



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 22 2011

MEMORANDUM

TO: Superintendent, Fort Berthold Agency

FROM: Regional Director, Great Plains Region 

SUBJECT: Supplemental to Environmental Assessment

A Categorical Exclusion has been completed in compliance with the regulations of the National Environmental Policy Act (NEPA) of 1969, as amended. The proposed Supplemental Categorical Exclusion is for information tiering off of an existing Environmental Assessment for EOG Resources, Inc., to authorize one additional well on the Mandaree 04-15H well pad. No new surface disturbances will be associated with the proposed action.

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

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

Attachment

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



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EXCEPTION CHECKLIST FOR BIA CATEGORICAL EXCLUSIONS

Date: 7/18/2011

Project: Supplemental to Environmental Assessment: EOG Resources, Inc. Proposed Nine Exploratory Wells: Mandaree 02-09H, Mandaree 04-15H, Mandaree 05-16H, Mandaree 06-20H, Mandaree 12-07H, Bear Den 08-21H, Clarks Creek 01-21H, Clarks Creek 03-08H, and Riverview 01-32H 1H (January 2011) to authorize one additional exploratory Bakken formation well on the Mandaree 04-15H 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 04-15H. No new surface disturbances will be associated with the proposed action. The additional well will be named Mandaree 108-15H.

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

of Historic Places.

No X Yes _____

8. This action will affect a species listed, or proposed to be listed as endangered or threatened.

No X Yes _____

9. This action threatens to violate federal, state, local or tribal law or requirements imposed for protection of the environment.

No X Yes _____

10. This action will have a disproportionately high and adverse effect on low income or minority populations.

No X Yes _____

11. This action will limit access to, and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites.

No X Yes _____

12. This action will contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or may promote the introduction, growth, or expansion of the range of such species.

No X Yes _____

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

NEPA Action - - - CE X EA _____

Preparer's Name and Title: Marilyn Bercier, Regional Environmental Scientist

Regional Archeologist Concurrence with Item 7 Cameron H. Mendez

Concur: Jeffrey R. Davis
Regional Office/Agency Environmental Coordinator

Date: 7/18/2011

Concur: Walt Tilk
Regional Director/Superintendent

Date: 7-22-11

**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 04-15H 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

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1. Purpose and Need for the Proposed Action

EOG Resources, Inc. (EOG) is proposing to drill a Three Forks 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 108-15H) to explore the potential of the Three Forks Formation, on the approved Mandaree 04-15H 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 2 miles southwest of Mandaree, North Dakota, in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 149 North, Range 94 West, McKenzie County, North Dakota (Figure 1). The proposed Mandaree 108-15H well will have a bottom hole located approximately 4,600 feet north and 1,430 feet west of the surface location, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, 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 Three Forks Formation, on the approved Mandaree 04-15H 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 33.92 acres were inventoried for the well pad on September 14, 2009 (Higgins 2009¹). Two cultural resource sites were newly recorded within the APE of the proposed Mandaree 04-15H well pad. One prehistoric cairn site and one prehistoric stone feature site

¹ Higgins, Courtney 2009. A Class I and Class III Cultural Resource Inventory of the EOG Resources, Inc. Mandaree 04-15H Well Pad and Access Road, Fort Berthold Indian Reservation, McKenzie County, North Dakota (November 17, 2009).

were located during the inventory of Mandaree 04-15H well pad. The stone feature and cairn sites are potential TCPs and avoidance was recommended until the sites could be further evaluated for NRHP eligibility. During the surveys for Mandaree 04-15H, the well pad location was moved to avoid the sites and establish appropriate setbacks. Fencing was used utilized to maintain appropriate setbacks from the features and the recommended avoidance was implemented and followed. No cultural resources were adversely effected during the construction of the well pad.

SWCA conducted natural resource surveys for threatened and endangered species, migratory birds, bald and golden eagles, and wetlands on September 14, 2009. Representatives from the BIA and Bureau of Land Management were present during the site visit. No protected species were observed during the survey.

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

Environmental Assessment: *EOG Resources, Inc. Proposed Nine Exploratory Wells: Mandaree 02-09H, Mandaree 04-15H, Mandaree 05-16H, Mandaree 06-20H, Mandaree 12-07H, Bear Den 08-21H, Clarks Creek 01-21H, Clarks Creek 03-08H, and Riverview 01-32H 1H (January 2010).*

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.

