have any questions, please contact Dr. Carson N. Murdy, Regional Archaeologist, at (605) 226-7656.

Sincerely,

ACTING Regional Director

Enclosures

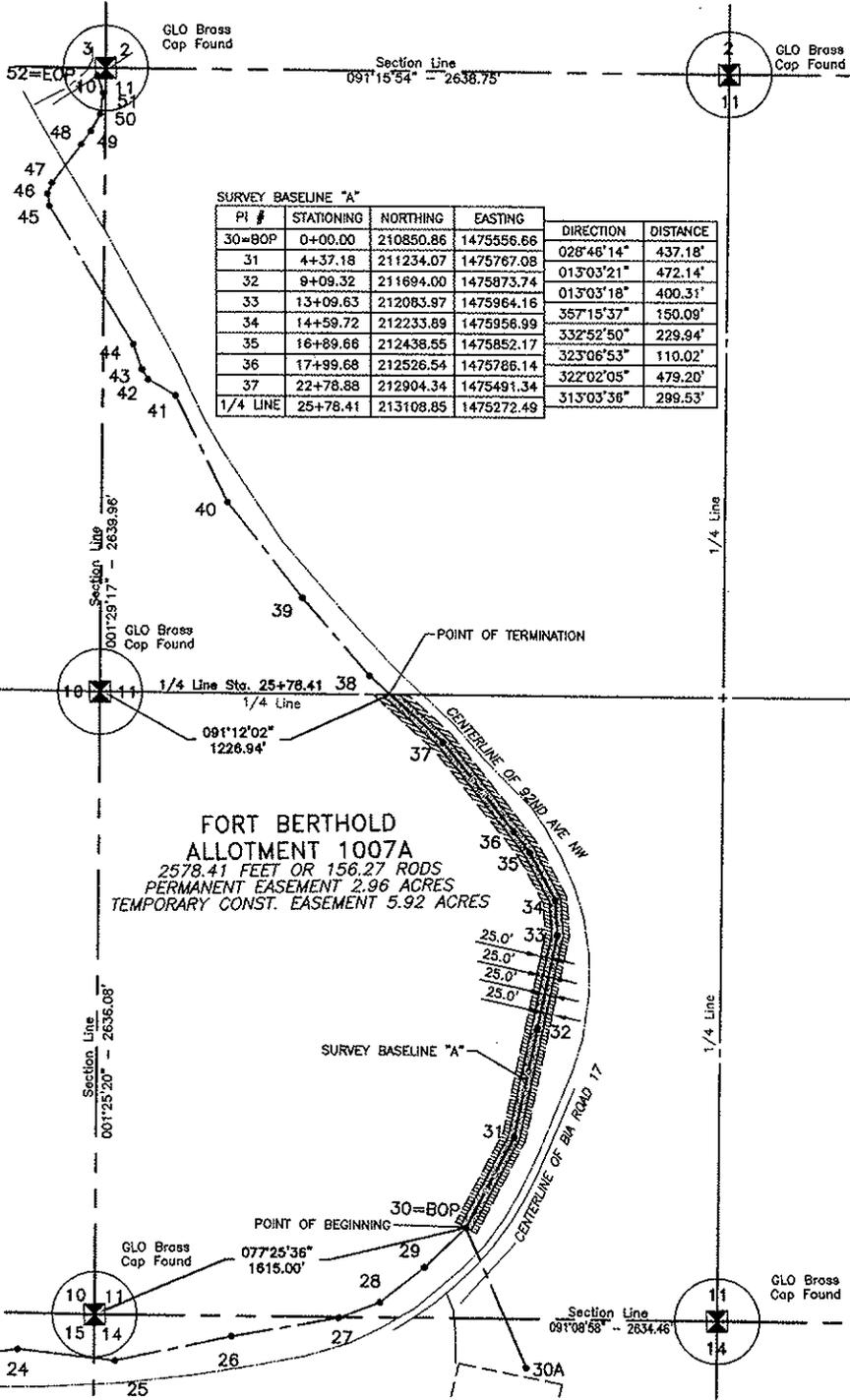
cc: Chairman, Three Affiliated Tribes  
Superintendent, Fort Berthold Agency

# ***Appendix A***

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## **Pipeline Plats**

**ALLOTMENT 1007A**  
 SW1/4 OF SECTION 11, TOWNSHIP 147 NORTH, RANGE 93 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"



PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
30=BOP	0+00.00	210850.86	1475556.66	028°46'14"	437.18'
31	4+37.18	211234.07	1475767.08	013°03'21"	472.14'
32	9+09.32	211694.00	1475873.74	013°03'18"	400.31'
33	13+09.63	212083.97	1475964.16	357°15'37"	150.09'
34	14+59.72	212233.89	1475956.99	332°52'50"	229.94'
35	16+89.66	212436.55	1475852.17	323°06'53"	110.02'
36	17+99.68	212526.54	1475786.14	322°02'05"	479.20'
37	22+78.88	212904.34	1475491.34	313°03'36"	299.53'
1/4 LINE	25+78.41	213108.85	1475272.49		

**FORT BERTHOLD**  
**ALLOTMENT 1007A**  
 2578.41 FEET OR 156.27 RODS  
 PERMANENT EASEMENT 2.96 ACRES  
 TEMPORARY CONST. EASEMENT 5.92 ACRES

**NOTE:**  
 Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000124249 to go from grid distance to ground distance.

FIELD BOOK: OP-250 PG. 57-63



SHEET 1 OF 2

**Kadmas Lee & Jackson**  
 ENGINEERS & SURVEYORS  
 858 Main Avenue, Suite 301  
 Durango, CO 81301  
 © Kadmas, Lee & Jackson 2011  
 DRAWN BY: S. NEWIN  
 ORIGINAL DATE: 12/8/2011  
 REV. DATE: -

**BAD GUNS LATERAL EXTENSION**  
 DUNN COUNTY, NORTH DAKOTA

**EASEMENTS ON AND ACROSS THE**  
 SW1/4 of SEC. 11, T.147N., R.93W.

DWG NO. BAD GUN
JOB NO. 3710461
SCALE: 1"=600'
PANEL NUMBER 11-147-93 A

**ALLOTMENT 1007A**  
 SW1/4 OF SECTION 11, TOWNSHIP 147 NORTH, RANGE 93 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY  
 BAD GUNS LATERAL EXTENSION

**DESCRIPTION: PERMANENT EASEMENT SURVEY**

A fifty (50) foot wide continual easement for utilities and pipelines of an oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 11, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the southwest corner of said Southwest Quarter of Section 11; thence on an azimuth of 077°25'36" a distance of 1615.00 feet to the POINT OF BEGINNING (PI #30=BOP); thence on an azimuth of 028°46'14" a distance of 437.18 feet to a point (PI #31); thence on an azimuth of 013°03'21" a distance of 472.14 feet to a point (PI #32); thence on an azimuth of 013°03'18" a distance of 400.31 feet to a point (PI #33); thence on an azimuth of 357°15'37" a distance of 150.09 feet to a point (PI #34); thence on an azimuth of 332°52'50" a distance of 229.94 feet to a point (PI #35); thence on an azimuth of 323°06'53" a distance of 110.02 feet to a point (PI #36); thence on an azimuth of 322°02'05" a distance of 479.20 feet to a point (PI #37); thence on an azimuth of 313°03'36" a distance of 299.53 feet to a point on the north line of said Southwest Quarter of Section 11 and the POINT OF TERMINATION. Said point is located on an azimuth of 091°12'02" a distance of 1226.94 feet from the northwest corner of said Southwest Quarter of Section 11.

Covering in all 2578.41 feet or 156.27 rods.  
 Said permanent easement contains 2.96 acres, more or less.

**DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT SURVEY**

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Southwest Quarter (SW1/4) of Section 36, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the southwest corner of said Southwest Quarter of Section 11; thence on an azimuth of 077°25'36" a distance of 1615.00 feet to the POINT OF BEGINNING (PI #30=BOP); thence on an azimuth of 028°46'14" a distance of 437.18 feet to a point (PI #31); thence on an azimuth of 013°03'21" a distance of 472.14 feet to a point (PI #32); thence on an azimuth of 013°03'18" a distance of 400.31 feet to a point (PI #33); thence on an azimuth of 357°15'37" a distance of 150.09 feet to a point (PI #34); thence on an azimuth of 332°52'50" a distance of 229.94 feet to a point (PI #35); thence on an azimuth of 323°06'53" a distance of 110.02 feet to a point (PI #36); thence on an azimuth of 322°02'05" a distance of 479.20 feet to a point (PI #37); thence on an azimuth of 313°03'36" a distance of 299.53 feet to a point on the north line of said Southwest Quarter of Section 11 and the POINT OF TERMINATION. Said point is located on an azimuth of 091°12'02" a distance of 1226.94 feet from the northwest corner of said Southwest Quarter of Section 11.

