



**KEITU**  
ENGINEERS & CONSULTANTS, INC.

2610 OLD RED TRAIL STE. C  
MANDAN, ND 58554-1447  
701-667-1800

**RECEIVED**

NOV 04 2010

**PUBLIC SERVICE COMMISSION**

November 3, 2010

North Dakota Public Service Commission  
600 East Boulevard Avenue  
Dept. 408  
Bismarck, ND 58505-0480

Attn: Patrick Fahn

Re: Bridger Pipeline LLC  
Case No. PU-09-750

Please find enclosed the supporting documentation for coverage under the Nationwide 12 General Permit for the US Corps of Engineers for Bridger Pipeline, LLC Four Bears Pipeline project. This permit allows the contractor to open cut most water body crossings rather than directionally bore these crossings or wetlands.

Two remaining streams, the Little Missouri River and the Green River, are not covered by this permit. These two crossings will be drilled horizontally in addition to the two wetlands involved in the October 2010 landowner issue reroutes.

I have enclosed a copy of the Permit and supporting documentation for the Commission's files. Please feel free to contact us with questions or comments.

Sincerely,

Kathleen M Spilman, PE  
Managing Director

*Enclosure*

cc: Deb Bell with attachments  
John W. Morrison (email)



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, OMAHA DISTRICT  
NORTH DAKOTA REGULATORY OFFICE  
1513 SOUTH 12<sup>TH</sup> STREET  
BISMARCK ND 58504-6640  
November 2, 2010

COPY

North Dakota Regulatory Office

[NWO-2010-1774-BIS]

Keitu Engineers & Consultants, Inc.  
ATTN: Kathleen M. Spilman, PE, Managing Director  
2610 Old Red Trail, Suite C  
Mandan, North Dakota 58554-1447

Dear Ms. Spilman:

1. **Project Authorization.** We have reviewed your request on behalf of **Bridger Pipeline, LLC** for Department of the Army (DA) authorization to install 76.6 miles of 12-inch crude oil pipeline from Bridger's existing Heart River pipeline and future Skunk Hills crude truck unloading station approximately 18 miles northwest of Dickinson, North Dakota. It will connect to two existing Bridger and Belle Fourche pipelines. A truck terminal, storage tanks and pump facility will be installed at the north end of the pipeline. The line will cross the Little Missouri, Knife, Little Knife and Green Rivers; Spring, Indian, Crooked, Gumbo, Jim, Frank, Deep, Dry and Clear Creeks; 91 tributaries to these rivers and creeks; and 8 additional areas identified as wetlands. River and major creek crossings are to be installed utilizing the horizontal directional drilling (HDD) method. These crossings may require installation of temporary bridges to allow equipment to cross during construction. Methods of crossing tributaries, drainages and wetlands will be at the discretion of Bridger's contractors. They may utilize the HDD or 'open cut' methods. Temporary road crossings are to be culverted. Temporary cofferdams and dewatering in some areas may be required. All temporary structures and fills will be removed in their entirety and the areas restored as close as possible to preconstruction contours. To expedite construction, several crews will be working along the route at the same time.

We have prepared a preliminary jurisdictional determination (JD) for the site which is a written indication that the waterway in the project area may be jurisdictional waters of the United States (US). Such waters have been treated as jurisdictional for purposes of computation of impacts and compensatory mitigation requirements. If you concur with the preliminary JD, please sign it and return it to the letterhead address.

If you believe the preliminary JD is inaccurate, you may request this office complete an approved JD prior to commencement of any work in waters of the US. An approved JD is an official determination regarding the presence or absence of such waters. Completion of an approved JD may require coordination with the US Environmental Protection Agency.

If you do not want the Corps to complete an approved JD, you may proceed with your project in accordance with the terms and conditions of Department of the Army Nationwide Permit No.12, found in the March 12, 2007 Federal Register (72 FR 11092), Reissuance of Nationwide Permits. Enclosed is a fact sheet that fully describes this Nationwide Permit and lists the General and Regional Conditions and the Section 401 Water Quality Certification Requirements, if applicable, that must be complied with. **Please note any deviations from the plans and specifications of your project could require additional authorization from this office.**

This verification is valid until the Nationwide Permit is modified, reissued, or revoked. All of the existing nationwide permits are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice when the nationwide permits are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation to complete the activity under the present terms and conditions.