Addendum to Environmental Assessment to Authorize an Additional Well
on the Mandaree 04-15H Well Pad (July 2011)

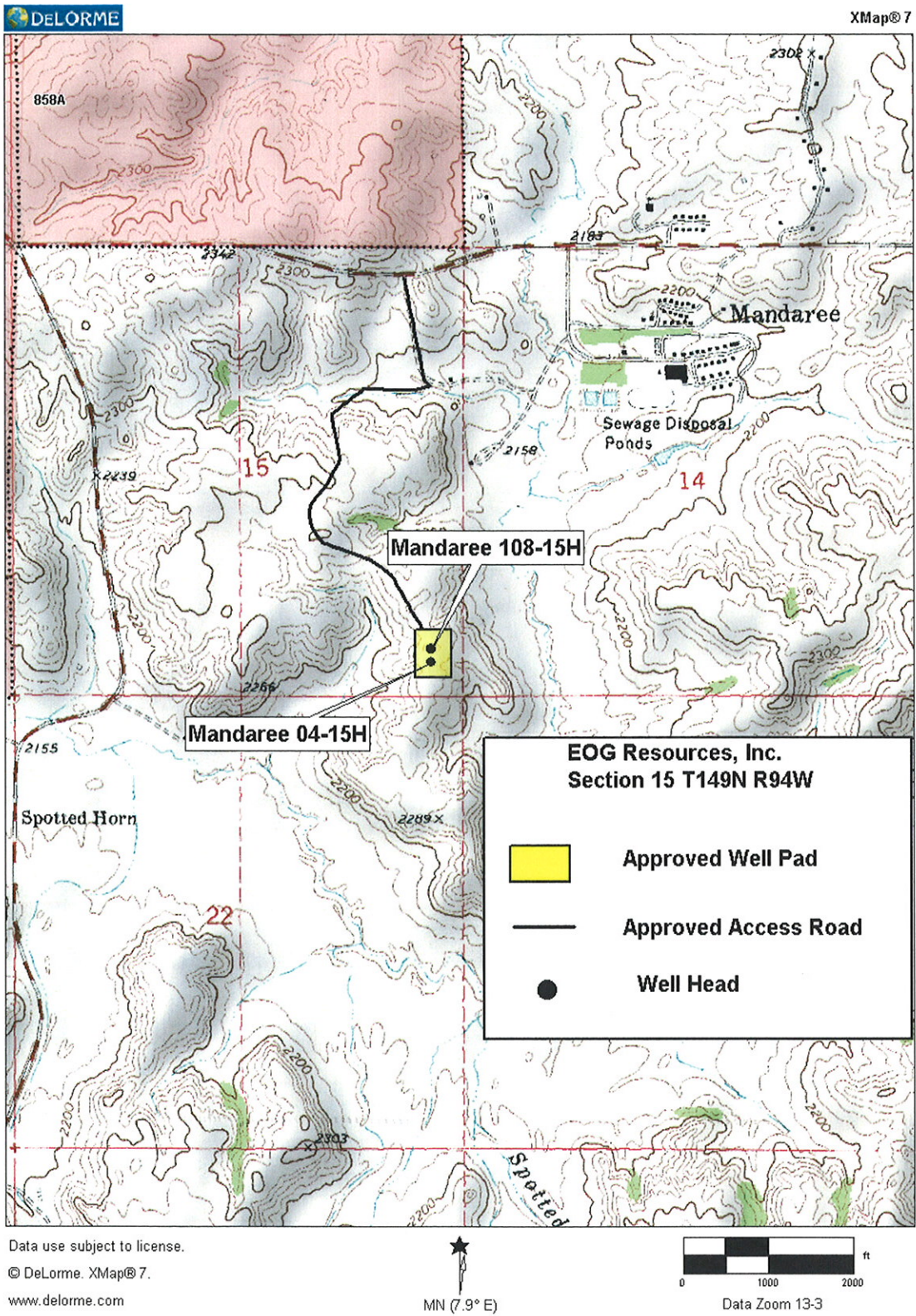
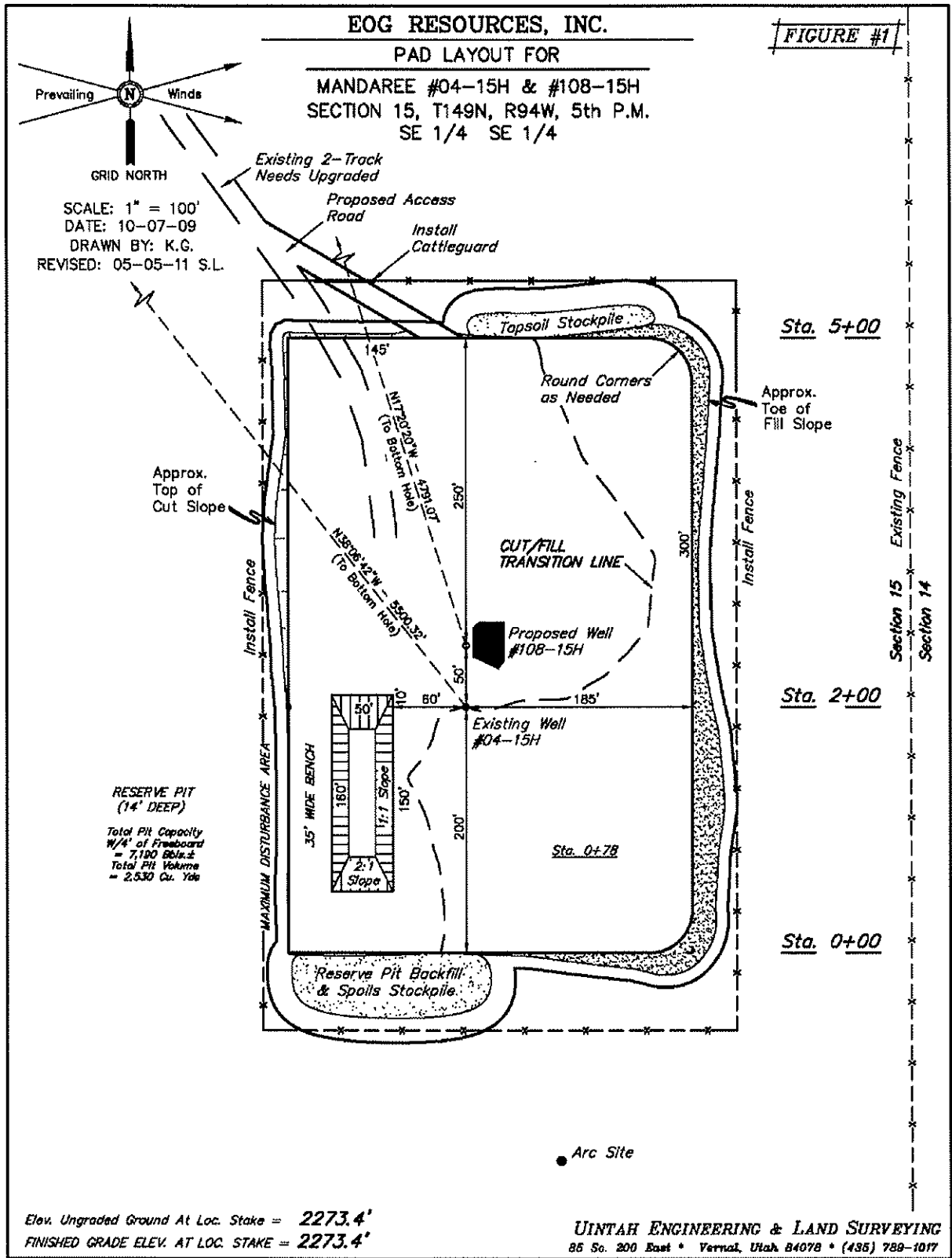


