



United States Department of the Interior

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



IN REPLY REFER TO:
DESCRM
MC-208

EXCEPTION CHECKLIST FOR BIA CATEGORICAL EXCLUSIONS

Date: 10/14/2010

Project: Supplemental to Environmental Assessment for Saddle Butte Pipeline, Red Tipped Arrow 33-11H Well Site to Bear Paw Energy Connection, January 2010, to authorize the use of an existing two-track trail for access to the previously approved pipeline right-of-way.

Nature of Proposed Action: The purpose of the proposed action is to authorize Saddle Butte Pipeline to use an existing two-track trail in Sections 18 and 19, Township 151N, Range 91W to access their previously approved right-of-way for the proposed Red Tipped Arrow Pipeline. Use of the two-track trail will allow Saddle Butte Pipeline to position their boring machine in a location to bore under an adjacent intermittent stream and adjacent wetlands and up a steep unstable side slope. The landowner has previously improved the trail for his own needs and no new surface disturbances will be associated with this project. Vehicle and machinery access using this route will be minimized to every extent practicable. Wooden planks will be placed across an intermittent stream crossing to minimize disturbance to the area.

Exclusion category and number: 516 DM 10.5L(10)

Evaluation of Exceptions to use of Categorical Exclusion:

1. This action would have significant adverse effects on public health or safety. No X 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 X Yes _____
3. The action will have highly controversial environmental effects. No X Yes _____
4. The action will have highly uncertain environmental effects or involve unique or unknown environmental risks. No X Yes _____
5. This action will establish a precedent for future actions. No X Yes _____
6. This action is related to other actions with individually insignificant, but cumulatively significant environmental effects. No X 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: Grady Wolf, Environmental Scientist, Kadrmas, Lee & Jackson, Bismarck, ND

Regional Archeologist Concurrence with Item 7 Cannon Dr. Mearl

Concur: Jeffrey R. Davis Date: 10/14/2010
Regional Office/Agency Environmental Coordinator

Concur: Walt Date: 10/15/10
Regional Director/Superintendent