**2. Project Location.** Work would occur in Sections 1, 10, 11, 12 and 15, Township 141 North, Range 98 West; Sections 5 and 6, Township 141 North, Range 97 West; Sections 4, 8, 9, 17, 20, 29 and 32, Township 142 North, Range 97 West; Sections 3, 4, 5, 8, 17, 20, 21, 28 and 33, Township 143 North, Range 97 West; Section 1, 2, 11, 14, 23, 26, 27 and 34, Township 144 North, Range 97 West; Section 6, Township 144 North, Range 96 West; Sections 3, 10, 15, 22, 27 and 34, Township 145 North, Range 96 West; Section 7, Township 146 North, Range 95 West; Sections 1, 12, 13, 23, 24, 26, 27 and 34, Township 146 North, Range 96 West; Sections 2, 11, 13, 14, 24, 25 and 36, Township 147 North, Range 96 West; Sections 1, 12, 13, 23, 26 and 35, Township 148 North, Range 96 West; Sections 6 and 7, Township 148 North, Range 95 West; Sections 6, 7, 17, 18, 20, 21, 28 and 33, Township 149 North, Range 95 West; Section 31, Township 150 North, Range 95 West; Sections 1, 12, 13, 24 and 25, Township 150 North, Range 96 West; Sections 1, 12, 13, 24, 25 and 36; Township 151 North, Range 96 West; and Sections 14, 23, 24, 25 and 36, Township 152 North, Range 96 West, all located in Billings, Dunn and McKenzie Counties, North Dakota.

**3. Project Compliance Certification for Permit No. NWO-2010-1774-BIS.** *In compliance with General Condition 26, you are required to submit the following project compliance certification within thirty (30) days of project completion (initial installation). [Please check all applicable statements]*

- I certify that I have completed the project as permitted.
- I certify that I have completed a modified version of the project.
- I certify that I have completed all required mitigation.

**Permittee's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**4. Other Authorizations.** This determination is applicable only to the permit program administered by the US Army Corps of Engineers. It does not eliminate the need to obtain other Federal, state, tribal, and local approvals before beginning work.

**5. Responsibility.** You are responsible for all work accomplished in accordance with the terms and conditions of this Nationwide Permit. If a contractor or other authorized representative will be accomplishing the work authorized by the Nationwide Permit on your behalf, it is strongly recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the Nationwide Permit. Any activity that fails to comply with all the terms and conditions of the Nationwide Permit will be considered unauthorized and subject to appropriate enforcement action.

6. **Other Special Conditions.** The US Bureau of Land Management (BLM) is recognized as the lead Federal agency responsible for compliance with the National Environmental Policy Act, the Endangered Species Act, and Section 106 of the National Historic Preservation Act.

#### **Endangered Species**

That Bridger Pipeline, LLC shall report any threatened or endangered species at the project site in accordance with local procedures of the BLM. To ensure the administrative record remains accurate, Bridger shall also provide notification to the North Dakota Regulatory Office by telephone, fax or email within 24 hours. Work shall not resume until required coordination is complete and documentation is provided the North Dakota Regulatory Office.

#### **Cultural Resources**

That Bridger Pipeline, LLC and/or its contractor(s), or any of the employees, subcontractors or other persons working in the performance of a contract or contract(s) to complete the work authorized herein, shall cease work immediately and report the discovery of any previously unknown historic or archeological remains in accordance with local procedures of the BLM. To ensure the administrative record remains accurate, Bridger shall also provide notification to the North Dakota Regulatory Office by telephone, fax or email within 24 hours of the discovery. Work shall not resume until the required coordination is complete and documentation is provided the North Dakota Regulatory Office.

#### **Spawning Season**

That no regulated activity within waters of the United States listed as Class III or higher on the 1978 Stream Evaluation Map for the State of North Dakota or on the North Dakota Game and Fish Department's website as a North Dakota Public Fishing Water shall occur between 15 April and 1 June. No regulated activity within the Red River of the North shall occur between 15 April and 1 July.

#### 7. **Additional Information.**

**Suitable Material and 1978 Stream Evaluation Map:** Permittees are reminded that General Condition No. 6 prohibits the use of unsuitable material. In addition, organic debris, some building waste, and materials excessive in fines are not suitable material. Specific verbiage on prohibited materials and the 1978 Stream Evaluation Map for the State of North Dakota can be accessed on the North Dakota Regulatory Office's website at:  
<http://www.nwo.usace.army.mil/html/od-rnd/ndhome.htm>.

8. **Customer Service Survey.** The Omaha District, North Dakota Regulatory Office is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at <http://per2.nwp.usace.army.mil/survey.html>. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return to us by mail or fax.

9. **Points-of-Contact.** If you have any questions concerning this determination, please contact **Toni R. Erhardt** of this office by letter or telephone at 701-255-0015 and reference Authorization Number **NWO-2010-1774-BIS**.

Sincerely

Daniel E. Cimarosti  
State Program Manager  
North Dakota

Enclosures

**COPY**

**U.S. Army Corps of Engineers  
North Dakota Regulatory Office  
1513 South 12th Street  
Bismarck, North Dakota 58504  
Telephone (701) 255-0015 Fax (701) 255-4917**

**IMPORTANT INSTRUCTIONS FOR OUR PERMIT CUSTOMERS**

Notice of the Reissuance of Nationwide Permits was published in the Federal Register [72 FR 11092] on March 12, 2007. The Nationwide Permits went into effect on March 19, 2007. Project compliance certification is required by General Condition 26. The following instructions are provided to clarify the information contained within the nationwide permit authorization letter and attachments.<sup>1</sup>

**STEP 1**

Review the permit authorization and be sure you understand the terms and conditions for the authorization to remain valid. If you do not understand, or have any questions, please do not hesitate to contact this office at the above address.

