



***Finding of No Significant Impact***

***Arrow Pipeline, L.L.C.***

***Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the Existing Phase 1B Highway 22 South Pipeline System***

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

The U.S. Bureau of Indian Affairs (BIA) has received a proposal for an addendum for land use by Arrow Pipeline, LLC (Arrow) for the construction of the Station #2 Phase 1B Highway 22 South Compressor and Pump Station and associated access road (station). The station would support the existing Phase 1B Highway 22 South pipeline system, the existing Arrow Midstream Holdings, LLC Oil and Gas pipeline system, and the approved Phase 1 Loop natural gas liquids pipeline system on the Fort Berthold Indian Reservation. The proposed station would be located approximately 0.9 mile southwest of Mandaree, North Dakota, in the NW¼ SE¼ Section 15, Township (T) 149 North (N), Range (R) 94 West (W), McKenzie County, North Dakota. 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

4-10-12  
Date

**ENVIRONMENTAL ASSESSMENT  
Addendum**

**United States Bureau of Indian Affairs**

**Great Plains Regional Office  
Aberdeen, South Dakota**



**Arrow Pipeline, LLC**

**Addendum to Environmental Assessment to Authorize Land Use for the Construction of  
the Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the  
Existing Phase 1B Highway 22 South Pipeline System**

**Fort Berthold Indian Reservation**

**April 2012**

For information contact:  
Bureau of Indian Affairs, Great Plains Regional Office  
Division of Environment, Safety and Cultural Resources Management  
115 4th Avenue SE, Aberdeen, South Dakota 57401  
(605) 226-7656

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## **1. Purpose and Need for the Proposed Action**

The purpose of the proposed action is to authorize land use by Arrow Pipeline, LLC (Arrow) for the construction of the Station #2 Phase 1B Highway 22 South Compressor and Pump Station and associated access road (station). The station would support the existing Phase 1B Highway 22 South pipeline system, the existing Arrow Midstream Holdings, LLC Oil and Gas pipeline system, and the approved Phase 1 Loop natural gas liquids pipeline system on the Fort Berthold Indian Reservation by compressing natural gas and pumping crude oil. The station would subsequently facilitate the transport of increasing natural gas liquids and crude oil volumes to market. This development has been proposed on land held in trust by the United States in McKenzie County, North Dakota.

The Bureau of Indian Affairs (BIA) is the surface management agency for potentially affected tribal lands and individual allotments. The BIA also holds title to subsurface mineral rights. The economic development of available resources and associated BIA actions are consistent with BIA's general mission. Leasing and development of mineral resources offers substantial economic benefits to the Three Affiliated Tribes of the Mandan, Hidatsa, and Arikara Nation and to individual tribal members.

## **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 for Proposed Action**

The proposed station would be located approximately 0.9 mile southwest of Mandaree, North Dakota, in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15, Township (T) 149 North (N), Range (R) 94 West (W), McKenzie County, North Dakota.

## **4. Scope of Work for Proposed Action**

Arrow has proposed to construct the station in order to compress and propel gathered natural gas liquids and pump crude oil to market. The station would be powered by self-contained engines that run continuously on collected natural gas and monitored through the use of a Supervisory Control and Data Acquisition (SCADA) system, as well as daily visits by Arrow personnel. Natural gas temperatures would be reduced through the use of air coolers. In total, construction of the proposed station would impact approximately 10.20 acres.

The pipelines, as proposed, would originate near the northeast corner of the station, traverse east, until interconnecting with the existing Arrow Phase 1B Highway 22 Pipeline System (tie-in). Approximately 690.32 feet of oil, NGL, and produced water pipe would be needed to connect the pipelines to the tie-in. Approximately 1.90 acres would be disturbed as a result of

activities associated with the construction of the proposed pipelines. Pipeline plats are provided in Appendix A.

Oil, natural gas liquids (NGL), and produced water pipelines would be buried either in two 2.5-foot-wide trenches, spaced 5.0 feet apart, or one 5.0-foot-wide trench. Oil and NGL pipelines would be no greater than 8 inches in diameter and constructed of new steel. The produced water pipeline would also be no greater than 8 inches in diameter and constructed of Fiberspar® or similar corrosion-resistant material. All of the construction disturbances would occur within a 120-foot-wide temporary construction ROW and permanent surface disturbance would occur within a 50-foot-wide ROW.

As proposed, the access road length would total approximately 185.31 feet. The proposed access road would be constructed within a 66-foot-wide right-of-way (ROW) between the existing access road and the proposed station. In total, the access road would impact approximately 0.28 acres.

## **5. Materials Information and Corrosion Rates**

### **Steel Pipe**

Arrow proposes to construct the oil and NGL pipelines using new steel pipe rated by the American Petroleum Institute (API) as 5L X52. Arrow would ensure that each steel pipe segment is coated with approximately 14 to 16 millimeters of fusion bonded epoxy coating. Further, Arrow would deploy an active cathodic protection system for all steel pipe, which further reduces the likelihood of external corrosion. Arrow would ensure that each steel pipe segment is allotted a 1/16-inch corrosion allowance; however, because of the non-corrosive nature of Bakken crude and the low concentrations of hydrogen sulfide, Arrow does not anticipate any external or internal corrosion during the operating lifetime of the pipe, which, at a minimum, is estimated to be 50 years.