Covering in all 2578.41 feet or 156.27 rods.  
 Said temporary construction easement contains 5.92 acres, more or less.

**NOTES:**

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000124249 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.



I, Myron J. Kadrmas, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk J. Jorgenson on September 15, 2011.

*Myron J. Kadrmas*  
 Myron J. Kadrmas, Registered Land Surveyor  
 N.D. RLS No. 3758

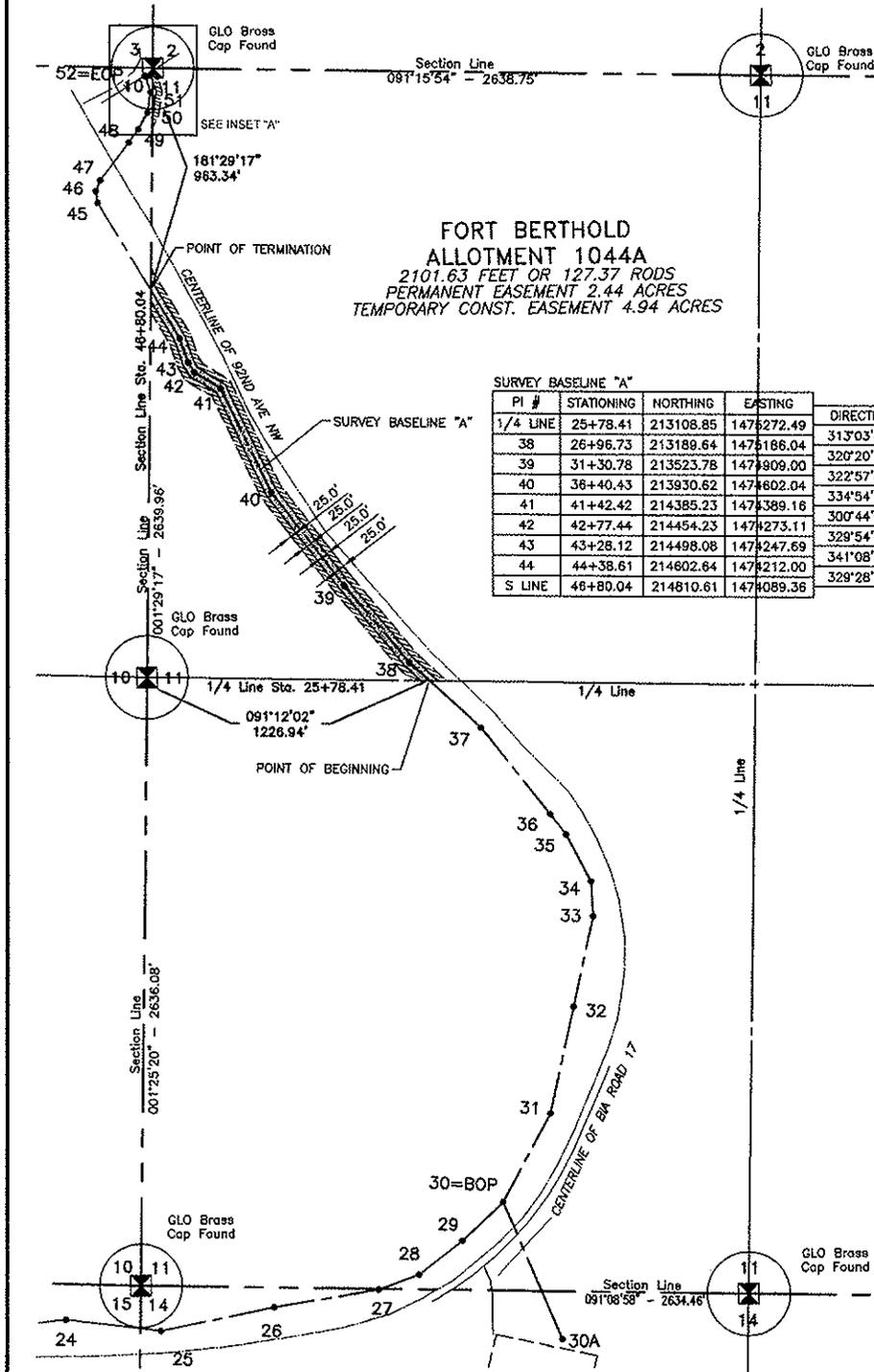
1-3-12  
 Date

FIELD BOOK: OP-250 PG. 57-63

SHEET 2 OF 2

 Kadmas Lee & Jackson Engineers Surveyors Planners © Kadmas, Lee & Jackson 2011	 SADDLE BUTTE PIPELINE, LLC 858 Main Avenue, Suite 301 Durango, CO 81301	BAD GUNS LATERAL EXTENSION DUNN COUNTY, NORTH DAKOTA	DWG NO. BAD GUN
		EASEMENTS ON AND ACROSS THE SW1/4 of SEC. 11, T.147N., R.93W.	JOB NO. 3710461
DRAWN BY: S. IRWIN ORIGINAL DATE: 12/9/2011 REV. DATE: -			SCALE: NONE PARCEL NUMBER 11-147-93 A

