



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
3425 Miriam Avenue  
Bismarck, North Dakota 58501



**MAR 18 2011**

Mr. William F. McCarthy  
Project Manager  
E3 Environmental, LLC  
817 Vandalia Street, Suite 100  
St. Paul, Minnesota 55114

Re: Bear Paw Energy – Garden Creek NGL  
Pipeline

Dear Mr. McCarthy:

The U.S. Fish and Wildlife Service (Service) has reviewed the proposed Bear Paw Energy – Garden Creek NGL Pipeline, described in a letter dated December 30, 2010, and follow-up emails dated January 26, 2011, January 28, 2011, and March 16, 2011. Bear Paw Energy, LLC (BPE), a subsidiary of ONEOK Partners, Tulsa, Oklahoma, has proposed an approximately 55-mile long, 12-inch diameter pipeline designed to transport natural gas liquids to various points along the route. The proposed project includes portions of Richland County, Montana, and McKenzie County, North Dakota. The proposed route was provided in a shapefile on January 28, 2011.

These comments should be considered as preliminary to assist in project planning. While you indicated in a March 16, 2011, e-mail that FERC does not have jurisdiction over the proposed line, there are a number of other Federal agencies which may require a Federal permit for this project and would thus be considered the Federal action agency for purposes of Endangered Species Act consultation. These may include the U.S. Army Corps of Engineers, U.S. Forest Service, and Western Area Power Administration, potentially among others. Additionally, the Federal action agency or its designated non-Federal agent has the responsibility under Section 7 of the Endangered Species Act to consult with the Service on actions that may affect any listed species. We offer the following comments under the authority of and in accordance with the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 et seq.), Executive Order 13186 “Responsibilities of Federal Agencies to Protect Migratory Birds”, the Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.), the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), Executive Order 11990 “Protection of Wetlands”, Fish and Wildlife Coordination Act (FWCA), and the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d, 54 Stat. 250).

Below are recommendations to assist in complying with each of these authorities. Your plans should integrate these recommendations to maximize compliance. Recommendations addressing

the trust resources under Service authorities are tailored to address protective measures for a variety of species. As such, recommended timing restrictions are not identical and the Federal action agency or project proponent should evaluate the trust resources that may be affected by the proposed project and use the protective timing restriction accordingly. We request your response on how you intend to incorporate these recommendations.

### **General Comments:**

#### *Project Description*

The information provided shows a one mile buffer within which the proposed pipeline may be located. In order to perform a complete analysis of the proposed project and its potential impacts, the Service requests the specific proposed project route, with information on how impacts to sensitive habitats will be avoided, minimized, or compensated. Sensitive habitats that should be considered include: wetlands, intermittent and permanent streams (including the Yellowstone River), naturally wooded draws, and native prairie.

#### *Ancillary Features*

The proposed project description does not include information about how power will be supplied to the proposed pipeline. Ideally, the project would tie into existing infrastructure with a minimum of new construction required. Any proposed new line should be included in your project description, which should include a discussion of how the line will be constructed to ensure compliance with the ESA, MBTA, and BGEPA. Any new line should be constructed according to guidelines developed by the Avian Power Line Interaction Committee (APLIC) (APLIC 2006).

Similarly, the project description should include a discussion of temporary or permanent roads or trails that will be constructed to access and maintain the proposed pipeline. Since these may have continuing impacts on migratory birds, including the candidate species Sprague's pipit, the document should address how those continuing impacts will be addressed.

#### *Operations, Maintenance and Decommissioning*

The analysis should include a description of the plans for operations and maintenance of the pipeline, as well as a plan for eventual decommissioning. These plans should include a description of how the land will be returned to its preexisting condition. According to our GIS data, the entirety of the pipeline crosses grassland habitat. The Service recommends that the plan include a description of replanting with local native seed, ensuring that it grows successfully, and monitoring for a period of time to prevent exotic species establishment.

### Threatened and Endangered Species

A list of federally endangered and threatened species that may be present within the proposed project's area of influence is enclosed. This list fulfills requirements of the Service of the Endangered Species Act. This list remains valid for 90 days. As discussed above, these comments should be considered as preliminary to assist in project planning. The Federal action agency for this project, if any, or its designated non-Federal agent, has the responsibility under Section 7 of the ESA to consult with the Service when the action agency determines their action "may affect" any federally-listed species.

If there is no Federal nexus, then Section 10(a)(1)(B) of the ESA may apply. This section allows non-Federal parties planning activities that have no Federal nexus, but which could result in the incidental taking of listed animals, to apply for an incidental take permit. (A Federal nexus exists whenever an activity is conducted, funded, or licensed or permitted by a Federal agency). The application must include a habitat conservation plan (HCP) laying out the proposed actions, determining the effects of those actions on federally-listed plant and wildlife species and their habitats (and may include proposed or candidate species), and defining measures to minimize and mitigate adverse effects.

The Aransas Wood Buffalo Population (AWBP) of whooping cranes is the only self sustaining migratory population of whooping cranes remaining in the wild. These birds breed in the wetlands of Wood Buffalo National Park in Alberta and the Northwest Territories of northern Canada, and overwinter on the Texas coast. Whooping cranes in the AWBP annually migrate through North Dakota during their spring and fall migrations. The projects proposed timing, starting July 25, may make the project overlap with the cranes' fall migration.

Endangered whooping cranes have been documented using stopover habitat in the vicinity of this proposed pipeline. The proposed pipeline is located within that portion of the whooping crane migration corridor that includes 95 percent of all confirmed whooping crane sightings in North Dakota extending into Montana (enclosure 2). The presence of suitable roosting and feeding habitat for whooping cranes, and location within the whooping crane migration corridor, document the potential for whooping crane presence in the proposed project area.

The highest known source of mortality to fledged whooping cranes is from striking power lines. Currently, collisions with power lines have accounted for the death or serious injury of at least 46 whooping cranes since 1956. If power lines will be constructed in association with this project, the Service recommends they be placed underground to avoid collision mortality. If underground construction is not practicable, we recommend installation and maintenance of visual marking devices on all new power lines within one mile of potentially suitable whooping crane stopover habitat and an equal length of existing power line in the whooping crane migration corridor within one mile of potentially suitable whooping crane habitat. The additional line marking is necessary because data suggests that marking is only from 50 to 80

percent effective. Some of the available marking devices include: aerial marker spheres, swinging plates, spiral vibration dampers, and bird flight diverters.

While the Yellowstone River is not surveyed regularly for piping plovers or least terns, both species have been documented to nest on the Yellowstone River and both regularly nest on the nearby Missouri River. Piping plovers may arrive on the breeding grounds by early-to-mid April, and both species may remain until August 31. The Service recommends avoiding construction activities within one-half mile of nesting birds during that time. If BPE plans to do work in or within one-half mile of the Yellowstone River between April 1 and August 31, we recommend you retain a qualified biologist to survey the area within five days of construction activity. The qualifications of the biologist should be retained on file and shared with the Service.

### Pallid Sturgeon

The document states that “no known reproduction (of pallid sturgeon) has been documented in 15 years.” In fact, the pallid sturgeon has been documented to spawn in the Yellowstone River multiple times since 2008 and the Yellowstone River is known to provide important habitat for both juvenile and adult pallid sturgeon. BPE should discuss how the proposed pipeline will be designed to avoid impacts to the pallid sturgeon.

### Candidate Species

Sprague’s pipit was added to the candidate species list in 2010. Migratory bird species, such as the Sprague’s pipit, that are candidates are not protected under the ESA, but are still protected under the MBTA. Sprague’s pipits require large patches of grassland habitat for breeding, with preferred grass height between 4 and 12 inches. The species prefers to breed in well-drained, open grasslands and avoids grasslands with excessive shrubs. They can be found in lightly to heavily grazed areas. They avoid intrusive human features on the landscape, so the impact of a development can be much larger than the actual footprint of the feature. The proposed pipeline route crosses suitable Sprague’s pipit habitat. A major reason that the Sprague’s pipit was listed as a candidate species is because of habitat fragmentation and conversion. The proposed project has the potential to contribute to fragmentation, if the project route is not reclaimed fully or if the disturbance creates a pathway for exotic species to spread into the nearby prairie. The Service requests that you document any steps taken to avoid and minimize disturbance of this habitat, and to reclaim the habitat. This information should be shared with our office.