### **Fiberspar® or Similar Pipe**

Arrow proposes to construct the produced water pipeline using a material known as Fiberspar or one with the same corrosion-resistant characteristics as Fiberspar. This type of material is not subject to internal or external corrosion.

## **6. Spill Response Plan**

Arrow has developed a Spill Response Plan (Plan) (Middick 2011<sup>1</sup>) for the Arrow Phase 3 Southwest pipeline system. The spill preventative measures and monitoring protocols, notification procedures, spill detection and on-scene spill mitigation procedures, response activities, contacts, training and drill procedures, and response plan review and update procedures, as referenced in the Plan, apply to the proposed pipelines. A copy of the Plan has been filed with the BIA and Arrow has legally committed to adhering to the procedures and

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<sup>1</sup> Middick, Andy. 2011. *Operations Monitoring and Spill Response Plan*. Blackshare Environmental Solutions. Oklahoma City, Oklahoma.

requirements as defined by federal law (Title 49 Code of Federal Regulations [CFR] 194). Arrow has committed to submitting a spill response plan, specific to this proposed project, to the BIA prior to the commencement of construction activities.

## **7. Pipeline Marking Procedures**

Arrow adheres to the requirements of 49 CFR 192.707 with regard to the marking of buried pipelines. Specifically, Arrow would place pipeline markers within 1,000 feet of one another, at all public road crossings, railroad crossings, creek crossings, fence crossings, and at all points of major direction change.

## **8. Quality Control/Quality Assurance Measures**

Arrow purchases steel pipe that is rated as API 5L X52 and inspects all pipe while at the mill to ensure quality. Arrow is also present to ensure that external epoxy coating is applied to a minimum thickness of 14 millimeters. During construction, all welds are visually inspected for quality and completeness by qualified professionals. Once welds have passed visual inspection, they are subjected to 100 percent non-destructive testing. After passing these tests, the weld areas are covered for corrosion protection. After the weld areas have been covered, the external coating of the pipe is inspected using a jeepmeter to detect holes and cracks. The pipe is lowered into the trench and buried. Prior to being put into service, the steel pipe is hydrotested to approximately 1.5 times the minimum design pressure of 1,180 pounds per square inch gauge (psig). The produced water pipe is designed to sustain a minimum pressure of 750 psig and is hydrotested to approximately 900 psig prior to being approved for service.

## **9. Valve Locations**

Two valves would be installed at each end of the proposed pipelines. One valve would be installed at the well location while the second valve would be installed at the proposed tie-in. The installation of two valves would allow Arrow to isolate the proposed pipelines if required.

## **10. Resource Surveys**

SWCA Environmental Consultants (SWCA) conducted natural resource surveys for threatened and endangered species habitat, migratory bird nesting habitat, bald and golden eagles nests and habitat, and wetlands on January 31, 2012. Those in attendance agreed the selected location would minimize potential impacts to sensitive resources. No habitat critical to the survival of threatened and endangered species, potential eagle nests, or wetlands were observed during the natural resource surveys.

No wildlife was observed during the natural resource survey. Herbaceous upland plant species observed within the project area included sweet clover (*Melilotus Sp*), purple cone flower (*Echinacea angustifolia*), smooth brome (*Bromus inermis*), little bluestem (*Schizachyrium scoparium*), western wheatgrass (*Pascopyrum smithii*), and fringed sagewort (*Artemisia frigida*).

A cultural resource inventory of this compressor station site was conducted by personnel of SWCA Environmental Consultants, using an intensive pedestrian methodology. Approximately 22.51 acres were inventoried on January 31, 2012 (Herson and Riordan 2012). 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 March 2, 2012; however the THPO did not respond within the allotted 30 day comment period.

Herson, Chandler, and Carolyn Riordan

(2012) A Class I and Class III Cultural Resource Inventory of the Arrow Station #2: Phase 1B Highway 22 South Compressor Station, Access Road and Pipeline, Fort Berthold Indian Reservation, McKenzie County, North Dakota. SWCA Environmental Consultants for Arrow Pipeline, LLC, Tulsa, OK.

## **11. Potential Effects**

Potential direct impacts to cultural resource sites would occur as a result of disturbance and/or the loss of sites eligible for the National Register of Historic Places. However, no cultural resources were recorded within the surveyed area.

Potential direct impacts to natural resources may include the loss of native vegetation and wildlife habitat, soil disturbance, and erosion during construction that may adversely affect air and water quality. Impacts would be mitigated by using best management practices during construction to minimize disturbance. Once construction activities are completed, reclamation would take place and would include the return of topsoil and contouring, and seeding of native vegetation. Arrow commits to beginning the reclamation process no later than 6 months after construction activities are completed.

Potential indirect impacts include noise and other disturbances to wildlife during construction and the introduction of noxious weeds. Impacts would be mitigated by avoiding any federally listed threatened or endangered species or wetlands, avoiding of nesting migratory birds, implementing best management practices to control the introduction of noxious weeds, and minimizing the length of time between initial disturbance and reclamation. These mitigation measures are consistent with the approved National Environmental Policy Act (NEPA) document, which received a finding of no significant impact (March 2009).