**STEP 2**

Complete your project in accordance with the permit terms and conditions. [Remember that any deviation from the original plans and specifications of your project could require additional authorization from this office.]

**STEP 3**

Within thirty (30) days of project completion, please complete the permit compliance certification contained within your permit authorization letter. A photocopy of the first page (marked with a colored COPY stamp) has been provided for this purpose. Mark the applicable statements, sign and date where indicated, and forward the COPY to this office at the above address.

---

<sup>1</sup>There is no charge associated with any aspect of this nationwide authorization or the follow-up compliance certification.

# COPY

-2-

This verification is valid until the Nationwide Permit is modified, reissued, or revoked. All of the existing nationwide permits are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice when the nationwide permits are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation to complete the activity under the present terms and conditions.

2. **Project Location.** Work would occur in Sections 1, 10, 11, 12 and 15, Township 141 North, Range 98 West; Sections 5 and 6, Township 141 North, Range 97 West; Sections 4, 8, 9, 17, 20, 29 and 32, Township 142 North, Range 97 West; Sections 3, 4, 5, 8, 17, 20, 21, 28 and 33, Township 143 North, Range 97 West; Section 1, 2, 11, 14, 23, 26, 27 and 34, Township 144 North, Range 97 West; Section 6, Township 144 North, Range 96 West; Sections 3, 10, 15, 22, 27 and 34, Township 145 North, Range 96 West; Section 7, Township 146 North, Range 95 West; Sections 1, 12, 13, 23, 24, 26, 27 and 34, Township 146 North, Range 96 West; Sections 2, 11, 13, 14, 24, 25 and 36, Township 147 North, Range 96 West; Sections 1, 12, 13, 23, 26 and 35, Township 148 North, Range 96 West; Sections 6 and 7, Township 148 North, Range 95 West; Sections 6, 7, 17, 18, 20, 21, 28 and 33, Township 149 North, Range 95 West; Section 31, Township 150 North, Range 95 West; Sections 1, 12, 13, 24 and 25, Township 150 North, Range 96 West; Sections 1, 12, 13, 24, 25 and 36; Township 151 North, Range 96 West; and Sections 14, 23, 24, 25 and 36, Township 152 North, Range 96 West, all located in Billings, Dunn and McKenzie Counties, North Dakota.

3. **Project Compliance Certification for Permit No. NWO-2010-1774-BIS.** *In compliance with General Condition 26, you are required to submit the following project compliance certification within thirty (30) days of project completion (initial installation). [Please check all applicable statements]*

- I certify that I have completed the project as permitted.
- I certify that I have completed a modified version of the project.
- I certify that I have completed all required mitigation.

Permittee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

4. **Other Authorizations.** This determination is applicable only to the permit program administered by the US Army Corps of Engineers. It does not eliminate the need to obtain other Federal, state, tribal, and local approvals before beginning work.

5. **Responsibility.** You are responsible for all work accomplished in accordance with the terms and conditions of this Nationwide Permit. If a contractor or other authorized representative will be accomplishing the work authorized by the Nationwide Permit on your behalf, it is strongly recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the Nationwide Permit. Any activity that fails to comply with all the terms and conditions of the Nationwide Permit will be considered unauthorized and subject to appropriate enforcement action.

**PRELIMINARY JURISDICTIONAL DETERMINATION FORM**

**BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): November 2, 2010**

**B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:**

Bridger Pipeline LLC  
Attn: Tad True  
PO Drawer 2360  
Casper, Wyoming 82602

By: Keitu Engineers & Consultants, Inc.  
Attn: Kathleen Spilman, PE  
2610 Old Red Trail, Suite C  
Mandan, North Dakota 58554

**C. DISTRICT OFFICE, FILE NAME, AND NUMBER: Omaha District (ND Reg Ofc) | NWO-2010-1774-BIS | Bridger Pipeline LLC - 12-inch Crude Oil Pipeline (76.6 miles in Billings, Dunn and McKenzie Counties.**

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:** This project begins northwest of Dickinson at the Green River Valve Station 76.6 miles to just north of Highway 23 and approximately 16.5 miles west of the Four Bears Bridge at New Town. The 12-inch crude oil line will be installed by either the horizontal directional drilling or open cut method depending on the waterway and the contractor(s) discretion. Temporary road crossings may be required. Some will be bridged, while others will be fill over a culvert. Some areas will require temporary cofferdams and dewatering prior to construction. In all instances, temporary structures and fill will be removed and the area restored as soon as possible following completion of construction in that particular area.