The Dakota skipper is a small to medium-sized hesperiine butterfly associated with high quality prairie ranging from wet-mesic tallgrass prairie to dry-mesic mixed grass prairie. The first type of habitat is relatively flat and moist native bluestem prairie. Three species of wildflowers are usually present: wood lily (*Lilium philadelphicum*), harebell (*Campanula rotundifolia*), and smooth camas (*Zygadenus elegans*). The second habitat type is upland (dry) prairie that is often on ridges and hillsides. Bluestem grasses and needlegrasses dominate these habitats. On this

habitat type, three wildflowers are typically present in high quality sites that are suitable for Dakota skipper: pale purple (*Echinacea pallida*) and upright (*E. angustifolia*) coneflowers and blanketflower (*Gaillardia sp.*). Because of the difficulty of surveying for Dakota skippers and a short survey window, we recommend that the project avoid any impacts to potential Dakota skipper habitat.

For candidate species such as the Dakota skipper and Sprague's pipit, Federal agencies and non-Federal applicants can conference with the Service to ensure that their actions do not negatively impact candidate species. Some Federal agencies consider candidate species as if they were proposed for listing and take appropriate measures to avoid impacts. If the Federal action agency treats candidate species as proposed, they should make an effects determination and request concurrence from the Service. We can work with you to develop a programmatic document to avoid impacts to candidates for this and future projects.

### Bald and Golden Eagles

The BGEPA prohibits anyone without a permit issued by the Secretary of the Interior from taking bald eagles, including their parts, nests, or eggs. The Act provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald or golden eagle, alive or dead, or any part, nest, or egg thereof. The Act defines take as pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb. "Disturb means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagles return, such alterations agitate or bother an eagle to a degree that injures an eagle or substantially interferes with normal breeding, feeding, or sheltering habits and causes, or is likely to cause, a loss of productivity or nest abandonment.

The Service is not aware of any bald or golden eagle surveys conducted in the vicinity of the proposed project area. However, there are numerous documented bald eagle nests in Richland County, Montana, and McKenzie County, North Dakota. The Service recommends surveying ½ mile out from the proposed pipeline route to determine the presence of any eagle nests. If an eagle nest is observed within ½ mile of the proposed pipeline route, the Service requests that the pipeline be re-routed to avoid the nest. The Service requests that the nest location be documented. A permit is required for any take of bald or golden eagles or their nests. Permits to take bald eagles or their nests are available only for legitimate emergencies or as part of a program to protect bald eagles.

### Migratory Birds

The MBTA prohibits the taking, killing, possession, and transportation, (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically permitted by regulations. While the MBTA has no provision for allowing unauthorized take, the Service realizes that some birds may be killed during project construction and operation even if all known reasonable and effective measures to protect birds are used. The Service Office of Law Enforcement carries out its mission to protect migratory birds through investigations and enforcement, as well as by fostering relationships with individuals, companies, and industries that have taken effective steps to avoid take of migratory birds, and by encouraging others to implement measures to avoid take of migratory birds. It is not possible to absolve individuals, companies, or agencies from liability even if they implement bird mortality avoidance or other similar protective measures. However, the Office of Law Enforcement focuses its resources on investigating and prosecuting individuals and companies that take migratory birds without identifying and implementing all reasonable, prudent, and effective measures to avoid that take. Companies are encouraged to work closely with Service biologists to identify available protective measures when developing project plans and/or avian protection plans, and to implement those measures prior to/during construction or similar activities.

Since the work is not scheduled to begin until July 25, many impacts to migratory birds will be avoided. However, note that the least tern and piping plover nesting season extends until August 31, and that bald and golden eagles can start nesting activities as early as February 1, and may actively use the nest through August 31. Several other raptor species also have an extended nesting season. If work is proposed to take place during the breeding season or at any other time which may result in the take of migratory birds, their eggs, or active nests, the Service recommends that the project proponent implement all practicable measures to avoid all take, such as suspending construction where necessary, and/or maintaining adequate buffers to protect the birds until the young have fledged. The Right of Way (ROW) where the proposed pipeline will be placed can be mowed or cleared and grubbed prior to the nesting season to make it unsuitable for most nesting bird species. The Service further recommends that if you choose to conduct field surveys for nesting birds with the intent of avoiding take, that you maintain any documentation of the presence of migratory birds, eggs, and active nests, along with information regarding the qualifications of the biologist(s) performing the survey(s), and any avoidance measures implemented at the project site. Should surveys or other available information indicate a potential for take of migratory birds, their eggs, or active nests, the Service requests that you contact this office for further coordination on the extent of the impact and the long-term implications of the intended use of the project on migratory bird populations.

Even if all measures are taken to avoid take of migratory birds during the construction phase, there is likely to be some migratory bird take associated with the ongoing operation and maintenance of the proposed pipeline. The Service recommends that the applicant develop a Conservation Plan in cooperation with the Service to identify potential impacts to migratory birds during all phases of the proposed project. This Conservation Plan should evaluate impacts

both from the immediate footprint of the project as well as from the larger impacts from ongoing disturbance. We recommend that this plan include a Habitat Equivalency Analysis or similar habitat analysis method which may include funding to allow for conservation actions to be directed towards the greatest needs of migratory birds in the proposed pipeline project area.

### High Value Habitat Avoidance

- Our review of the National Wetland Inventory (NWI) maps and photographs indicate the proposed planning area includes numerous wetland basins and stream channels. You may access the NWI data directly through their website ([wetlands.fws.gov](http://wetlands.fws.gov)). Projects which involve the burying of a pipeline should not significantly affect wetland basins or stream channels provided precautions are taken to restore natural basin contours. Precautions should also be taken during installation of underground facilities by sufficiently compacting trenches through the wetlands to prevent drainage along the trench or through bottom seepage. The Service recommends that construction through or adjacent to these areas be avoided, where possible, or measures be taken (e.g. directional boring) to minimize disturbance to these areas. For projects with a Federal nexus, Executive Order 11990 Protection of Wetlands requires Federal agencies to avoid destruction or modification of wetlands to the extent possible.
- Avoid construction in native prairie, if possible, and reseed disturbed native prairie with a comparable native grass/forb seed mixture. The Service recommends planting a diverse mixture of native cool and warm season grasses and forbs. Recent research has suggested that a more diverse mix, including numerous forb species, is not only ecologically beneficial, but is also more weed resistant, allowing for less intensive management and chemical use. In essence, the more species included in a mixture, the higher the probability of providing competition to resist invasion by non-native plants. The seed source should be as local as possible, preferably collected from the nearby native prairie. Obtain seed stock from nurseries within 250 miles of the project area to insure the particular cultivars are well adapted to the local climate. The Natural Resources Conservation Service (NRCS) compiles a list of vendors in North Dakota that supply conservation seed and plants (<http://www.plant-materials.nrcs.usda.gov/pubs/ndpmcmt8152.pdf>). Additional information on native grasses and forbs may be found at the NRCS Bismarck Plant Materials Center (<http://www.plant-materials.nrcs.usda.gov/ndpmc/>).
- The proposed pipeline crosses the Yellowstone River. The Yellowstone River is a class I highest value fisheries resource. Class I is the highest value awarded to a stream. The Yellowstone River has a highly valued sport fishery, especially for sauger, channel catfish, and paddlefish. The Yellowstone River is considered vital for paddlefish spawning.