## **12. Reclamation**

### **Interim Reclamation**

Reclamation would continue over the life of the station and would include the return of topsoil, and contouring and seeding of native vegetation. Initial reclamation would be required 6 months after construction, if environmentally feasible, and then following any maintenance work or additions of infrastructure. Reclamation would be required before final abandonment of the decommissioned compressor station. A successful reclamation would at all times be the responsibility of the operator.

Applicable short- and long-term best management practices would be used to minimize and control erosion in disturbed areas. To reduce compaction, the station would be plowed before the stockpiled topsoil is distributed.

The disturbed areas would be reclaimed and contoured as soon as possible after construction is complete. The disturbed area outside of the working station would be covered with stockpiled topsoil and seeded with a seed mixture determined by the BIA. Arrow would control noxious weeds within the ROW and other applicable facilities by approved chemical or mechanical methods. If seeding of the ROW does not occur due to growing season constraints, Arrow would deploy approved weed-free hay across the entire ROW. The presence of hay across the ROW would reduce the potential for excessive erosion as a result of spring snow melt and precipitation.

The entire ROW would be monitored for erosion, subsidence, and noxious weeds. In areas where problems are found to occur, reclamation efforts would continue until the BIA feels the ROW is successfully reclaimed. Reclamation is considered successful when:

- seeded areas are established;
- adjacent vegetative communities spread back into the disturbed areas; and
- noxious weeds are under control.

If after two growing seasons the new seeding is not successful, the BIA may require additional efforts to establish vegetation. The BIA has developed a weed management plan to treat known or likely to occur noxious weed species.

### **Final Reclamation**

Final reclamation would occur when the station is decommissioned. All disturbed areas would be reclaimed, reflecting the BIA's view of oil and gas exploration and production as temporary intrusions on the landscape. All facilities would be removed. Access roads and work areas would be leveled or backfilled as necessary, scarified, recontoured, and seeded.

### **13. Applicable NEPA Document**

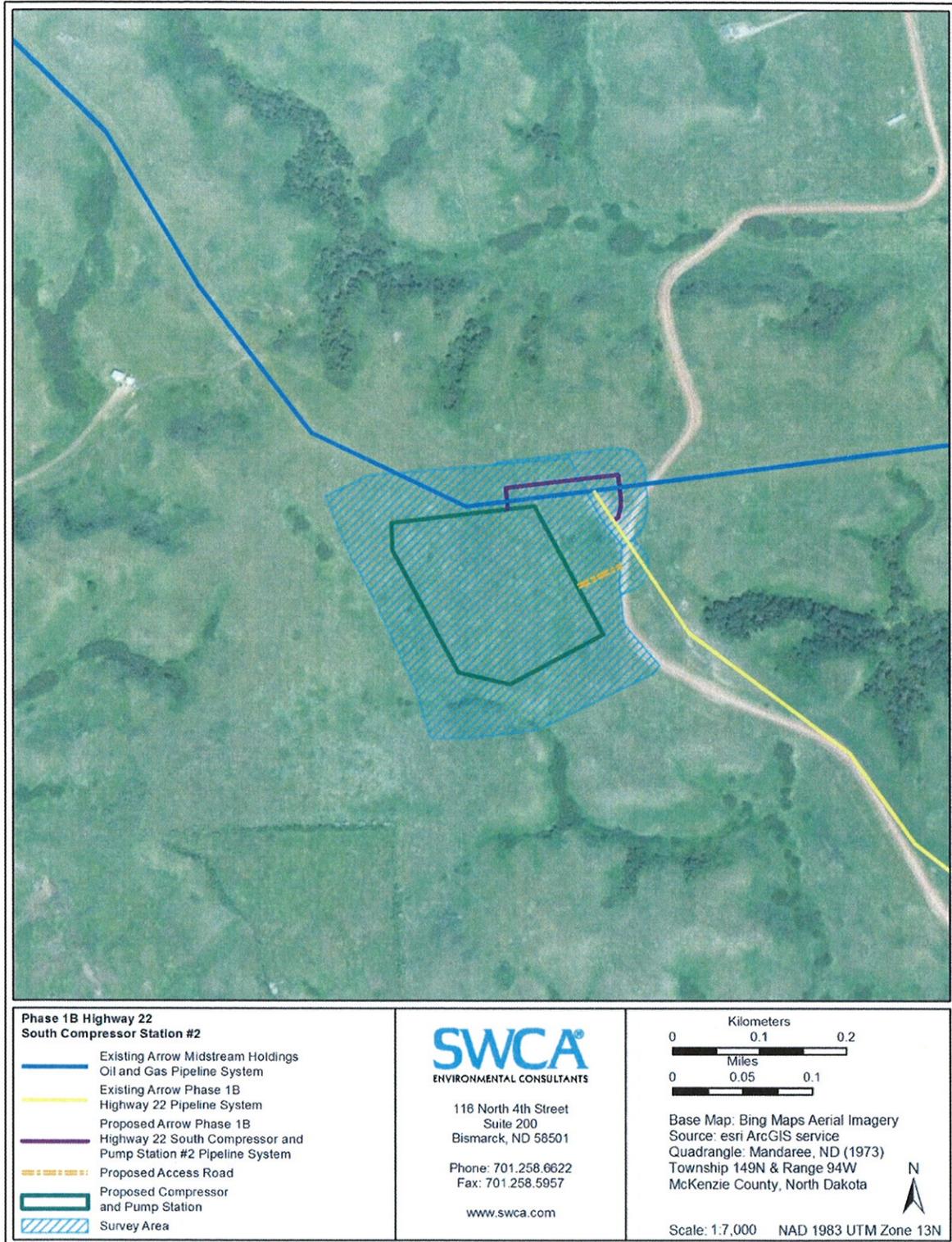
*Environmental Assessment and Finding of No Significant Impact Midstream Holdings, LLC Oil and Gas Gathering System (March 2009).*

### **14. NEPA Adequacy Criteria**

This document has identified the above-mentioned previously prepared NEPA document, which adequately describes the environmental consequences of the newly proposed action described herein, and meets the following NEPA Adequacy Criteria.