State: North Dakota County/parish/borough:Billings, Dunn and McKenzie City: rural  
Center coordinates of site (lat/long in degree decimal format):

Lat. 47.35621° N Long. -102.61827° W

Universal Transverse Mercator: 14

Name of nearest waterbody: Little Missouri River

Identify (estimate) amount of waters in the review area: See attached Tables 13.1 and 13.2 for waters, locations, etc.

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

- Office (Desk) Determination. Date: November 2, 2010
- Field Determination. Date(s):

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is

hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below):**

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Plans and plans overlaid on a recent aerial photo.
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - Office concurs with data sheets/delineation report.
  - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- Corps navigable waters' study:
- U.S. Geological Survey Hydrologic Atlas:
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 | Fairfield SE, New Hradec North, Manning NW, Hungry Man Butte, Fayette, Killdeer Mountains, Oakdale, Lost Bridge, North Killdeer Mountains, Croff, Figure 4 Ranch, Johnsons Corner and Keene, ND.
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: Fairfield SE, New Hradec North, Manning NW, Hungry Man Butte, Fayette, Killdeer Mountains, Oakdale, Lost Bridge, North Killdeer Mountains, Croff, Figure 4 Ranch, Johnsons Corner and Keene, ND.
- State/Local wetland inventory map(s):

- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Applicant/ORM2/GoogleEarthPro/ArcView.  
or  Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
- Other information (please specify):

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

Paul Ehardt 11/2/10  
Signature and date of  
Regulatory Project Manager  
(REQUIRED)

Walter M. Siler 11/3/10  
Signature and date of  
person requesting preliminary JD  
(REQUIRED, unless obtaining the  
signature is impracticable)

**Table 13.1  
Waterbodies Affected by Four Bears 12-Inch Crude Oil Pipeline**

<b>Billings County</b>					
<b>Legal Description</b>	<b>LOB (Approximate)</b>	<b>Coordinates</b>	<b>Name</b>	<b>Description</b>	<b>Trees Impacted</b>
Section 15 T141N R98W	60 feet	47° 02' 12.22"N 103° 05' 31.30"W	Green River	Drains to Heart River	Trees Will Be Impacted
Section 10 T141N R98W	270 feet	47° 02' 21.41"N 103° 05' 24.29"W	Tributary to Green River	Drains to Green River	Trees Will Not Be Impacted
Section 10 T141N R98W	55 feet	47° 02' 25.44"N 103° 05' 8.53"W	Spring Creek	Drains to Green River	Trees Will Be Impacted
Section 10 T141N R98W	60 feet	47° 2' 26.69"N 103° 5' 3.68"W	Drainage to Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 11 T141N R98W	35 feet	47° 02' 40.37"N 103° 04' 11.84"W	Indian Creek	Drains to Green River	Trees Will Be Impacted
Section 1 T141N R98W	50 feet	47° 03' 14.72"N 103° 02' 44.31"W	Drainage to Indian Creek	Drains to Indian Creek	Trees Will Not Be Impacted
Section 1 T141N R98W	Cultivated	47° 03' 16.77"N 103° 02' 37.77"W	Drainage to Indian Creek	Drains to Indian Creek	Trees Will Not Be Impacted
Section 1 T141N R98W	Cultivated	47° 03' 22.79"N 103° 02' 23.11"W	Drainage to Green River	Drains to Green River	Trees will Not be Impacted
<b>Dunn County</b>					
<b>Legal Description</b>	<b>LOB (approximate)</b>	<b>Coordinates</b>	<b>Name</b>	<b>Description</b>	<b>Trees Impacted</b>
Section 1 T141N R98W	25 feet	47° 03' 33.57"N 103° 01' 58.46"W	Unnamed Tributary to Spring Creek	Drains to Green River	Trees Will Not Be Impacted
Section 5 T141N R97W	Cultivated	47° 4' 1.74"N 103° 0' 17.12"W	Drainage to Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 6 T141N R97W	200 feet	47° 03' 35.90"N 103° 01' 55.06"W	Unnamed Tributary to Spring Creek	Drains to Green River	Trees Will Not Be Impacted
Section 6 T141N R97W	65 feet	47° 03' 37.9548"N 103° 01' 51.981"W	Unnamed Tributary to Spring Creek	Drains to Green River	Trees Will Not Be Impacted
Section 6 T141N R97W	170 feet	47° 03' 41.89"N 103° 01' 28.07"W	Unnamed Tributary to Spring Creek	Drains to Green River	Trees Will Not be Impacted
Section 29 T142N R97W	250 feet	47° 05' 19.08"N 103° 00' 20.58"W	Tributary to Spring Creek	Drains to Green River	Trees Will Not Be Impacted
Section 20 T142N R97W	70 feet	47° 06' 15.78"N 103° 00' 16.64"W	Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 8 T142N R97W	100 feet	47° 07' 33.71"N 102° 59' 35.65"W	Unnamed Tributary to Crooked Creek	Drains to Crooked Creek	Trees Will Be Impacted
Section 8 T142N R97W	60 feet	47° 7' 36.9006"N 102° 59' 33.15"W	Drainage to Crooked Creek	Drains to Crooked Creek	Trees Will Be Impacted