**ALLOTMENT 1044A**  
 NW1/4 OF SECTION 11, TOWNSHIP 147 NORTH, RANGE 93 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"



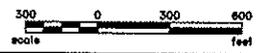
**FORT BERTHOLD**  
**ALLOTMENT 1044A**  
 2101.63 FEET OR 127.37 RODS  
 PERMANENT EASEMENT 2.44 ACRES  
 TEMPORARY CONST. EASEMENT 4.94 ACRES

SURVEY BASELINE "A"

PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
1/4 LINE	25+78.41	213108.85	1478272.49	313°03'36"	118.32'
38	26+96.73	213189.64	1478166.04	320°20'18"	434.05'
39	31+30.78	213523.78	147809.00	322°57'54"	509.65'
40	36+40.43	213930.62	147802.04	334°54'30"	501.99'
41	41+42.42	214385.23	1478389.16	300°44'01"	135.02'
42	42+77.44	214454.23	1478273.11	329°54'06"	50.66'
43	43+28.12	214498.08	1478247.69	341°08'57"	110.49'
44	44+38.61	214602.64	1478212.00	329°28'23"	241.43'
S LINE	48+80.04	214610.61	1478089.36		

**NOTE:**  
 Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distances. Combined scale factor = 1.000124249 to go from grid distance to ground distance.

FIELD BOOK: OP-250 PG. 57-63



SHEET 1 OF 3

**Kadmas Lee & Jackson**  
 ENGINEERS SURVEYORS PLANNERS  
 © Kadmas, Lee & Jackson 2011

**SPP**  
 SADDLE BUTTE PIPELINE PROJECTS, LTD.  
 858 Main Avenue, Suite 301  
 Durango, CO 81301

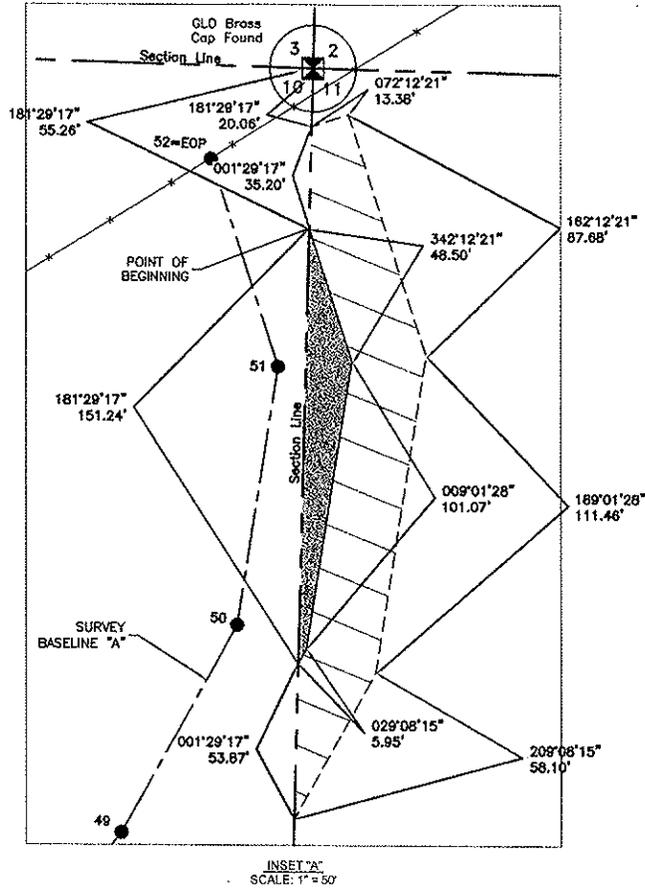
DRAWN BY: S. NEWK  
 CHECKED BY: 12/9/2011  
 DATE: -