1. The proposed action is substantially the same action and at the site specifically analyzed in the existing NEPA document.
2. The range of alternatives is reasonable with respect to the current proposed action in the existing NEPA document, which appropriately considers and analyzes current environmental concerns, interests, and resource values.
3. The existing analysis and conclusions are adequate in the existing NEPA document. The analysis is still valid in light of new studies or resource assessment information.
4. The methodology and analytical approach used in the existing NEPA document continues to be appropriate for the proposed action.
5. The direct and indirect impacts of the proposed action are unchanged from those identified in the existing NEPA document.
6. The cumulative impacts that would result from implementation of the proposed action are unchanged from those analyzed in the existing NEPA document.
7. A 30-day comment period involving public input and interagency review was used in the development of the existing NEPA document.

*Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the Existing Phase 1B Highway 22 South Pipeline System  
(April 2012)*



**Figure 1. Proposed Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station Location.**

*Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the Existing Phase 1B Highway 22 South Pipeline System  
(April 2012)*



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

MAR 02 2012

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 proposed compressor station and ancillary facilities in McKenzie County, North Dakota. Approximately 22.51 acres were intensively inventoried using a pedestrian methodology. Potential surface disturbances are not expected to exceed the area depicted in the enclosed report. No historic properties were located that 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 this undertaking. Catalogued as **BIA Case Number AAO-2059/FB/12**, the proposed undertaking, location, and project dimensions are described in the following report:

Herson, Chandler, and Carolyn Riordan  
(2012) A Class I and Class III Cultural Resource Inventory of the Arrow Station #2: Phase 1B Highway 22 South Compressor Station, Access Road and Pipeline, Fort Berthold Indian Reservation, McKenzie County, North Dakota. SWCA Environmental Consultants for Arrow Pipeline, LLC, Tulsa, OK.

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,

Regional Director

Enclosure

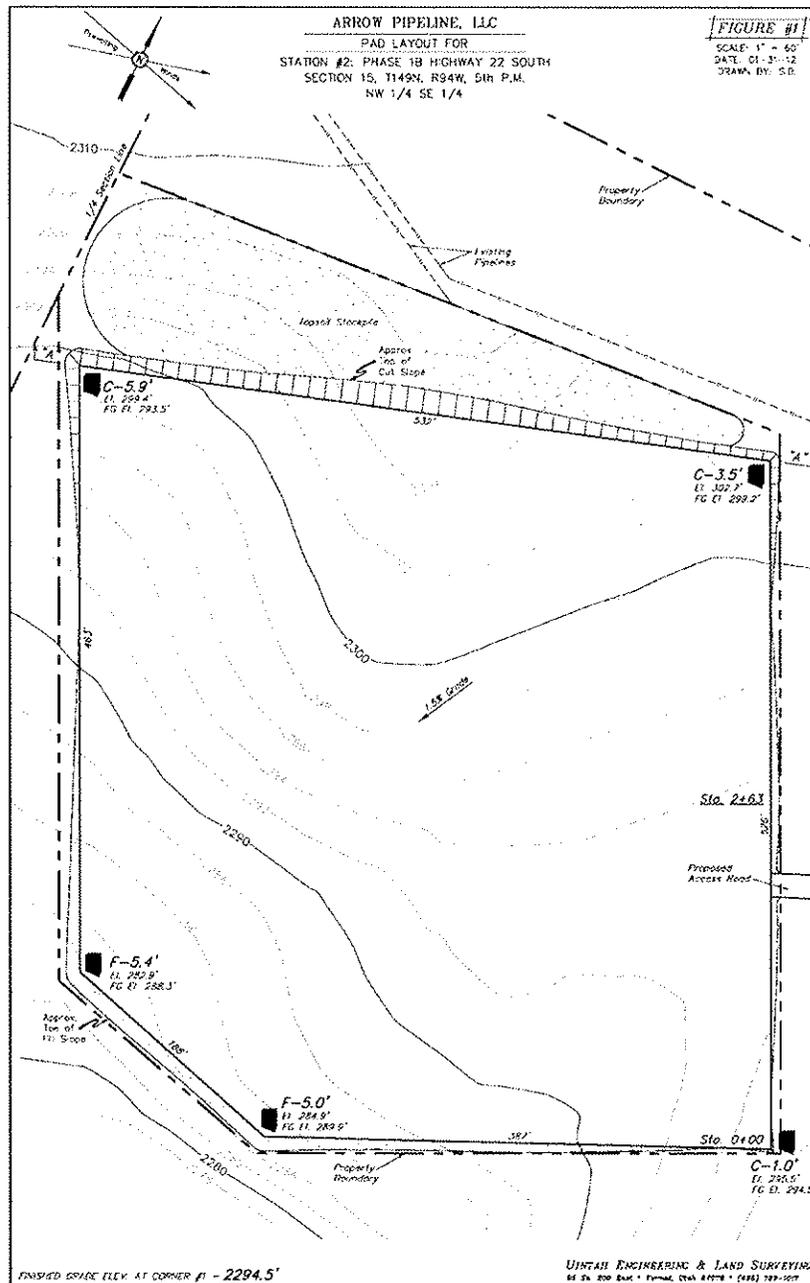
cc: Chairman, Three Affiliated Tribes  
Superintendent, Fort Berthold Agency