- Make no stream channel alterations or changes in drainage patterns. We recommend you directionally bore under wetlands and intermittent and perennial streams.
- Locate construction to avoid placement of fill in wetlands along the route.
- Replace unavoidable loss of wetland habitat with functionally equivalent wetlands.
- Install and maintain appropriate erosion control measures to reduce sediment transport to adjacent wetlands and stream channels.
- Keep the disturbed area along the ROW as narrow as possible, especially in or near sensitive resources such as native prairie, wetlands, or streams.

Thank you for the opportunity to comment on this project. If additional information is required, please contact Carol Aron of my staff, or contact me directly, at (701) 250-4481 or at the letterhead address.

Sincerely,



Jeffrey K. Towner  
Field Supervisor  
North Dakota Field Office

Enclosures

cc: Montana Ecological Services Field Office, Miles City  
(Attn: C. Sullivan)  
Regulatory Office, Army Corps of Engineers, Bismarck  
(Attn: D. Cimarosti)  
U.S. Forest Service, Watford City  
(Attn: R. Hecker)  
Western Area Power Administration, Billings  
(Attn: N. Stas)

## Literature Cited

Avian Power Line Interaction Committee (APLIC). 1994. Migrating bird collisions with power lines: the state of the art in 1994. Edison Electric Institute. Washington D.C.



## United States Department of the Interior

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 ECOLOGICAL SERVICES  
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### ENDANGERED, THREATENED, PROPOSED AND CANDIDATE SPECIES MONTANA COUNTIES\* Endangered Species Act

January 2011

C = Candidate

LT = Listed Threatened

LE = Listed Endangered

P = Proposed

PCH = Proposed Critical Habitat

CH = Designated Critical Habitat

XN = Experimental non-essential population

\*Note: Generally, this list identifies the counties where one would reasonably expect the species to occur, not necessarily every county where the species is listed

County/Scientific Name	Common Name	Status
<b>BEAVERHEAD</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Canis lupus</i>	Gray Wolf	XN
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>BIG HORN</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>BLAINE</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>BROADWATER</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Canis lupus</i>	Gray Wolf	XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C

County/Scientific Name	Common Name	Status
<b>CARBON</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Canis lupus</i>	Gray Wolf	XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>CARTER</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>CASCADE</b>		
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>CHOUTEAU</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>CUSTER</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>DANIELS</b>		
<i>Grus americana</i>	Whooping Crane	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>DAWSON</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>DEER LODGE</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Canis lupus</i>	Gray Wolf	LE, XN
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>FALLON</b>		
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>FERGUS</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C

County/Scientific Name	Common Name	Status
<b>FLATHEAD</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Silene spaldingii</i>	Spalding's Campion	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Canis lupus</i>	Gray Wolf	LE
<i>Gulo gulo luscus</i>	Wolverine	C
<b>GALLATIN</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Canis lupus</i>	Gray Wolf	XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>GARFIELD</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>GLACIER</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Canis lupus</i>	Gray Wolf	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>GOLDEN VALLEY</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>GRANITE</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Canis lupus</i>	Gray Wolf	LE, XN
<i>Gulo gulo luscus</i>	Wolverine	C
<b>HILL</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>JEFFERSON</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Canis lupus</i>	Gray Wolf	LE, XN
<i>Gulo gulo luscus</i>	Wolverine	C
<i>Anthus spragueii</i>	Sprague's Pipit	C

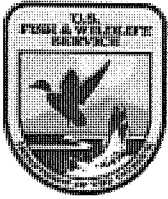
County/Scientific Name	Common Name	Status
<b>JUDITH BASIN</b>		
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>LAKE</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Howellia aquatilis</i>	Water Howellia	LT
<i>Silene spaldingii</i>	Spalding's Campion	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Canis lupus</i>	Gray Wolf	LE
<i>Gulo gulo luscus</i>	Wolverine	C
<b>LEWIS AND CLARK</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Canis lupus</i>	Gray Wolf	LE, XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>LIBERTY</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>LINCOLN</b>		
<i>Acipenser transmontanus</i>	White Sturgeon (Kootenai River Pop.)	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Silene spaldingii</i>	Spalding's Campion	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Howellia aquatilis</i>	Water Howellia	LT
<i>Canis lupus</i>	Gray Wolf	LE
<i>Gulo gulo luscus</i>	Wolverine	C
<b>MADISON</b>		
<i>Spiranthes diluvialis</i>	Ute Ladies' Tresses	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Canis lupus</i>	Gray Wolf	XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>McCONE</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C

County/Scientific Name	Common Name	Status
<b>MEAGHER</b>		
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>MINERAL</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Canis lupus</i>	Gray Wolf	LE
<i>Gulo gulo luscus</i>	Wolverine	C
<b>MISSOULA</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Howellia aquatilis</i>	Water Howellia	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Coccyzus americanus</i>	Yellow-billed cuckoo (western pop.)	C
<i>Canis lupus</i>	Gray Wolf	LE, XN
<i>Gulo gulo luscus</i>	Wolverine	C
<b>MUSSELSHELL</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>PARK</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Canis lupus</i>	Gray Wolf	XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>PETROLEUM</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>PHILLIPS</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE, XN
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>PONDERA</b>		
<i>Charadrius melodus</i>	Piping Plover	LT
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Canis lupus</i>	Gray Wolf	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C

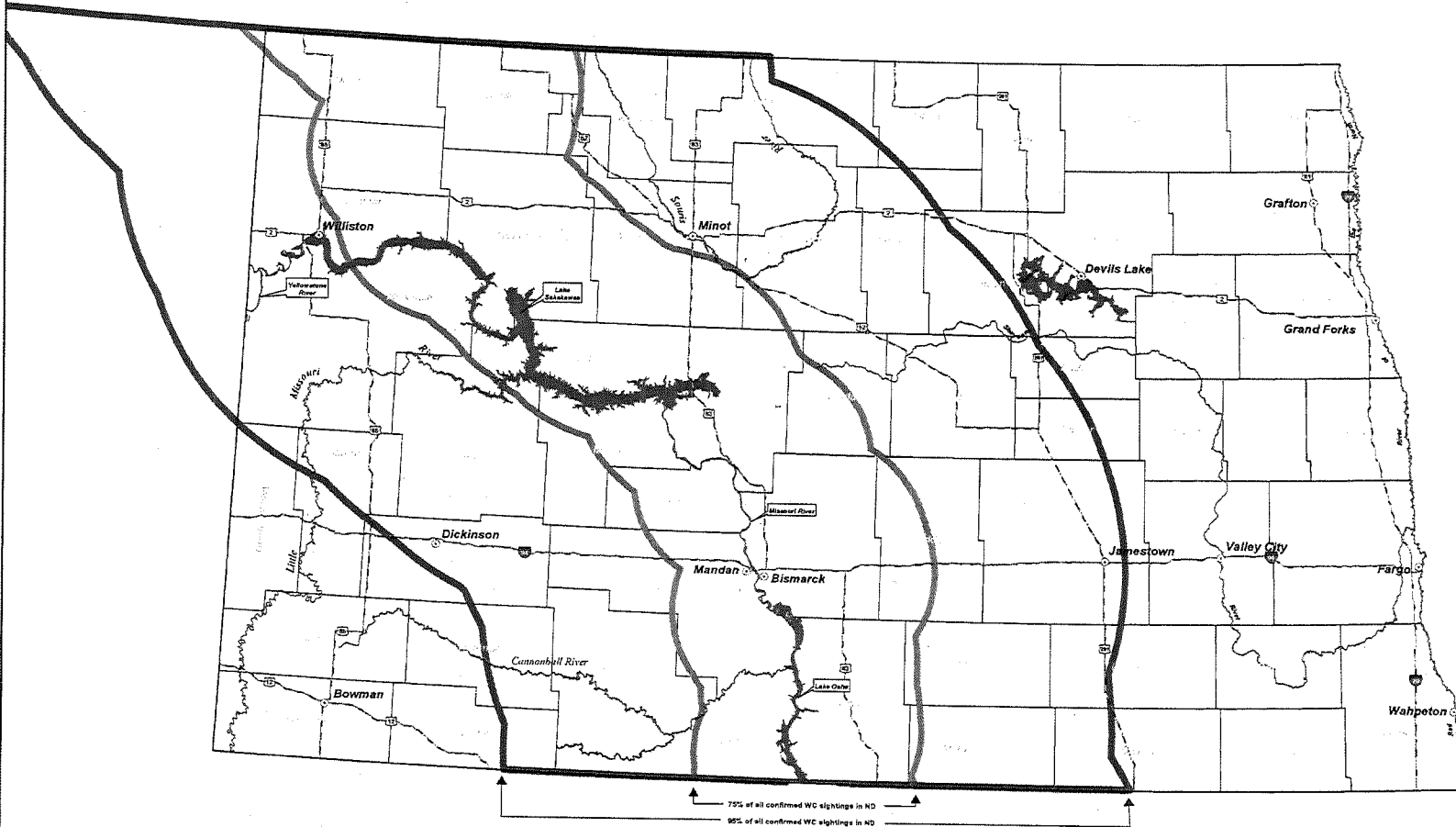
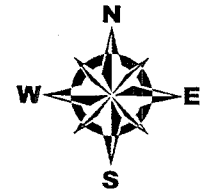
County/Scientific Name	Common Name	Status
<b>POWDER RIVER</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>POWELL</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Canis lupus</i>	Gray Wolf	LE, XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>PRAIRIE</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>RAVALLI</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Coccyzus americanus</i>	Yellow-billed cuckoo (western pop.)	C
<i>Canis lupus</i>	Gray Wolf	XN
<i>Gulo gulo luscus</i>	Wolverine	C
<b>RICHLAND</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>ROOSEVELT</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>ROSEBUD</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>SANDERS</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT
<i>Salvelinus confluentus</i>	Bull Trout	LT, CH, PCH
<i>Canis lupus</i>	Gray Wolf	LE
<i>Gulo gulo luscus</i>	Wolverine	C
<b>SHERIDAN</b>		
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Grus americana</i>	Whooping Crane	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C