**BAD GUNS LATERAL EXTENSION**  
 DUNN COUNTY, NORTH DAKOTA

**EASEMENTS ON AND ACROSS THE**  
 NW1/4 of SEC. 11, T.147N., R.93W.

DWG NO.	BAD GUN
JOB NO.	3710461
SCALE:	1"=600'
PARCEL NUMBER	11-147-93 B

**ALLOTMENT 1044A**  
 NW1/4 OF SECTION 11, TOWNSHIP 147 NORTH, RANGE 93 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"



**DESCRIPTION: PERMANENT EASEMENT SURVEY**

A permanent easement, being located in the Northwest Quarter (NW1/4) of Section 11, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, being more particularly described as follows:

Commencing at the northwest corner of said Section 11; thence on an azimuth of 181°29'17" along the west line of said Northwest Quarter of Section 11 a distance of 55.26 feet to the POINT OF BEGINNING; thence on an azimuth of 181°29'17" a distance of 151.24 feet to a point; thence on an azimuth of 029°08'15" a distance of 5.95 feet to a point; thence on an azimuth of 009°01'28" a distance of 101.07 feet to a point; thence on an azimuth of 342°12'21" a distance of 48.50 feet to the POINT OF BEGINNING.

Said PERMANENT EASEMENT contains 0.03 acres, more or less.

**DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT SURVEY**

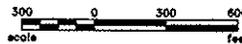
A temporary construction easement, being located in the Northwest Quarter (NW1/4) of Section 11, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, being more particularly described as follows:

Commencing at the northwest corner of said Section 11; thence on an azimuth of 181°29'17" along the west line of said Northwest Quarter of Section 11 a distance of 20.06 feet to the POINT OF BEGINNING; thence on an azimuth of 072°12'21" a distance of 13.38 feet to a point; thence on an azimuth of 162°12'21" a distance of 87.68 feet to a point; thence on an azimuth of 189°01'28" a distance of 111.46 feet to a point; thence on an azimuth of 209°08'15" a distance of 58.10 feet to a point on the west line of said Section 11; thence along said west line on an azimuth of 001°29'17" a distance of 53.87 feet to a point; thence on an azimuth of 029°08'15" a distance of 5.95 feet to a point; thence on an azimuth of 009°01'28" a distance of 101.07 feet to a point; thence on an azimuth of 342°12'21" a distance of 48.50 feet to the POINT OF BEGINNING.

Said TEMPORARY CONSTRUCTION EASEMENT contains .12 acres, more or less

**NOTE:**  
 Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000124249 to go from grid distance to ground distance.

FIELD BOOK: OP-250 PG. 57-63



SHEET 2 OF 3

 Kadmas Lee & Jackson Engineers Surveyors Planners © Kadmas, Lee & Jackson 2011	 SPP 858 Main Avenue, Suite 301 Durango, CO 81301	BAD GUNS LATERAL EXTENSION DUNN COUNTY, NORTH DAKOTA	DWG NO. BAD GUN
		EASEMENTS ON AND ACROSS THE NW1/4 of SEC. 11, T.147N., R.93W.	JOB NO. 3710461
DRAWN BY: S. RYAN ORIGINAL DATE: 12/3/2011 REV. DATE: -			SCALE: 1"=800' PARCEL NUMBER 11-147-93 B

**ALLOTMENT 1044A**  
 NW1/4 OF SECTION 11, TOWNSHIP 147 NORTH, RANGE 93 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY  
 BAD GUNS LATERAL EXTENSION

**DESCRIPTION: PERMANENT EASEMENT SURVEY**

A fifty (50) foot wide continual easement for utilities and pipelines of an oil and gas collection system over, under and across the Northwest Quarter (NW1/4) of Section 11, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the southwest corner of the Northwest Quarter of said Section 11; thence on an azimuth of 091°12'02" along the south line of said Northwest Quarter of Section 11 a distance of 1226.94 feet to the POINT OF BEGINNING; thence on an azimuth of 313°03'36" a distance of 118.32 feet to a point (PI #38); thence on an azimuth of 320°20'18" a distance of 434.05 feet to a point (PI #39); thence on an azimuth of 322°57'54" a distance of 509.65 feet to a point (PI #40); thence on an azimuth of 334°54'30" a distance of 501.99 feet to a point (PI #41); thence on an azimuth of 300°44'01" a distance of 135.02 feet to a point (PI #42); thence on an azimuth of 329°54'06" a distance of 50.68 feet to a point (PI #43); thence on an azimuth of 341°08'57" a distance of 110.49 feet to a point (PI #44); thence on an azimuth of 329°28'23" a distance of 241.43 feet to a point on the west line of said Northwest Quarter of Section 11 and the POINT OF TERMINATION. Said point is located on an azimuth of 181°29'17" along the west line of said Northwest Quarter of Section 11 a distance of 963.34 feet from the northwest corner of said Section 11.