**APPENDIX A**

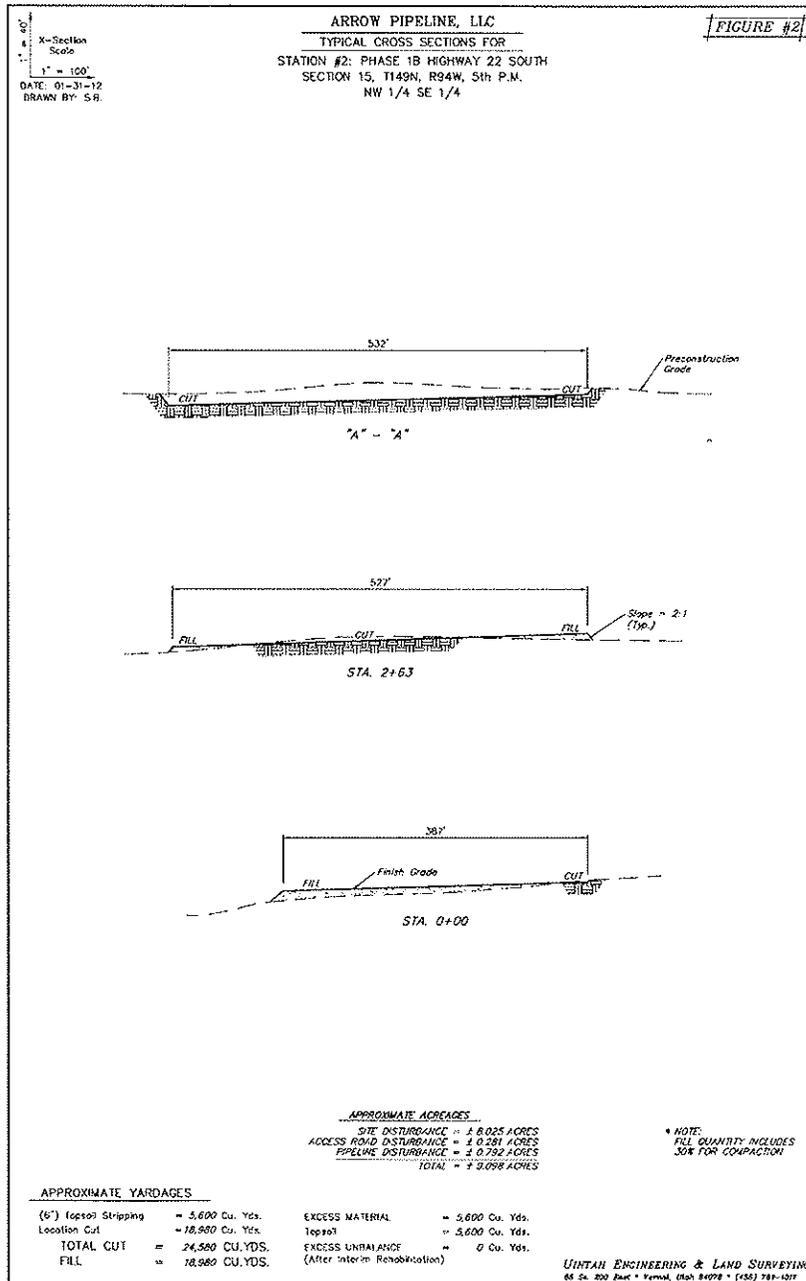
**Right-of-Way Plats for Arrow Station #2 Phase 1B Highway 22 South  
Compressor and Pump Station**