<b>Legal Description</b>	<b>LOB (Approximate)</b>	<b>Coordinates</b>	<b>Name</b>	<b>Description</b>	<b>Trees Impacted</b>
Section 9 T142N R97W	55 feet	47° 7' 52.9644"N 102° 59' 7.476"W	Drainage to Crooked Creek	Drains to Crooked Creek	Trees Will Not Be Impacted
Section 9 T142N R97W	65	47° 8' 11.33"N 102° 58' 51.52"W	Tributary of Crooked Creek	Drains to Crooked Creek	Trees Will Not Be Impacted
Section 4 T142N R97W	55 feet	47° 08' 36.56"N 102° 58' 50.14"W	Crooked Creek	Drains to Knife River	Trees Will Be Impacted
Section 4 T142N R97W	300 feet	47° 08' 47.52"N 102° 58' 59.74"W	Drainage to Crooked Creek	Drains to Crooked Creek	Trees Will Not Be Impacted
Section 8 T143N R97W	75 feet	47° 13' 1.75"N 103° 0' 13.86"W	Drainage to Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 8 T143N R97W	40 feet	47° 13' 9.85"N 103° 0' 10.15"W	Drainage to Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 8 T143N R97W	75 feet	47° 13' 16.30"N 102° 59' 54.81"W	Tributary to Knife River	Drains to Knife River	Trees Will Be Impacted
Section 8 T143N R97W	60 feet	47° 13' 18.55"N 102° 59' 50.35"W	Drainage to Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 4 T143N R97W	75 feet	47° 13' 51.86"N 102° 59' 0.88"W	Drainage to Knife River	Drains to Knife River	Trees Will Be Impacted
Section 4 T143N R97W	Cultivated	47° 14' 4.08"N 102° 58' 40.26"W	Drainage to Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 3 T143N R97W	35 feet	47° 14' 17.80"N 102° 58' 0.89"W	Drainage to Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 34 T144N R97W	30 feet	47° 14' 45.79"N 102° 57' 42.51"W	Unnamed Tributary to Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 27 T144N R97W	50 feet	47° 15' 28.57"N 102° 57' 26.05"W	Knife River	Drains to Missouri River	Trees Will Be Impacted
Section 23 T144N R97W	300 feet	47° 16' 28.35"N 102° 56' 11.79"W	Drainage to Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 14 T144N R97W	75 feet	47° 17' 21.37"N 102° 55' 47.27"W	Drainage to Little Knife River	Drains to Little Knife River	Trees Will Not Be Impacted
Section 14 T144N R97W	35 feet	47° 17' 53.11"N 102° 56' 23.20"W	Drainage to Little Knife River	Drains to Knife River	Trees Will Be Impacted
Section 14 T144N R97W	50 feet	47° 17' 55.43"N 102° 56' 24.32"W	Drainage to Little Knife River	Drains to Little Knife River	Trees Will Be Impacted
Section 11 T144N R97W	30 feet	47° 18' 5.9508"N 102° 56' 24.27"W	Tributary of Little Knife River	Drains to Knife River	Trees Will Not Be Impacted
Section 11 T144N R97W	50 feet	47° 18' 12.4914"N 102° 56' 22.96"W	Tributary of Little Knife River	Drains to Knife River	Trees Will Be Impacted
Section 11 T143N R97W	25 feet	47° 18' 14.39"N 102° 56' 22.57"W	Little Knife River	Drains to Knife River	Trees Will Be Impacted