Covering in all 2101.63 feet or 127.37 rods.  
 Said permanent easement contains 2.41 acres, more or less.

**DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT SURVEY**

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) of Section 36, Township 151 North, Range 95 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the southwest corner of the Northwest Quarter of said Section 11; thence on an azimuth of 091°12'02" along the south line of said Northwest Quarter of Section 11 a distance of 1226.94 feet to the POINT OF BEGINNING; thence on an azimuth of 313°03'36" a distance of 118.32 feet to a point (PI #38); thence on an azimuth of 320°20'18" a distance of 434.05 feet to a point (PI #39); thence on an azimuth of 322°57'54" a distance of 509.65 feet to a point (PI #40); thence on an azimuth of 334°54'30" a distance of 501.99 feet to a point (PI #41); thence on an azimuth of 300°44'01" a distance of 135.02 feet to a point (PI #42); thence on an azimuth of 329°54'06" a distance of 50.68 feet to a point (PI #43); thence on an azimuth of 341°08'57" a distance of 110.49 feet to a point (PI #44); thence on an azimuth of 329°28'23" a distance of 241.43 feet to a point on the west line of said Northwest Quarter of Section 11 and the POINT OF TERMINATION. Said point is located on an azimuth of 181°29'17" along the west line of said Northwest Quarter of Section 11 a distance of 963.34 feet from the northwest corner of said Section 11.

Covering in all 2101.63 feet or 127.37 rods.  
 Said temporary construction easement contains 4.82 acres, more or less.

**NOTES:**

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000124249 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.



I, Myron J. Kadrmaz, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk J. Jorgenson on September 15, 2011.

1-3-12  
 Date

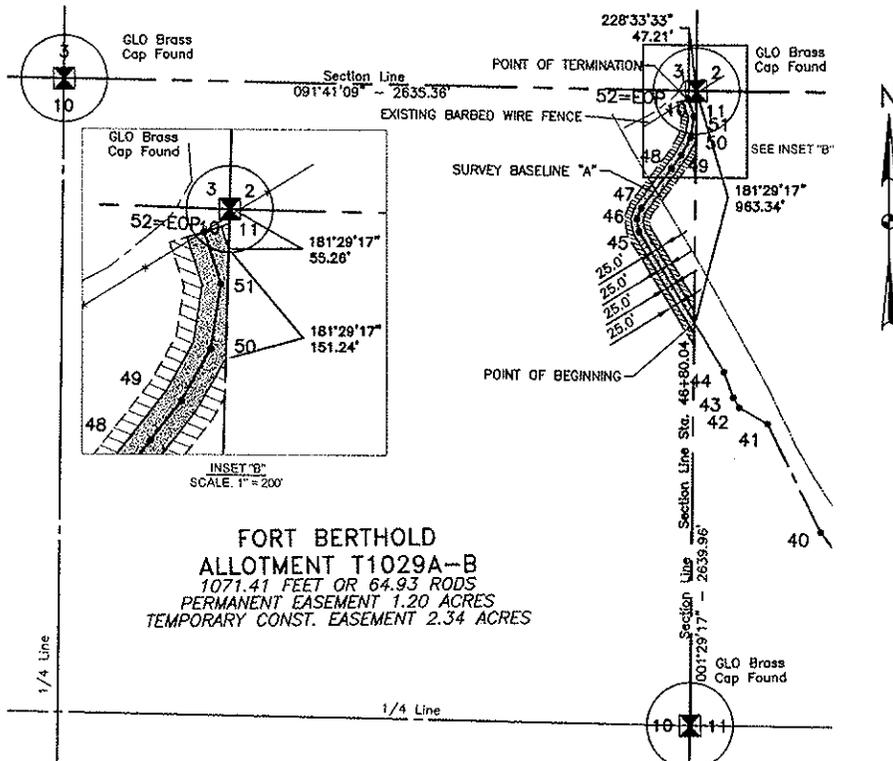
*Myron J. Kadrmaz*  
 Myron J. Kadrmaz, Registered Land Surveyor  
 N.D. RLS No. 3758