Figure 1. Map of the Mandaree 04-15H and Mandaree 108-15H Location.

APPENDIX A

**Plats, Drawings, and Diagrams for the Mandaree 04-15H
and Mandaree 108-15H Well Pad Location**

Addendum to Environmental Assessment to Authorize an Additional Well
on the Mandaree 04-15H Well Pad (July 2011)

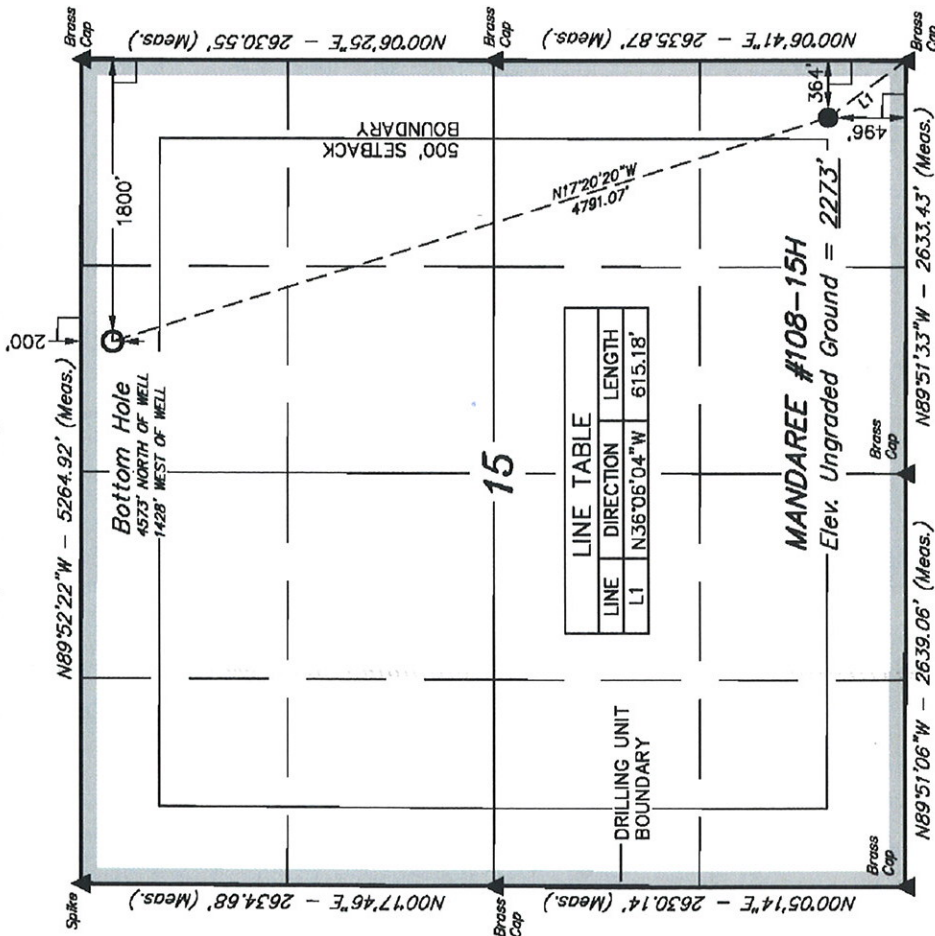


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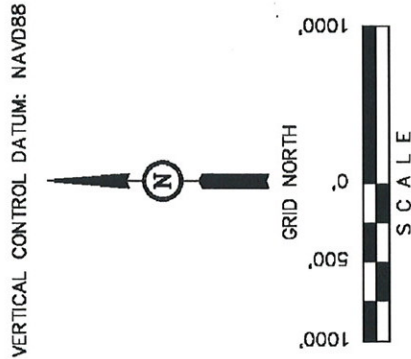
EOG RESOURCES, INC.

Well location, MANDAREE #108-15H, located as shown in the SE 1/4 SE of Section 15, T149N, R94W, 5th P.M., McKenzie, County, North Dakota.

WELL LOCATION PLAT
T149N, R94W, 5th P.M.



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N36°06'04\"W	615.18'



VERTICAL CONTROL DATUM: NAVD88

CERTIFICATE.
I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Troy Jensen
REGISTERED LAND SURVEYOR
REGISTRATION NO. 4654
STATE OF NORTH DAKOTA

UINTAH ENGINEERING & LAND SURVEYING
85 SOUTH 200 EAST - VERNAL, UTAH 84078
(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 09-27-09	DATE DRAWN: 05-05-11
PARTY R.P. C.N. S.L.	REFERENCES G.L.O. PLAT	
WEATHER COOL	FILE	EOG RESOURCES, INC.

[derived from: N.G.S. Q.P.U.S. Solution REF FRAME: NAD_83(CORS98)(EPOCH:2002.0000)]

NAD 83 (TARGET BOTTOM HOLE)	NAD 83 (SURFACE LOCATION)
LATITUDE = 47°43'52.95" (47.731375)	LATITUDE = 47°43'07.85" (47.718847)
LONGITUDE = 102°41'34.33" (102.692869)	LONGITUDE = 102°41'13.34" (102.687039)
NAD 27 (TARGET BOTTOM HOLE)	NAD 27 (SURFACE LOCATION)
LATITUDE = 47°43'52.90" (47.731356)	LATITUDE = 47°43'07.81" (47.718836)
LONGITUDE = 102°41'32.84" (102.692400)	LONGITUDE = 102°41'11.65" (102.686569)

- LEGEND:**
- = 90° SYMBOL
 - = PROPOSED WELL HEAD.
 - ▲ = SECTION CORNERS LOCATED