Legal Description	LOB (Approximate)	Coordinates	Name	Description	Trees Impacted
Section 1 T144N R97W	100 feet	47° 19' 32.38"N 102° 54' 47.47"W	Tributary of Spring Creek	Drains to Little Knife River	Trees Will Not Be Impacted
Section 34 T145N R96W	Cultivated	47° 19' 47.97"N 102° 54' 13.22"W	Tributary of Spring Creek	Drains to Little Knife River	Trees Will Not Be Impacted
Section 27 T145N R96W	50 feet	47° 20' 50.91"N 102° 54' 2.24"W	Tributary of Spring Creek	Drains to Spring Creek	Trees Will Be Impacted
Section 22 T145N R96W	300 feet	47° 21' 35.73"N 102° 53' 57.75"W	Drainage to Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 22 T145N R96W	60 ft	47° 21' 43.79"N 102° 53' 57.11"W	Tributary of Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 22 T145N R96W	115 ft	47° 22' 10.01"N 102° 53' 58.87"W	Tributary to Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 15 T145N R96W	160 feet	47° 22' 35.19"N 102° 53' 53.75"W	Drainage to Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 15 T145N R96W	75 ft	47° 22' 52.21"N 102° 53' 57.94"W	Spring Creek	Drains through Lake Llo National Wildlife Refuge to Knife River	Trees Will Be Impacted
Section 10 T145N R96W	150 ft	47° 23' 16.98"N 102° 53' 55.75"W	Unnamed Tributary to Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 3 T145 R96W	60 ft	47° 24' 18.91"N 102° 53' 34.92"W	Tributary of Spring Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 34 T146N R96W	30 feet	47° 25' 3.98"W 102° 53' 29.74"W	Drainage to Gumbo Creek	Drains to a Tributary of Gumbo Creek	Trees Will Not Be Impacted
Section 34 T146N R96W	20 feet	47° 25' 24.15"N 102° 53' 27.59"W	Gumbo Creek	Drains to Spring Creek	Trees Will Not Be Impacted
Section 34 T146N R96W	25 feet	47° 25' 36.66"N 102° 53' 23.66"W	Tributary of Gumbo Creek	Drains to Gumbo Creek	Trees Will Not Be Impacted
Section 34 T146N R96W	90 feet	47° 25' 43.18"N 102° 53' 19.21"W	Tributary of Gumbo Creek	Drains to Gumbo Creek	Trees Will Not Be Impacted
Section 23 T146N R96W	65 feet	47° 26' 47.60"N 102° 52' 10.02"W	Tributary of Gumbo Creek	Drains to Gumbo Creek	Trees Will Not Be Impacted
Section 23 T146N R96W	70 feet	47° 27' 0.72"N 102° 52' 7.71"W	Tributary of Gumbo Creek	Drains to Gumbo Creek	Trees Will Not Be Impacted
Section 24 T146N R96W	110 feet	47° 27' 28.92"N 102° 51' 24.47"W	Tributary of Jim Creek	Drains to Jim Creek	Trees Will Be Impacted
Section 13 T146N R96W	60 feet	47° 28' 4.93"N 102° 51' 13.64"W	Tributary of Jim Creek	Drains to Jim Creek	Trees Will Be Impacted
Section 13 T146N R96W	130 feet	47° 28' 8.17"N 102° 51' 13.47"W	Jim Creek	Drains to Little Missouri River	Trees Will Be Impacted
Section 12 T146N R96W	65 feet	47° 28' 31.43"N 102° 51' 7.83"W	Tributary of Jim Creek	Drains to Jim Creek	Trees Will Be Impacted

<b>Legal Description</b>	<b>LOB (Approximate)</b>	<b>Coordinates</b>	<b>Name</b>	<b>Description</b>	<b>Trees Impacted</b>
Section 12 T146N R96W	925 feet	47° 28' 46.79"N 102° 50' 46.06"W	Drainage to Frank Creek	Drains to a tributary of Frank Creek	Trees Will Be Impacted
Section 12 T146N R96W	60 feet	47° 29' 5.16"N 102° 51' 0.36"W	Frank Creek	Drains to Little Missouri River	Trees Will Be Impacted
Section 1 T146N R96W	95 feet	47° 29' 34.16"N 102° 51' 4.72"W	Drainage to Frank Creek	Drains to a Tributary of Frank Creek	Trees Will Be Impacted
Section 36 T147N R96W	150 feet	47° 30' 16.93"N 102° 51' 6.03"W	Drainage to Frank Creek	Drains to a Tributary of Frank Creek	Trees Will Be Impacted
Section 36 T147N R96W	120 feet	47° 30' 32.30"N 102° 51' 9.46"W	Tributary of Frank Creek	Drains to Frank Creek	Trees Will Be Impacted
Section 36 T147N R96W	50 feet	47° 30' 44.21"N 102° 51' 8.26"W	Drainage to Frank Creek	Drains to a Tributary of Frank Creek	Trees Will Not Be Impacted
Section 25 T147N R96W	100.0 feet	47° 31' 32.79"N 102° 51' 6.82"W	Drainage to Corral Creek	Drains to Corral Creek	Trees Will Be Impacted
Section 11 T147N R96W	100 feet	47° 34' 27.15"N 102° 52' 16.55"W	Drainage to Stock Pond	Drains to Stock Pond	Trees Will Be Impacted
Section 2 T147N R96W	40 feet	47° 34' 50.94"N 102° 52' 26.48"W	Drainage to Branch Elk Creek	Drains to Elk Creek	Trees Will Be Impacted
Section 2 T147N R96W	165 feet	47° 35' 17.16"N 102° 52' 42.03"W	Drainage to Bear Creek	Drains to Bear Creek	Trees Will Be Impacted
Section 35 T148N R96W	55 feet	47° 35' 30.19"N 102° 52' 34.70"W	Drainage to Bear Creek	Drains to Bear Creek	Trees Will Be Impacted
Section 26 T148N R96W	300 feet	47° 36' 41.20"N 102° 52' 31.88"W	Little Missouri Scenic River	Drains to Missouri River / Lake Sakakawea	Trees Will Be Impacted
Section 7 T148N R96W	150 feet	47° 39' 5.19"N 102° 50' 31.42"W	Low Drainage Area to Little Missouri Scenic River	Drains to Little Missouri Scenic River	Trees Will Be Impacted
Section 6 T148N R95W	25 feet	47° 39' 56.34"N 102° 50' 32.16"W	Deep Creek	Drains to Little Missouri Scenic River	Trees Will Be Impacted