FIELD BOOK: OP-250 PG. 57-63

SHEET 3 OF 3

 Kadrmaz, Lee & Jackson Engineers Surveyors Planners © Kadrmaz, Lee & Jackson 2011 DRAWN BY: S. HEVON	 SADDLE BUTTE PIPELINE, L.L.C. 858 Main Avenue, Suite 301 Durango, CO 81301	BAD GUNS LATERAL EXTENSION DUNN COUNTY, NORTH DAKOTA	DWG NO. BAD GUN
		EASEMENTS ON AND ACROSS THE NW1/4 of SEC. 11, T.147N., R.93W.	JOB NO. 3710461
ORIGINAL DATE: 12/9/2011 REV. DATE: -			SCALE: NONE PARCEL NUMBER 11-147-93 B

**ALLOTMENT T1029A-B**  
 NE1/4 OF SECTION 10, TOWNSHIP 147 NORTH, RANGE 93 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"



**FORT BERTHOLD**  
**ALLOTMENT T1029A-B**  
 1071.41 FEET OR 64.93 RODS  
 PERMANENT EASEMENT 1.20 ACRES  
 TEMPORARY CONST. EASEMENT 2.34 ACRES

SURVEY BASELINE "A"

PI #	STATIONING	NORTHING	EASTING	DIRECTION	DISTANCE
S LINE	46+80.04	214810.61	1474089.36	329°28'23"	442.29'
45	51+22.33	215191.60	1473864.70	351°59'27"	52.72'
46	51+75.05	215243.80	1473857.35	023°40'03"	49.88'
47	52+24.91	215289.47	1473877.37	037°57'09"	207.49'
48	54+32.40	215453.08	1474004.97	037°34'47"	70.24'
49	55+02.64	215508.74	1474047.81	028°08'15"	82.37'
50	55+85.01	215580.88	1474087.91	008°01'28"	90.67'
51	56+75.68	215670.24	1474102.14	342°12'21"	75.77'
52=EOP	57+51.45	215742.37	1474078.98		

**NOTE:**  
 Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000124249 to go from grid distance to ground distance.

FIELD BOOK: OP-250 PG. 57-63



SHEET 1 OF 2

 Engineers Surveyors Planners © Kadmas, Lee & Jackson 2011 DRAWN BY: S. BEVIN	 SADDLE BUTTE PIPELINE, INC. 858 Main Avenue, Suite 301 Durango, CO 81301	BAD GUNS LATERAL EXTENSION DUNN COUNTY, NORTH DAKOTA	DWG NO. BAD GUN
		EASEMENTS ON AND ACROSS THE NE1/4 of SEC. 10, T.147N., R.93W.	JOB NO. 3710461
ORIGINAL DATE: 12/9/2011 REV. DATE: -			SCALE: 1"=600' PARCEL NUMBER 10-147-93 A

**ALLOTMENT T1029A-B**  
 NE1/4 OF SECTION 10, TOWNSHIP 147 NORTH, RANGE 93 WEST  
 OF THE 5TH PRINCIPAL MERIDIAN, DUNN COUNTY, NORTH DAKOTA  
 EXHIBIT "A"

SADDLE BUTTE PIPELINE COMPANY  
 BAD GUNS LATERAL EXTENSION

**DESCRIPTION: PERMANENT EASEMENT SURVEY**

A fifty (50) foot wide continual easement for utilities and pipelines of an oil and gas collection system over, under and across the Northeast Quarter (NE1/4) of Section 10, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying twenty-five (25) feet on each side of the following described line:

Commencing at the northeast corner of the Northeast Quarter of said Section 10; thence on an azimuth of 181°29'17" along the east line of said Northeast Quarter of Section 10 a distance of 963.34 feet to the POINT OF BEGINNING; thence on an azimuth of 329°28'23" a distance of 442.29 feet to a point (PI #45); thence on an azimuth of 351°59'27" a distance of 52.72 feet to a point (PI #46); thence on an azimuth of 023°40'03" a distance of 49.86 feet to a point (PI #47); thence on an azimuth of 037°57'09" a distance of 207.49 feet to a point (PI #48); thence on an azimuth of 037°34'47" a distance of 70.24 feet to a point (PI #49); thence on an azimuth of 029°08'15" a distance of 82.37 feet to a point (PI #50); thence on an azimuth of 009°01'28" a distance of 90.67 feet to a point (PI #51); thence on an azimuth of 342°12'21" a distance of 75.77 feet to the POINT OF TERMINATION. Said point is located on an azimuth of 228°33'33" a distance of 47.21 feet from the northeast corner of said Section 10.

Covering in all 1071.41 feet or 64.93 rods.  
 Said permanent easement contains 1.20 acres, more or less.

**DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT SURVEY**

Together with a one hundred (100) foot wide temporary construction easement for utilities and pipelines of an oil and gas collection system over, under and across the Northeast Quarter (NE1/4) of Section 10, Township 147 North, Range 93 West of the 5th Principal Meridian, Dunn County, State of North Dakota, lying fifty (50) feet on each side of the following described line:

Commencing at the northeast corner of the Northeast Quarter of said Section 10; thence on an azimuth of 181°29'17" along the east line of said Northeast Quarter of Section 10 a distance of 963.34 feet to the POINT OF BEGINNING; thence on an azimuth of 329°28'23" a distance of 442.29 feet to a point (PI #45); thence on an azimuth of 351°59'27" a distance of 52.72 feet to a point (PI #46); thence on an azimuth of 023°40'03" a distance of 49.86 feet to a point (PI #47); thence on an azimuth of 037°57'09" a distance of 207.49 feet to a point (PI #48); thence on an azimuth of 037°34'47" a distance of 70.24 feet to a point (PI #49); thence on an azimuth of 029°08'15" a distance of 82.37 feet to a point (PI #50); thence on an azimuth of 009°01'28" a distance of 90.67 feet to a point (PI #51); thence on an azimuth of 342°12'21" a distance of 75.77 feet to the POINT OF TERMINATION. Said point is located on an azimuth of 228°33'33" a distance of 47.21 feet from the northeast corner of said Section 10.

Covering in all 1071.41 feet or 64.93 rods.  
 Said temporary construction easement contains 2.34 acres, more or less.

**NOTES:**

- Survey is based on North Dakota State Plane System, NAD83 (96), North Zone, Int. Foot. Azimuths shown are Grid Azimuths, distances shown are grid distance. Combined scale factor = 1.000124249 to go from grid distance to ground distance.
- Descriptions and sketches of easements depicted herein are based on information obtained while conducting the survey for easement acquisition and on deeds supplied by the client, and DO NOT CONSTITUTE THE RESULTS OF A FULL BOUNDARY SURVEY.



I, Myron J. Kadrmás, Registered Land Surveyor, N.D. RLS No. 3758, do hereby certify that the survey plat shown hereon was made by me, or under my direction, from notes made in the field, and the same is true and correct to the best of my knowledge and belief. The field survey was performed by Kirk J. Jorgenson on September 15, 2011.

*Myron J. Kadrmás*  
 Myron J. Kadrmás, Registered Land Surveyor  
 N.D. RLS No. 3758

1-3-12  
 Date

FIELD BOOK: OP-250 PG. 57-63

SHEET 2 OF 2

 Kadrmás Lee & Jackson Registered Surveyors Planners © Kadrmás, Lee & Jackson 2011 DRAWN BY: S. IRWIN	 SADDLE BUTTE PIPELINE, LLC 858 Main Avenue, Suite 301 Durango, CO 81301	BAD GUNS LATERAL EXTENSION DUNN COUNTY, NORTH DAKOTA	DWG NO. BAD GUN
		EASEMENTS ON AND ACROSS THE NE1/4 of SEC. 10, T.147N., R.93W.	JOB NO. 3710461
			SCALE: NONE
			PARCEL NUMBER 10-147-93 A

# **Notice of Availability and Appeal Rights**

Saddle Butte Pipeline: Addendum to Environmental Assessment to Authorize Land Use for the Installation of Gathering Pipelines Connecting the Kodiak Moccasin Creek 16-3 and 16-3-11H well pad to the Saddle Butte Trunk Lines

**The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Addendum to Environmental Assessment to Authorize Land Use for the Installation of Gathering Pipelines Connecting the Kodiak Moccasin Creek 16-3H and 16-3-11H well pad to the Saddle Butte Pipeline System on the Fort Berthold Reservation as shown on the attached map. Construction by Saddle Butte Pipeline is expected to begin in 2012.**

**An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-4707 for more information and/or copies of the EA and the Finding of No Significant Impact (FONSI).**

**The FONSI is only a finding on environmental impacts – it is not a decision to proceed with an action and *cannot* be appealed. BIA's decision to proceed with administrative actions *can* be appealed until February 4, 2012, by contacting:**

**United States Department of the Interior  
Office of Hearings and Appeals  
Interior Board of Indian Appeals  
801 N. Quincy Street, Suite 300, Arlington, Va 22203.**

**Procedural details are available from the BIA Fort Berthold Agency at 701-627-4707.**

**Project locations.**