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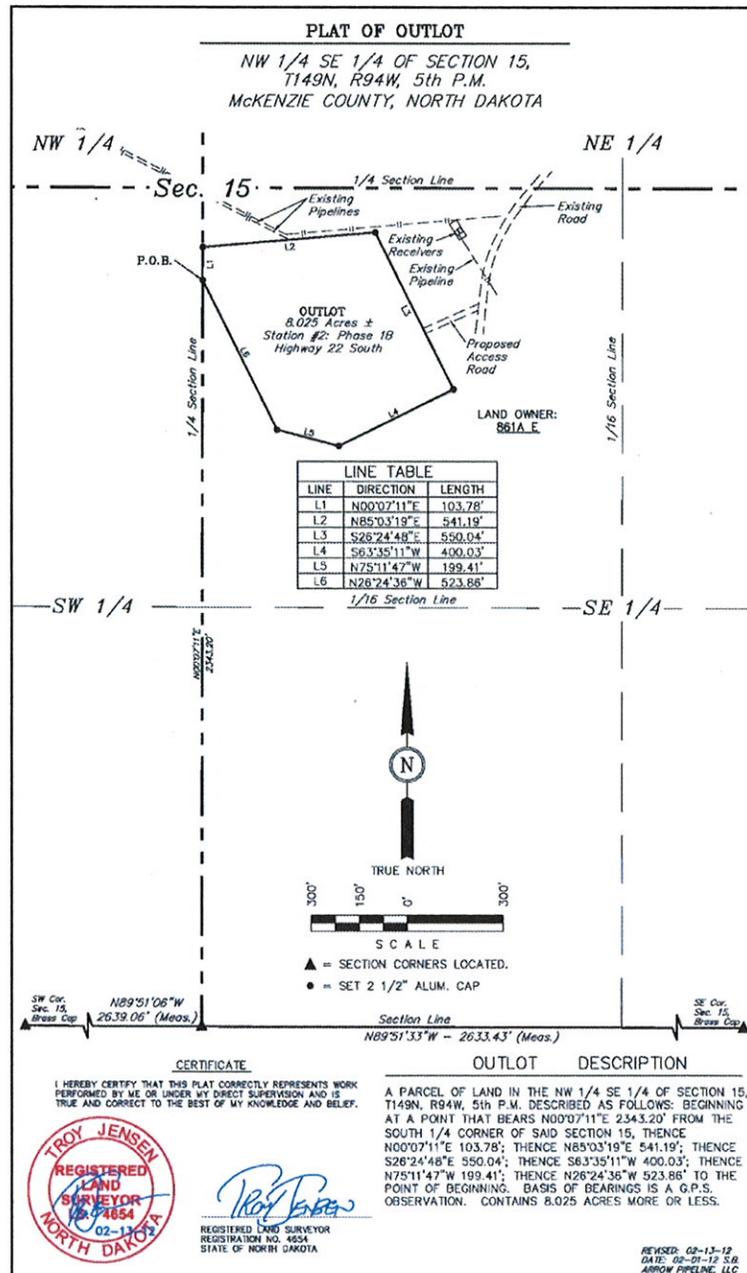
Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow  
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 Highway 22 South Pipeline System  
 (April 2012)



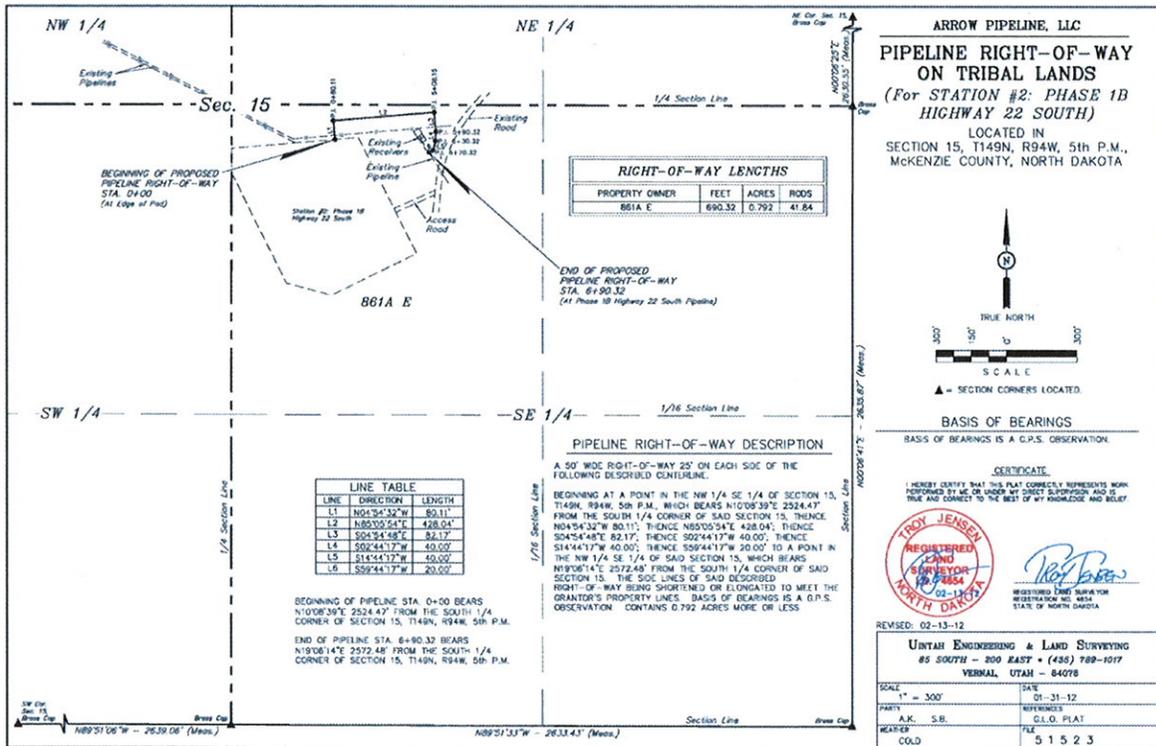
Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow  
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(April 2012)*

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ARROW PIPELINE, LLC  
STATION #2: PHASE 1B HIGHWAY 22 SOUTH  
PIPELINE RIGHT-OF-WAY  
SECTION 15, T149N, R94W, 5th P.M.

TOTAL PIPELINE RIGHT-OF-WAY ON TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 690.32' OR 0.131 MILES. WIDTH OF RIGHT-OF-WAY IS 50' (25' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 0.792 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF MONTANA }  
COUNTY OF RICHLAND } SS

TROY JENSEN, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR ARROW PIPELINE, LLC, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION); THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE PIPELINE RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHT-OF-WAY, 0.131 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.