County/Scientific Name	Common Name	Status
<b>SILVER BOW</b>		
<i>Salvelinus confluentus</i>	Bull Trout	LT
<i>Canis lupus</i>	Gray Wolf	LE, XN
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Thymallus arcticus</i>	Arctic Grayling (Upper Missouri River DPS)	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>STILLWATER</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Canis lupus</i>	Gray Wolf	XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>SWEET GRASS</b>		
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Canis lupus</i>	Gray Wolf	XN
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>TETON</b>		
<i>Ursus arctos horribilis</i>	Grizzly Bear	LT
<i>Lynx canadensis</i>	Canada Lynx	LT, CH
<i>Canis lupus</i>	Gray Wolf	LE
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C
<b>TOOLE</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>TREASURE</b>		
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>VALLEY</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Charadrius melodus</i>	Piping Plover	LT, CH
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>WHEATLAND</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C
<i>Gulo gulo luscus</i>	Wolverine	C

County/Scientific Name	Common Name	Status
<b>WIBAUX</b>		
<i>Scaphirhynchus albus</i>	Pallid Sturgeon	LE
<i>Sterna antillarum athalassos</i>	Interior Least Tern	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Anthus spragueii</i>	Sprague's Pipit	C
<b>YELLOWSTONE</b>		
<i>Mustela nigripes</i>	Black-footed Ferret	LE
<i>Grus americana</i>	Whooping Crane	LE
<i>Centrocercus urophasianus</i>	Greater Sage-Grouse	C
<i>Charadrius montanus</i>	Mountain Plover	P
<i>Anthus spragueii</i>	Sprague's Pipit	C



# North Dakota Whooping Crane Migration Corridor

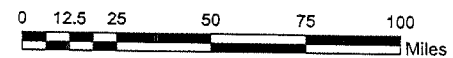


**DISCLAIMER:**

The USFWS makes no claim as to the accuracy or completeness of the displayed information. Species occurrence and habitat information is provided for illustrative purposes only. Federal action agencies and project proponents should contact the USFWS North Dakota Field Office for more detailed species information and technical assistance in evaluating potential project impacts to fish and wildlife resources.

Map produced 04/21/2010 by USFWS Ecological Services, Bismarck, ND.

- 75% Whooping Crane Migration Corridor
- 95% Whooping Crane Migration Corridor



**From:** [William McCarthy](#)  
**To:** [carol\\_aron@fws.gov](mailto:carol_aron@fws.gov)  
**Cc:** [Katie Schmidt](#)  
**Subject:** Bear Paw Energy Proposed Garden Creek NGL Pipeline - shape file  
**Date:** Friday, January 28, 2011 10:56:38 AM  
**Attachments:** [Corridor.zip](#)

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Carol,

As discussed previously, I have attached the shape files as requested for the proposed Garden Creek NGL Pipeline. The attached files reflect the current route under consideration. Please feel free to contact either myself or Katie Schmidt ([kschmidt@go2e3.com](mailto:kschmidt@go2e3.com), 651.282.0652) if you have questions or need any additional information.

Best regards,

**Bill McCarthy**

E3 Environmental, LLC

651.282.0650 Office

651.319.7456 Mobile

888.414.2048

[www.go2e3.com](http://www.go2e3.com)



Please consider the environment before printing this e-mail.



December 30, 2010

Mr. Jeffrey Towner, Field Supervisor  
U.S. Fish and Wildlife Service  
North Dakota Field Office  
3425 Miriam Avenue  
Bismark, ND 58501-7926

RE: Bear Paw Energy – Garden Creek NGL Pipeline  
Federally Listed Species, USFWS Managed Lands, and Migratory Bird Consultation

Bear Paw Energy, LLC (BPE), a subsidiary of ONEOK Partners, LP, Tulsa, Oklahoma, has proposed the Garden Creek NGL Pipeline Project. This project would entail the construction of approximately 55 miles of 12-inch diameter pipeline designed to transport natural gas liquids (NGL) to various delivery points along the route. This project is currently scheduled to begin construction in July 2011 and will require a minimum of 90 days to complete with restoration to immediately follow. The proposed route is described below as well as on the attached topographic maps.

In Richland County, Montana, the pipeline crosses:

Township 22N, Range 59E, Sections 16, 17, 21, 22, 27, 34, 35;  
Township 21N, Range 59E, Section 1; and  
Township 21N, Range 60E, Sections 5 and 6.

In McKenzie County, North Dakota, the pipeline crosses:

Township 148N, Range 105W, Sections 34, 35, and 36;  
Township 147N, Range 105W, Section 1;  
Township 147N, Range 104W, Sections 6, 7, 8, 9, 10, 11, 12;  
Township 147N, Range 103W, Sections 5, 6, 7;  
Township 148N, Range 103W, Sections 1, 12, 13, 14, 17, 23;  
Township 148N, Range 102W, Sections 1, 2, 3, 4, 5, 6;  
Township 149N, Range 101W, Sections 23, 24, 26, 27, 28, 32, 33;  
Township 149N, Range 100W, Sections 1, 8, 9, 10, 11, 12, 17, 17, 19;  
Township 149N, Range 99W, Sections 4, 5, 6;  
Township 150N, Range 99W, Sections 1, 2, 11, 14, 15, 16, 21, 28, 33;  
Township 150N, Range 98W, Section 6; and  
Township 151N, Range 98W, Sections 31, 32, 33, 34, 35.

Pipeline construction activities will typically occupy a 100-foot right of way. Following construction, the pipeline will occupy a 50-foot permanent right of way. To minimize impacts, approximately 37% of the proposed route in North Dakota and over 41% of the project overall, will be collocated with existing utility corridors.

The purpose of this request is to compile U.S. Fish and Wildlife Service's (USFWS) comments on environmental topics that are relevant to the North Dakota Public Service Commission's (PSC) siting requirements for Energy Transmission Facility Siting and the Montana Environmental Policy Act. On November 8, 2010, a web-based consultation with USFWS's IPaC system was conducted, however, due to the limitations of the system, this request has been prepared to augment that effort and facilitate a thorough project review.