**McKenzie County**

<b>Legal Description</b>	<b>LOB (approximate)</b>	<b>Coordinates</b>	<b>Name</b>	<b>Description</b>	<b>Trees Impacted</b>
Section 28 T149N R95W	20 feet	47° 41' 45.64"N 102° 51' 0.46"W	Tributary of Bear Den Creek	Drains to Deep Creek	Trees Will Be Impacted
Section 28 T149N R95W	230 feet-Creek/ Trees	47° 42' 5.24"N 102° 51' 10.40"W	Drainage of Bear Den Creek	Drains to Bear Den Creek	Trees Will Be Impacted
Section 20 T149N R95W	250 feet	47° 42' 20.63"N 102° 51' 28.02"W	Unnamed Tributary of Bear Den Creek	Drains to Deep Creek	Trees Will Be Impacted
Section 18 T149N R95W	120 feet	47° 43' 37.05"N 102° 52' 46.49"W	Unnamed Tributary to Bear Den Creek	Drains to Bear Den Creek	Trees Will Be Impacted

<b>Legal Description</b>	<b>LOB (Approximate)</b>	<b>Coordinates</b>	<b>Name</b>	<b>Description</b>	<b>Trees Impacted</b>
Section 7 T149N R95W	Cultivated	47° 43' 59.44"N 102° 53' 24.90"W	Tributary of Bear Den Creek	Drains to Bear Den Creek	Trees Will Not Be Impacted
Section 7 T149N R95W	45 feet	47° 44' 07.78"N 102° 53' 37.55"W	Drainage of Bear Den Creek	Drains to Bear Den Creek	Trees Will Be Impacted
Section 7 T149N R95W	125 feet	47° 44' 26.53"N 102° 53' 46.92"W	Drainage of Bear Den Creek	Drains to Bear Den Creek	Trees Will Be Impacted
Section 7 T149N R95W	120 feet	47° 44' 42.74"N 102° 53' 52.48"W	Bear Den Creek	Drains to Missouri River / Lake Sakakawea	Trees Will Be Impacted
Section 6 T149N R95W	65 feet	47° 45' 27.40"N 102° 53' 53.98"W	Tributary of Bear Den Creek	Drains to Bear Den Creek	Trees Will Be Impacted
Section 31 T149N R95W	Cultivated	47° 45' 56.76"N 102° 53' 53.57"W	Cultivated drainage area to Bear Den Creek	Drains to Bear Den Creek	Trees Will Not Be Impacted
Section 31 T149N R95W	60 feet	47° 46' 06.76"N 102° 53' 53.19"W	Tributary of Bear Den Creek	Drains to Bear Den Creek	Trees Will Be Impacted
Section 24 T150N R96W	40 feet	47° 48' 6.36"N 102° 54' 12.29"W	Tributary of Dry Creek	Drains to Dry Creek	Trees Will Be Impacted
Section 24 T150N R96W	80 feet	47° 47' 54.59"N 102° 54' 17.59"W	Drainage to Dry Creek	Drains to Dry Creek	Trees Will Not Be Impacted
Section 12 T150N R96W	75 feet	47° 49' 17.70"N 102° 54' 16.13"W	Dry Creek	Drains to Bear Den Creek	Trees Will Not Be Impacted
Section 12 T150N R96W	50 feet	47° 49' 33.15"N 102° 54' 19.74"W	Drainage to Dry Creek	Drains to Dry Creek	Trees Will Be Impacted
Section 12 T150N R96W	40 feet	47° 49' 42.29"N 102° 54' 21.33"W	Drainage to Dry Creek	Drains to Dry Creek	Trees Will Be Impacted
Section 1 T150N R96W	80 feet	47° 50' 22.66"N 102° 54' 21.73"W	Tributary of Dry Creek	Drains to Dry Creek	Trees Will Be Impacted
Section 1 T150N R96W	125 feet	47° 50' 46.93"N 102° 54' 22.32"W	Tributary of Dry Creek	Drains to Dry Creek	Trees Will Not Be Impacted
Section 36 T151N R96W	55 feet	47° 51' 25.76"N 102° 54' 15.52"W	Tributary to Dry Creek	Drains to Dry Creek	Trees Will Not Be Impacted
Section 36 T151N R96W	60 feet	47° 51' 17.01"N - 102° 54' 17.23"W	Tributary of Dry Creek	Drains to Dry Creek	Trees Will Not Be Impacted
Section 25 T151N R96W	45 feet	47° 52' 04.39"N 102° 54' 10.16"W	Drainage to Handy Water Creek	Drains to a Tributary of Handy Water Creek	Trees Will Be Impacted
Section 25 T151N R96W	20 feet	47° 52' 17.70"N 102° 54' 8.75"W	Tributary to Handy Water Creek	Drains to Handy Water Creek	Trees Will Not Be Impacted