  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 4854  
STATE OF NORTH DAKOTA

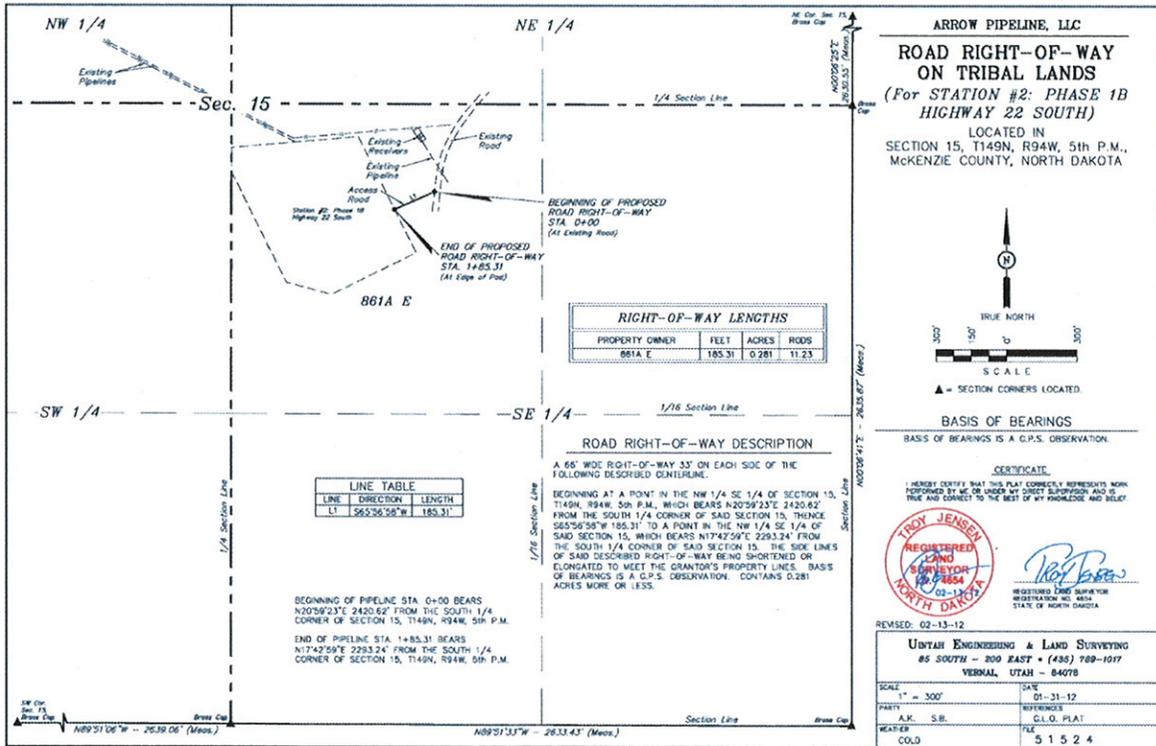
APPLICANT'S CERTIFICATE

I, JOHN M. DOLAN, DO HEREBY CERTIFY THAT I AM THE V.P. OF ENGINEERING FOR ARROW PIPELINE, LLC, HERINAFTER DESIGNATED THE APPLICANT; THAT TROY JENSEN WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS PIPELINE RIGHT-OF-WAY, 0.131 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 6+90.32, THAT SAID PIPELINE RIGHT-OF-WAY IS ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
V.P. OF ENGINEERING  
TITLE

Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow  
Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the Existing Phase 1B  
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(April 2012)



*Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the Existing Phase 1B Highway 22 South Pipeline System  
(April 2012)*

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ARROW PIPELINE, LLC  
STATION #2: PHASE 1B HIGHWAY 22 SOUTH  
ROAD RIGHT-OF-WAY  
SECTION 15, T149N, R94W, 5th P.M.

TOTAL ROAD RIGHT-OF-WAY ON TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 185.31' OR 0.035 MILES. WIDTH OF RIGHT-OF-WAY IS 66' (33' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 0.281 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF MONTANA }  
COUNTY OF RICHLAND } SS

TROY JENSEN, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR ARROW PIPELINE, LLC, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION); THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE ROAD RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHT-OF-WAY, 0.035 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.



  
REGISTERED LAND SURVEYOR  
REGISTRATION NO. 4654  
STATE OF NORTH DAKOTA

APPLICANT'S CERTIFICATE

I, JOHN M. DOLAN, DO HEREBY CERTIFY THAT I AM THE V.P. OF ENGINEERING FOR ARROW PIPELINE, LLC, HERINAFTER DESIGNATED THE APPLICANT; THAT TROY JENSEN WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS ROAD RIGHT-OF-WAY, 0.035 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 1+85.31, THAT SAID ROAD RIGHT-OF-WAY IS ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
V.P. OF ENGINEERING  
TITLE

# **Notice of Availability and Appeal Rights**

Arrow Pipeline, L.L.C: Addendum to Environmental Assessment to Authorize Land Use for the Construction of the Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the Existing Phase 1B Highway 22 South Pipeline System