E3 Environmental, LLC (E3) has been retained by BPE to provide environmental consulting support for this project.

**Federally Listed Species Analysis:**

On November 8, 2010, E3 reviewed USFWS's web site and conducted a protected species review. The results of the search found the following:

Whooping crane (*Grus americana*) – Endangered  
Arctic peregrine falcon (*Falco peregrines tundrius*) – Recovery  
Mountain plover (*Charadrius montanus*) – Proposed threatened  
Piping plover (*Charadrius melodus*) – Threatened  
Least tern (*Sterna antillarum*) – Endangered  
Sprague's pipit (*Anthus spragueii*) – Candidate  
Pallid sturgeon (*Scaphirhynchus albus*) – Endangered  
Dakota skipper (*Hesperia dacotae*) - Candidate  
Black-footed ferret (*Mustela nigripes*) – Endangered  
Gray wolf (*Canis lupus*) - Endangered

E3 has reviewed the available data describing the life history, critical habitat, and conservation measures associated with each species to evaluate the potential effects of the project on these resources. The results of this analysis are as follows:

Whooping crane: The whooping crane is a large bodied marsh species that breeds primarily in Canada and winters in the Gulf of Mexico. This species has been closely studied and monitored in recent years due to its small population. North Dakota provides migratory habitat for the species, providing roosting and feeding opportunities during migration. This species prefers larger wetland complexes for roosting habitat, typically using adjacent uplands for foraging opportunities. The proposed project will not result in a loss of crane habitat. Pipeline construction involves temporary impacts, with a post-construction restoration standard of restoring disturbed areas to their original pre-construction condition. Potential impacts are anticipated to be limited to the time period during active construction should it extend into the fall migratory season. However, construction is anticipated to last approximately 90 days and with the current schedule and as such it is anticipated to be largely complete before the typical fall migration. Once operational, the pipeline is a buried utility and will not have a direct impact on this species.

Piping plover: The piping plover is associated with shorelines along small alkaline lakes, large reservoir beaches, and river islands and adjacent sand pits. Breeding birds select wide beaches with highly clumped vegetation covering less than 25% of the area. Regionally the Missouri River is known to host breeding populations of the plovers.



Least tern: The interior population(s) of the least tern has historically been associated with large river systems for breeding and migratory habitats. Breeding birds are known to breed in colonies, utilizing sandbar habitat common to larger rivers. Regionally the Missouri and Yellowstone Rivers are known to host remnant breeding populations of the terns.

Pallid sturgeon: The pallid sturgeon is a benthic dwelling species known to occur in the Missouri and Yellowstone Rivers. Per previous consultations, "no known reproduction has been documented in 15 years."

Black-footed ferret: The black-footed ferret is limited to open grasslands, steppe, and shrub steppe habitat in close association with prairie dogs. They use underground burrows, typically made by prairie dogs, for resting and birthing.

Gray wolf: The gray wolf is a large carnivore that through conservation measures has experienced strong population recovery, particularly in the Great Lakes states of the upper Midwest. As populations rebound, individuals may break from packs to explore opportunities to establish packs in unoccupied territory. Roaming individuals can cover great distances without establishing viable breeding populations in previously unoccupied habitat(s). This species is not tolerant of human disturbance and will tend to avoid interaction with humans. The activities associated with construction and later plant operations would likely serve as a deterrent to this species.

Based upon this analysis it is concluded that the proposed project will not result in the taking of or adverse impact to these listed species. Species that USFWS has listed as "candidate" or populations identified as "Experimental" are not yet considered threatened or endangered and were not included in this study. BPE requests your comments regarding this analysis.

#### **USFWS Managed Lands:**

Conservation programs such as Waterfowl Production Areas and wetland and grassland easements represent an important tool used by USFWS to identify and manage high quality wildlife habitat. A review of public records failed to identify any of these USFWS managed lands in the project study area. BPE requests confirmation regarding the presence or absence of USFWS managed lands within the proposed study area.

#### **Migratory Bird Consultation:**

USFWS administers various wildlife related mandates of national concern including the Migratory Bird Treaty Act (MBTA). BPE understands that unlike the Endangered Species Act, the MBTA has no provisions for the allowance of a take and therefore compliance may best be achieved by avoiding or minimizing the potential to interact with migratory species during the active breeding season. BPE also understands that in North Dakota and Montana, the breeding season is typically defined as occurring annually from February 1 through July 15.

The current proposed schedule calls for construction initiation on or about July 25, 2010 and continuing for approximately 90 days. The proposed schedule would avoid breeding season. These efforts are intended to avoid direct impacts to breeding birds. BPE seeks confirmation that the proposed measures adequately avoid and mitigate potential impacts to migratory birds.

ONEOK, Bear Paw Energy  
Garden Creek NGL Pipeline  
December 30, 2010



On behalf of BPE, E3 seeks to complete the project analysis previously initiated with the IPaC web-based project review by augmenting those efforts with USFWS comments on the topics detailed in this request. Should you have questions or require additional information, please contact me at 651-319-7456 or [wmccarthy@go2e3.com](mailto:wmccarthy@go2e3.com).

Sincerely,

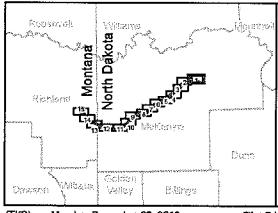
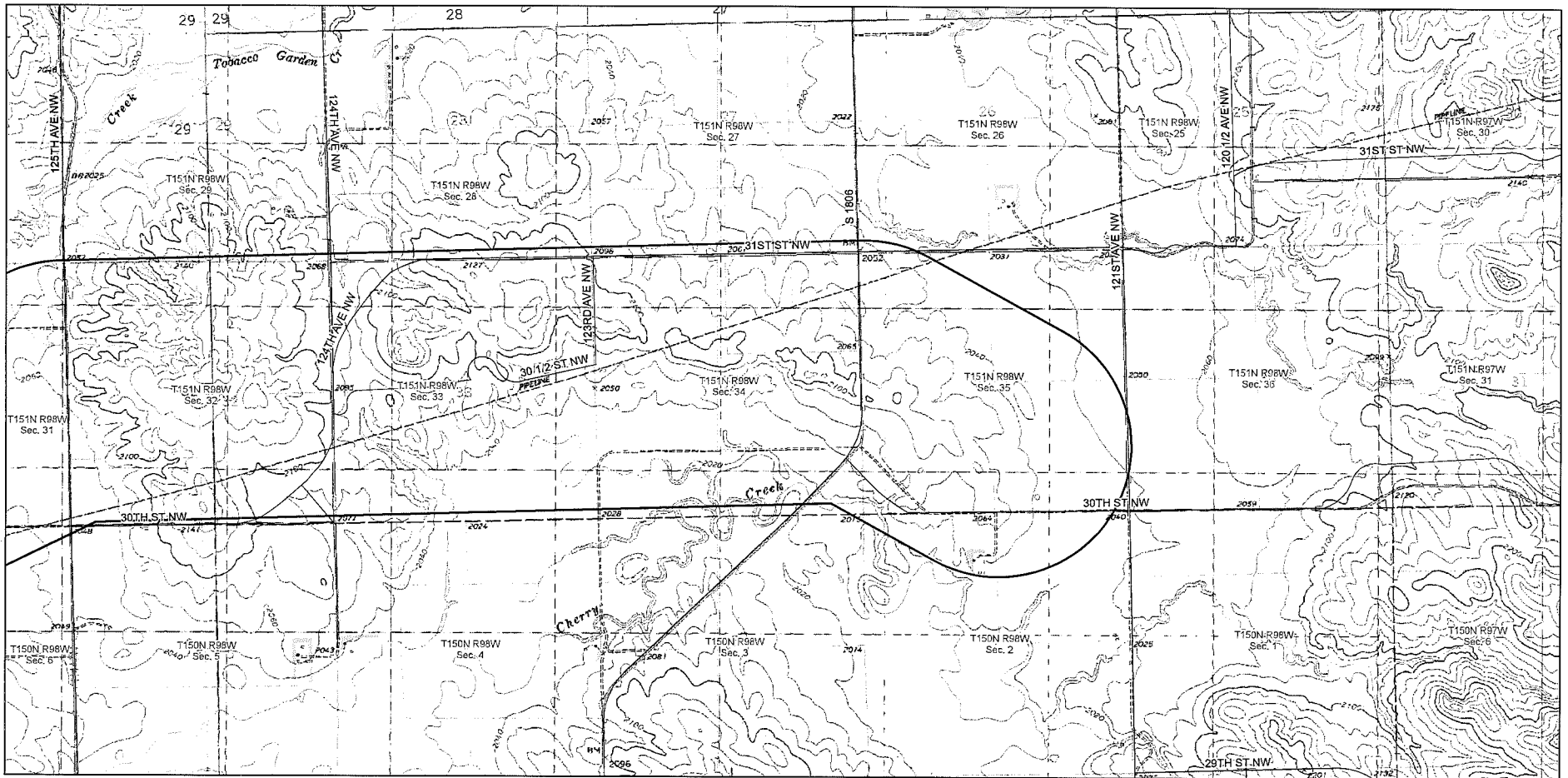


