



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

JUL 11 2011

MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: Regional Director, Great Plains Region 

SUBJECT: Supplemental to Environmental Assessment

Attached for your files is a copy of the Categorical Exclusion for the proposed Supplemental for information tiering off of an existing Environmental Assessment for EOG Resources. This proposed action authorizes one additional well on the Mandaree 7-17H well pad, no new surface disturbances will be associated with this action.

In compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended, all the necessary requirements of the National Environmental Policy Act have been completed.

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, Dickenson, ND (with attachment)
Jeffrey Hunt, Fort Berthold Agency



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: 7/1/2011

Project: Supplemental to Environmental Assessment: EOG Resources, Inc. Proposed Five Exploratory Well: Mandaree 09-04H, Mandaree 11-06H, Mandaree 03-08H, Mandaree 01-10H, Mandaree 07-17H (December 2009) to authorize one additional exploratory Bakken formation well on the Mandaree 07-7H Well Pad on the Fort Berthold Reservation.

Nature of Proposed Action: The purpose of the proposed action is to authorize EOG Resources to drill an additional well to the Bakken formation on the previously approved well pad Mandaree 07-7H. No new surface disturbances will be associated with the proposed action. The additional well will be named Mandaree 109-17H.

Exclusion category and number: 516 DM 10.5G(3)

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: Marilyn Bercier, Regional Environmental Scientist

Regional Archeologist Concurrence with Item 7 Carson M. Mendenhall

Concur: Marilyn Bercier Date: 7/1/11
Regional Office/Agency Environmental Coordinator

Concur: William H. [Signature] Date: 7/1/11
Regional Director/Superintendent

**ENVIRONMENTAL ASSESSMENT
Supplement**

United States Bureau of Indian Affairs

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



EOG Resources, Inc.

**Addendum to Environmental Assessment to Authorize an Additional Well
on the Mandaree 07-17H Well Pad**

Fort Berthold Indian Reservation

July 2011

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

TABLE OF CONTENTS

	<u>Page</u>
1. Purpose and Need for the Proposed Action.....	1
2. Authorities	1
3. Legal Land Description for Proposed Action.....	1
4. Scope of Work for Proposed Action.....	1
5. Cultural Resources.....	1
6. Applicable National Environmental Policy Act (NEPA) Document(s)	2
7. NEPA Adequacy Criteria.....	2

<u>Figure</u>	<u>Page</u>
1 Map of the Mandaree 07-17H and Mandaree 109-17H Location.	3

<u>Appendix</u>	
A Plats, Drawings, and Diagrams for the Mandaree 07-17H and Mandaree 109-17H Well Pad Location	

1. Purpose and Need for the Proposed Action

EOG Resources, Inc. (EOG) is proposing to drill a Middle Bakken Formation oil and gas well on the Fort Berthold Indian Reservation to evaluate and possibly develop the commercial potential of natural resources. Developments have 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.

The purpose of the proposed action is to authorize EOG to drill a second well (Mandaree 109-17H) to explore the potential of the Middle Bakken Formation, on the approved Mandaree 07-17H well pad.

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 well pad is located 3.8 miles west of Mandaree, North Dakota, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 149 North, Range 94 West, McKenzie County, North Dakota (Figure 1). The proposed Mandaree 109-17H well will have a bottom hole located approximately 4,765 feet south and 1,496 feet east of the surface location, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 149 North, Range 94 West, McKenzie County.

4. Scope of Work for Proposed Action

EOG proposes to drill a second well, which will enter the Middle Bakken Formation, on the approved Mandaree 07-17H well pad. There will be no additional surface disturbance to the existing well pad or access road.

5. Resource Surveys

SWCA Environmental Consultants (SWCA) conducted a cultural resource inventory of this well pad and associated access road using an intensive pedestrian methodology. Approximately 10.6 acres were inventoried for the well pad on September 27, 2009 (Higgins 2009¹). No historic properties were located that appear to possess the quality of integrity and

¹ Higgins, Courtney 2009. A Class I and Class III Cultural Resource Inventory of the EOG Resources, Inc. Mandaree 07-17H Well Pad and Access Road, Fort Berthold Indian Reservation, McKenzie County, North Dakota (October 19, 2009).

meet at least one of the criteria (Title 36 Code of Federal Regulations 60.6) for inclusion on the National Register.

SWCA conducted natural resource surveys for threatened and endangered species, migratory birds, bald and golden eagles, and wetlands on September 27, 2009. Representatives from the BIA and Bureau of Land Management were present during these site visits. No protected species were observed during the survey.