**The Bureau of Indian Affairs (BIA) is planning to issue administrative approvals related to an Addendum to Authorize Land Use for the Construction of the Arrow Station #2 Phase 1B Highway 22 South Compressor and Pump Station on the Existing Phase 1B Highway 22 South Pipeline System on the Fort Berthold Reservation as shown on the attached map. Construction by Arrow Pipeline, L.L.C. is expected to begin in 2012.**

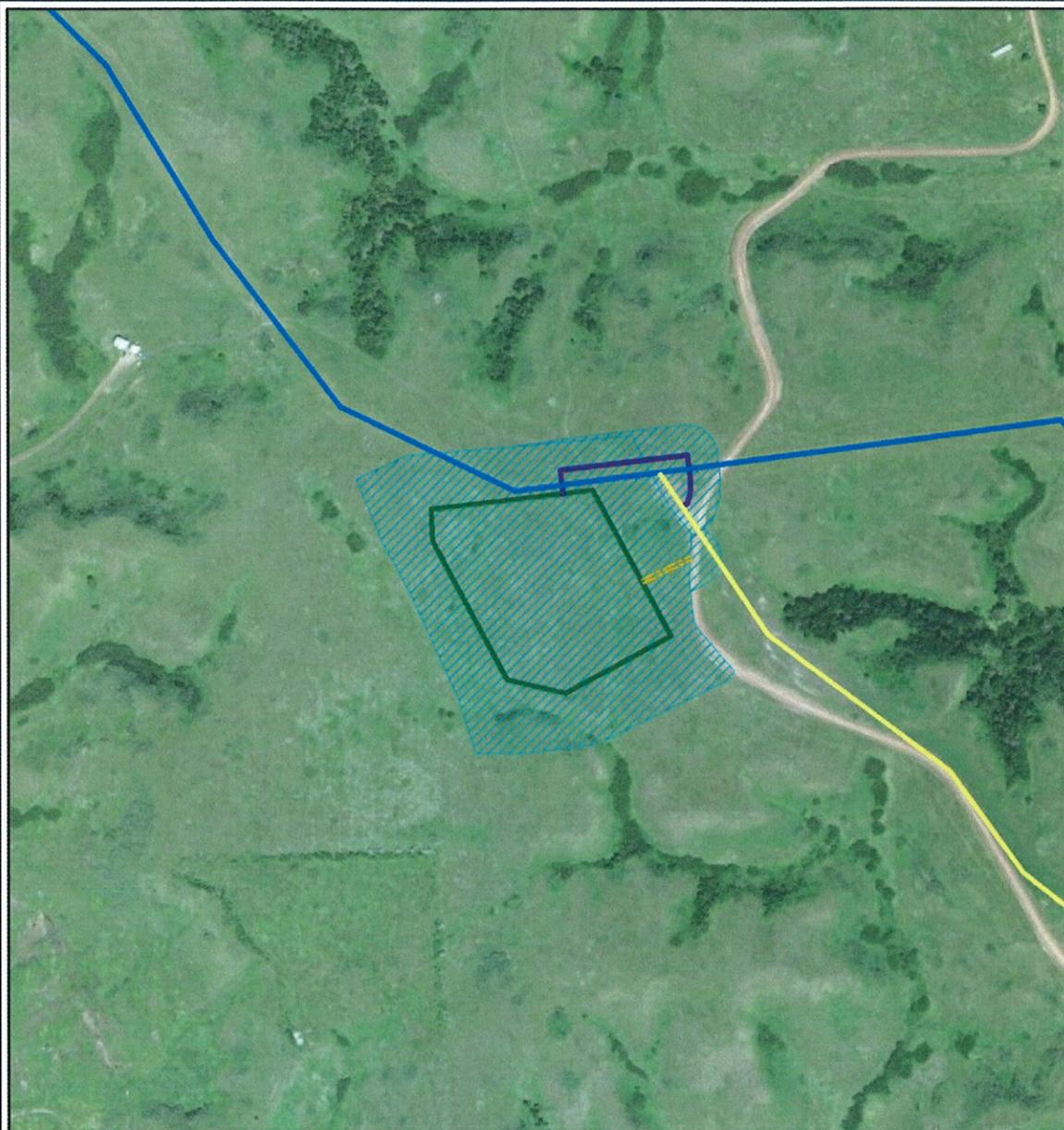
**An environmental assessment (EA) determined that proposed activities will not cause significant impacts to the human environment. An environmental impact statement is not required. Contact Earl Silk, Superintendent at 701-627-4707 for more information and/or copies of the EA and the Finding of No Significant 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 May 10 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.**



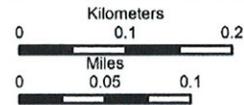
- Phase 1B Highway 22  
South Compressor Station #2**
-  Existing Phase 1 Arrow Pipeline
  -  Existing Phase 1B Highway 22 Arrow Pipeline
  -  Proposed Phase 1B Highway 22 South Compressor Station #2 Pipeline
  -  Proposed Access Road
  -  Survey Area
  -  Proposed Compressor Station

**SWCA**  
ENVIRONMENTAL CONSULTANTS

116 North 4th Street  
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Base Map: Bing Aerial Imagery  
Source: esri ArcGIS service  
Quadrangle: Mandaree, ND (1973)  
Township 149N & Range 94W  
McKenzie County, North Dakota



Scale: 1:7,000 NAD 1983 UTM Zone 13N