William F. McCarthy  
Project Manager  
E3 Environmental, LLC

Attachment: Map of project area - USGS topographic

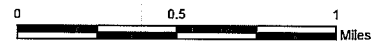
cc: Barry Selke, ONEOK  
Russ Clark, ONEOK

56591055359US



Corridor  
 Roadway

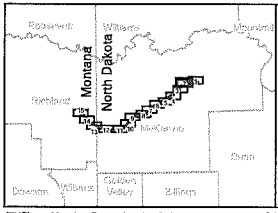
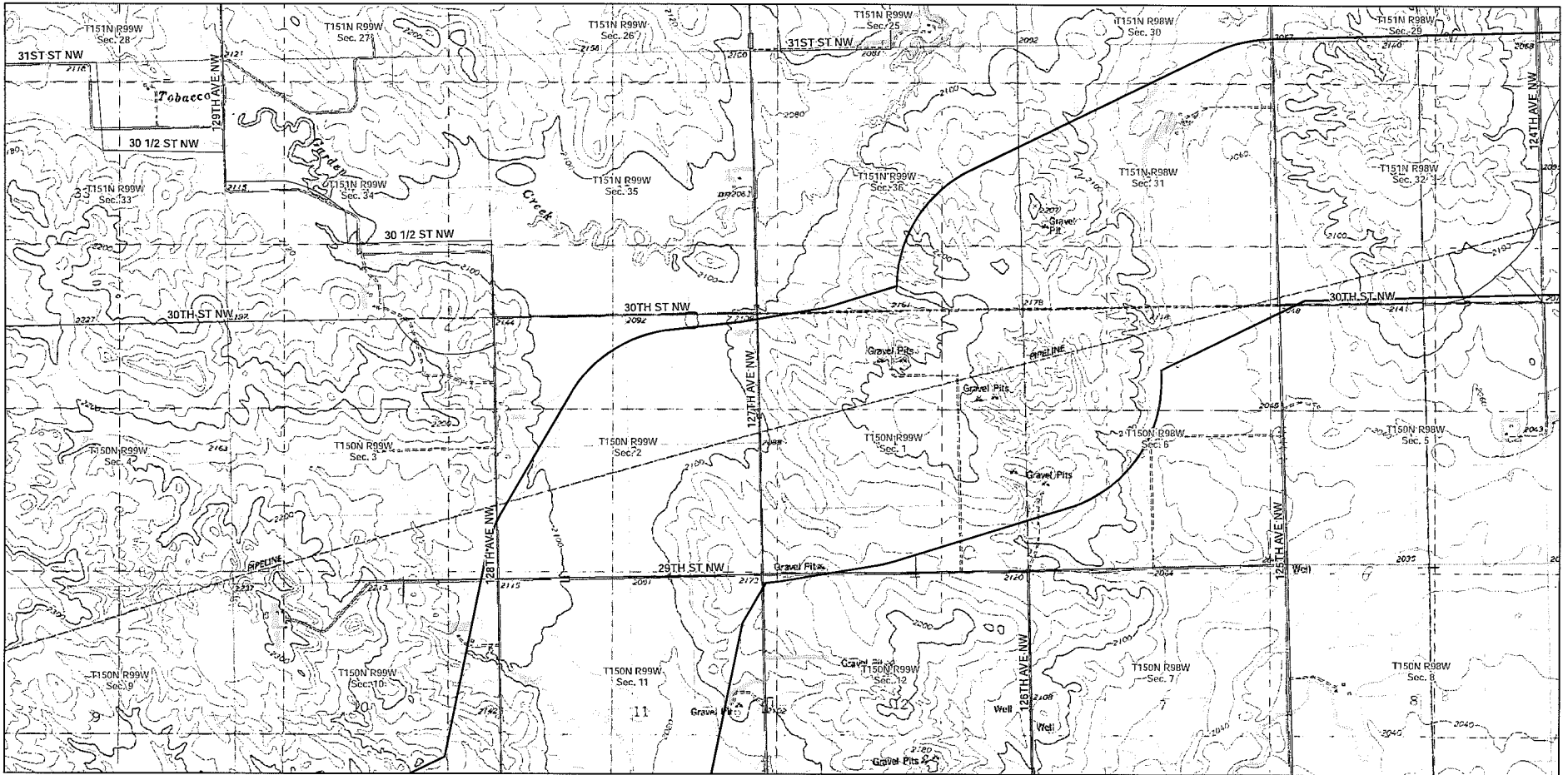
Source: USGS 7.5' series topographic maps




## Garden Creek NGL Proposed Pipeline

### Topographic Map


Map 01 of 15




Corridor  
 Roadway

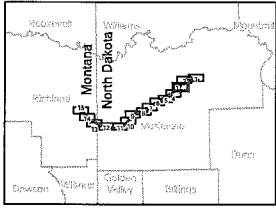
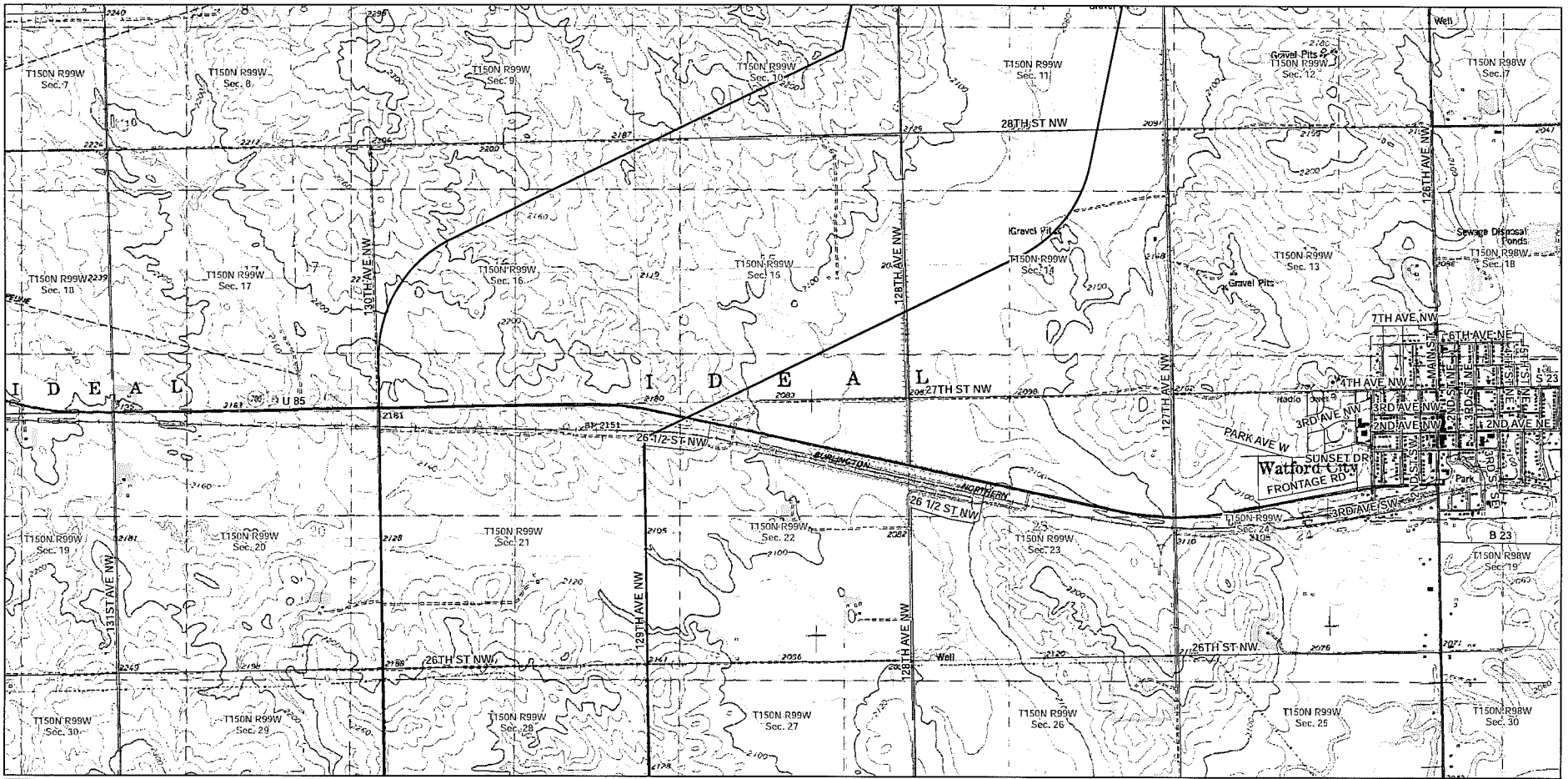
  