6. Applicable National Environmental Policy Act (NEPA) Document(s)

Environmental Assessment: *EOG Resources, Inc. Proposed Five Exploratory Wells: Mandaree 09-04H, Mandaree 11-06H, Mandaree 03-08H, Mandaree 01-10H, Mandaree 07-17H (December 2009).*

7. 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.

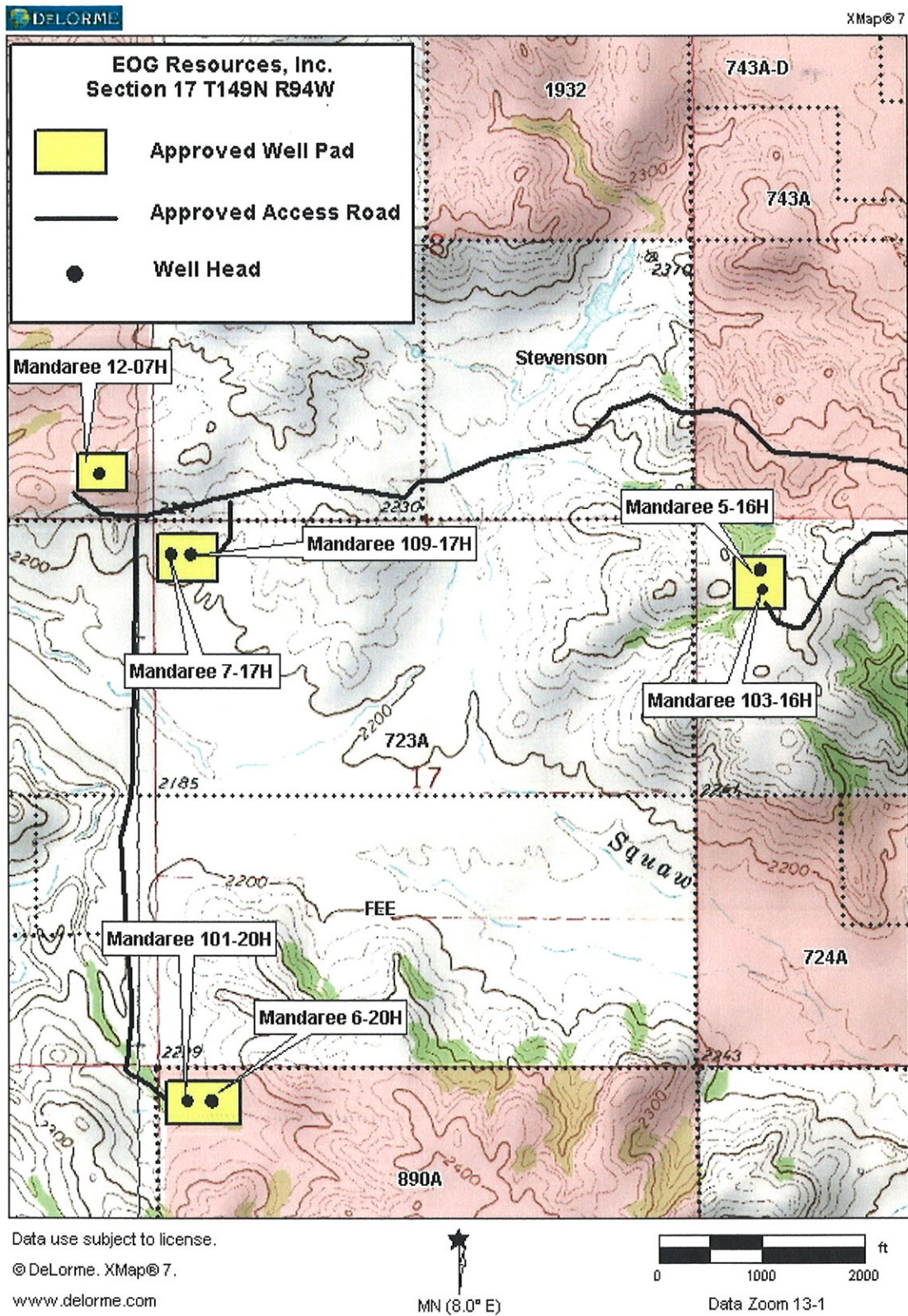


Figure 1. Map of the Mandaree 07-17H and Mandaree 109-17H Location.

APPENDIX A

**Plats, Drawings, and Diagrams for the Mandaree 07-17H and
Mandaree 109-17H Well Pad Location**

Addendum to Environmental Assessment to Authorize an Additional Well
on the Mandaree 07-17H Well Pad (July 2011)