<b>Legal Description</b>	<b>LOB (Approximate)</b>	<b>Coordinates</b>	<b>Name</b>	<b>Description</b>	<b>Trees Impacted</b>
Section 25 T151N R96W	50 feet	47° 52' 33.70"N 102° 54' 6.96"W	Drainage Area to Handy Water Creek	Drains to Tributary of Handy Water Creek	Trees Will Be Impacted
Section 24 T151N R96W	40 feet	47° 53' 08.10"N 102° 54' 09.30"W	Tributary of Handy Water Creek	Drains to Handy Water Creek	Trees Will Not Be Impacted
Section 13 T151N R96W	Cultivated	47° 53' 35.92"N 102° 54' 2.47"W	Drainage to Clear Creek	Drains to Handy Water Creek	Trees Will Not Be Impacted
Section 12 T151N R96W	70 feet	47° 55' 10.29"N 102° 54' 0.53"W	Clear Creek	Drains to Tobacco Garden Creek	Trees Will Be Impacted
Section 1 T151N R96W	40 feet	47° 55' 19.07"N 102° 53' 57.50"W	Unnamed Tributary to Clear Creek	Drains to Clear Creek	Trees Will Not Be Impacted
Section 1 T151N R96W	40 feet	47° 55' 36.35"N 102° 53' 56.37"W	Unnamed Tributary to Clear Creek	Drains to Clear Creek	Trees Will Be Impacted
Section 36 T152N R96W	100 feet	47° 56' 42.31"N 102° 53' 57.63"W	Tributary of North Branch Clear Creek	Drains to Clear Creek	Trees Will Not Be Impacted
Section 36 T152N R96W	30 feet	47° 56' 52.44"N 102° 53' 57.25"W	North Branch Clear Creek	Drains to Clear Creek	Trees Will Not Be Impacted
Section 25 T152N R96W	50 feet	47° 57' 43.79"N 102° 54' 12.63"W	Drains to North Branch Clear Creek	Drains to North Branch Clear Creek	Trees Will Not Be Impacted
Section 25 T152N R96W	25 feet	47° 57' 40.41"N 102° 54' 12.23"W	North Branch Clear Creek	Drains to Clear Creek	Trees Will Not Be Impacted

**Table 13.2  
Rivers, Wetlands and Ponds Impacted by the 12-Inch Crude Oil Pipeline**

Type	Attribute	Coordinates	Legal Description	Acreage	Distance to Pipeline
Freshwater Pond	PABFh	47° 44' 40.64"N - 102° 53' 59.68"W	T149N R96W S12 & T149N R95W S7	3.1164	40 feet
Wetland	PUBFh	47° 17' 20.96"N - 102° 55' 49.02"W	T144N R97W Section 14	0.80808	35 feet
Wetland	PEMC	47° 22' 51.93"N - 102° 53' 56.93"W	T145N R96W Section 15	50.8568	Spring Creek Crossing
Freshwater Forested/ Shrub Wetland	PSSC	47°36'36.45"N - 102°52'32.78"W	T148N R96W Section 26	88.36792	River Crossing
Freshwater Forested/ Shrub Wetland	PSSC	47° 36' 45.35"N - 102° 52' 36.04"W	T148N R96W S26	17.8604	River Crossing
Riverine	R4USC	47° 36' 43.65"N - 102° 52' 33.18"W	T148N R96W Section 26	8.957239	River Crossing
Little Missouri River	R4USF	47° 36' 41.06"N - 102° 52' 33.68"W	T148N R96W Section 26	386.6313	River Crossing
Freshwater Pond/ Wetland (Artificial)	PABFh	47° 39' 18.04"N - 102° 50' 13.73"W	T148N R95W Section 7	0.261078	Crosses Pipeline
Freshwater Emergent Wetland (Artificial)	PEMC	47° 39' 13.11"N - 102° 50' 11.8"W	T148N R95W Section 7	0.48098	Crosses Pipeline

**Location of the Proposed Project:**

The proposed pipeline will run from the Green River Valve Station to just north of Highway 23 and approximately 16.5 miles west of the Four Bears Memorial Bridge, New Town, North Dakota. The proposed 12-inch crude oil pipeline will span three counties in North Dakota; Billings, Dunn and McKenzie (Figure A.1).

Location of Project	
Location	Coordinates
Green River Valve Station	47.035447N, -103.0924868W
Highway 23 (16.5 miles west of New Town, ND)	47.978781N, -102.920306W

The pipeline will not transect any Federal highways. The proposed pipeline route will cross 3 state highways, (ND State Highway 200, ND State Highway 73 and ND State Highway 23) all of which are two lane paved roads. Of the 42 county roads, two are a two-lane paved roads, 29 are improved county roads (i.e. gravel) and 11 are two wheel section line trails. The pipeline will cross 9 private/oil roads, all of which are gravel.