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 BEAR PAW ENERGY, LLC  
A SUBSIDIARY OF ONCOR PARTNERS, L.P.

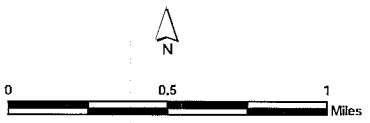
  
 Enhancing Execution  
 with Experience

**Garden Creek NGL  
 Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 02 of 15

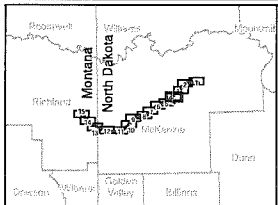
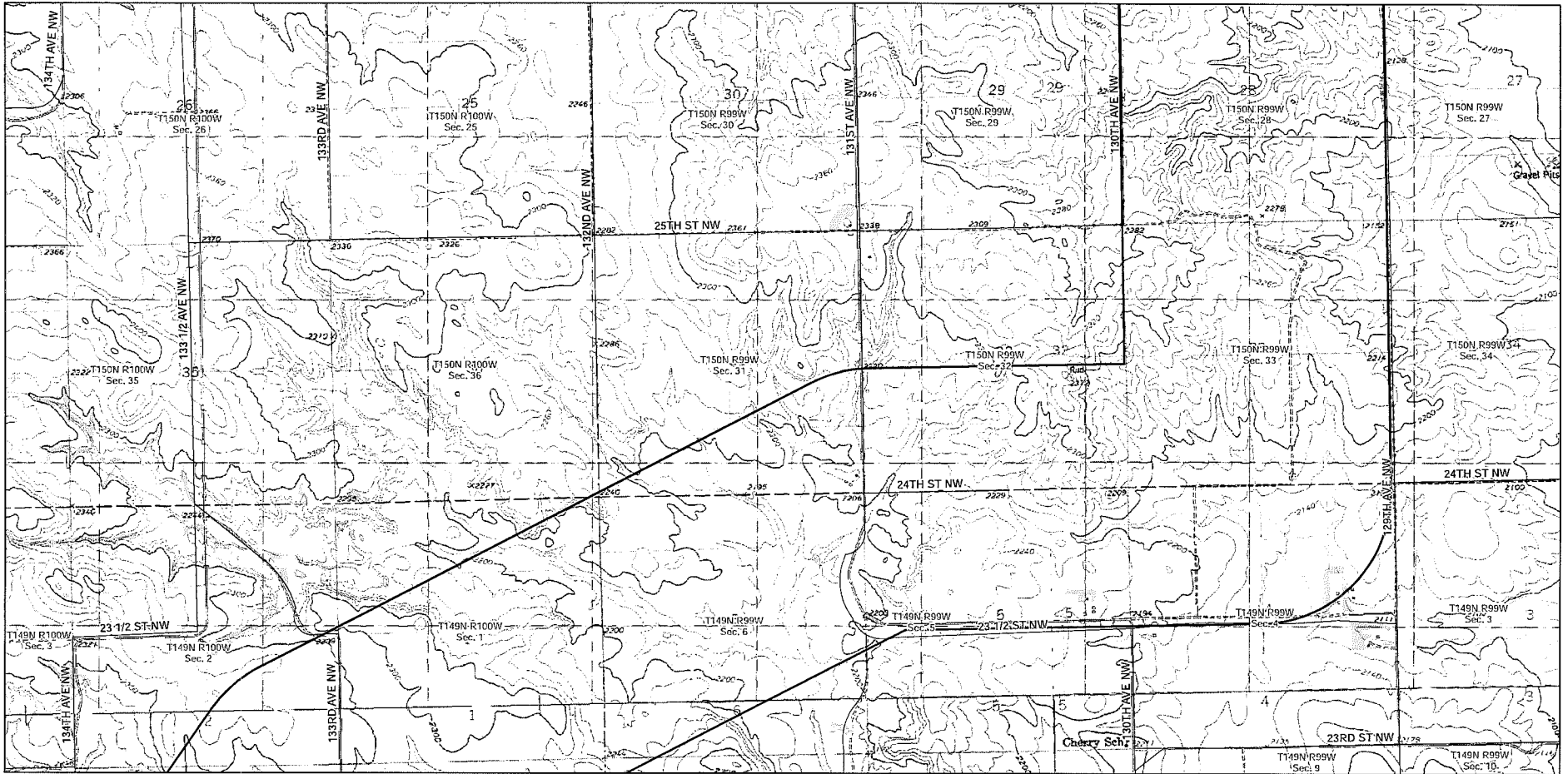


Corridor  
 Roadway

Source: USGS 7.5' series topographic maps



**Garden Creek NGL  
 Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 03 of 15



Corridor  
 Roadway

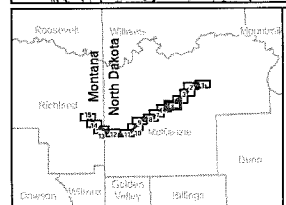
N

0      0.5      1  
 Miles

**BEAR PAW ENERGY, LLC**  
A SUBSIDIARY OF CHSOK PARTNERS L.P.

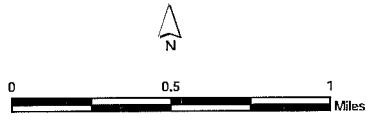
Enhancing Execution  
with Experience

**Garden Creek NGL  
Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 04 of 15



Corridor  
 Roadway

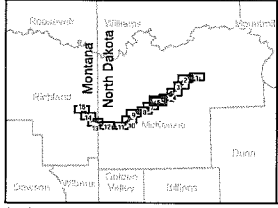
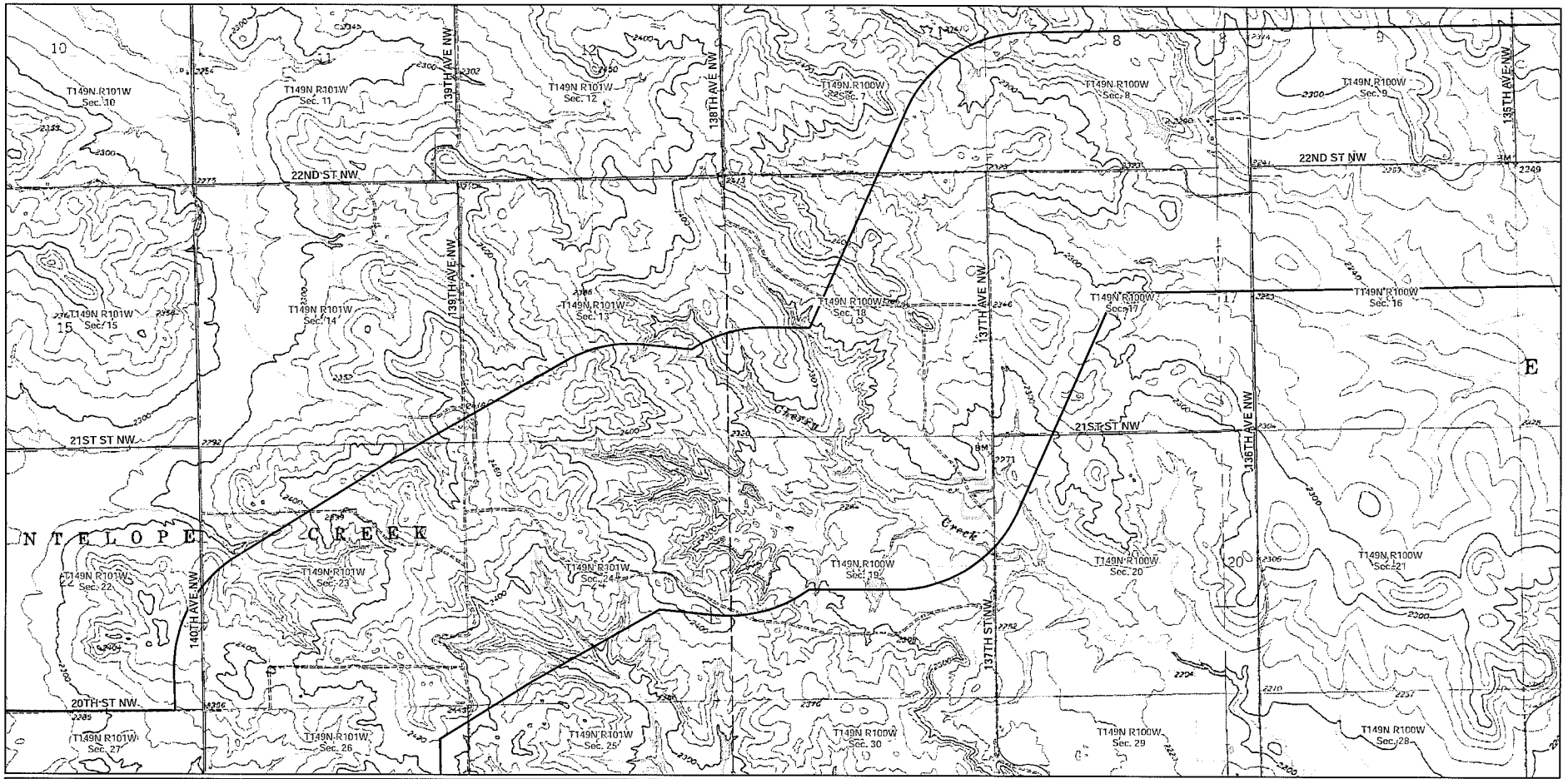
Source: USGS 7.5' series topographic maps




**Garden Creek NGL  
Proposed Pipeline**

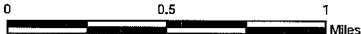
**Topographic Map**

Map 05 of 15




Corridor  
 Roadway

  
 N

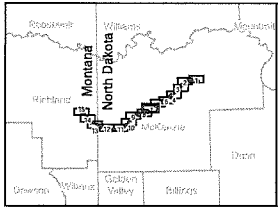
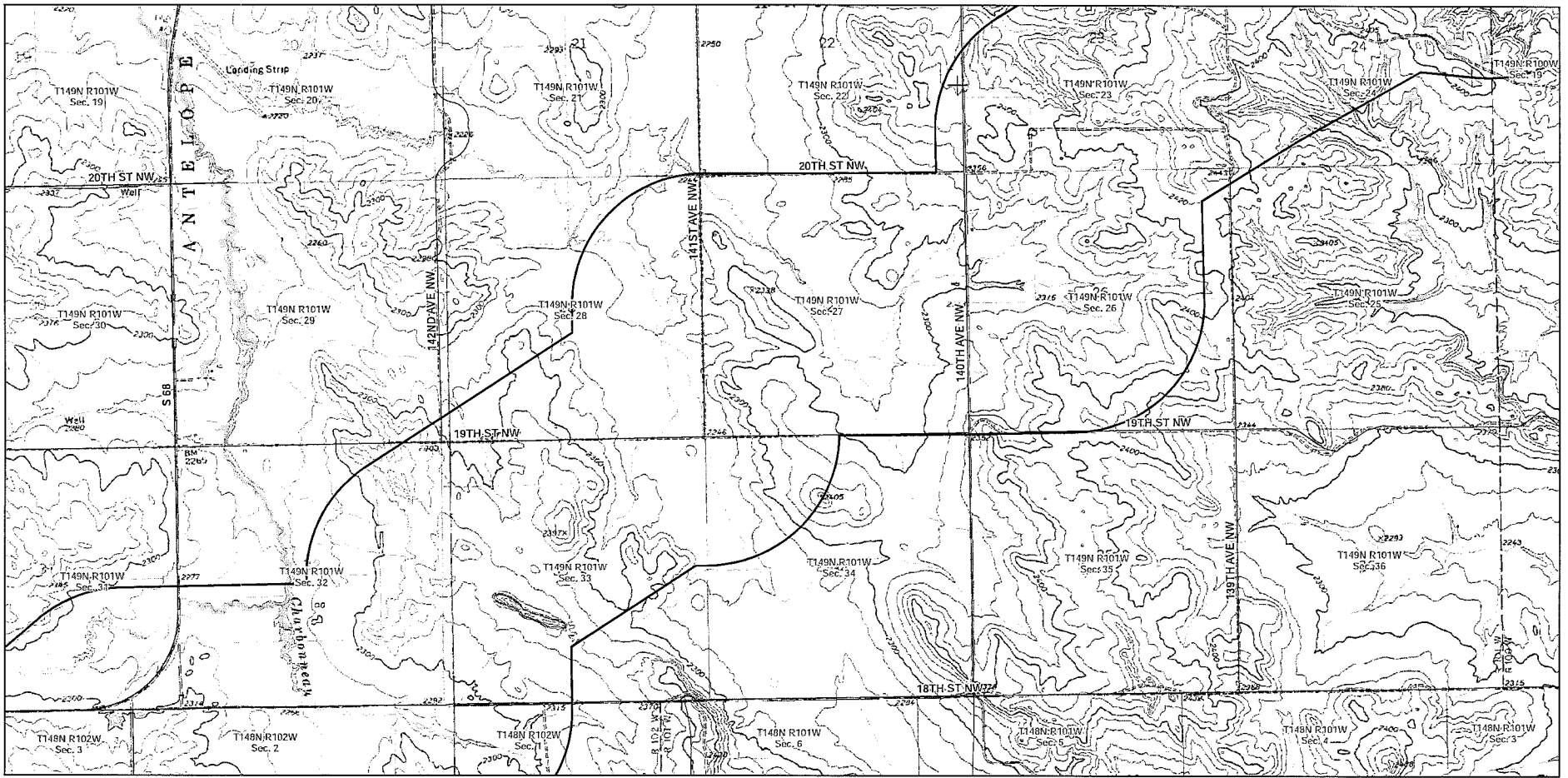
  
 0      0.5      1  
 Miles

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 with Experience

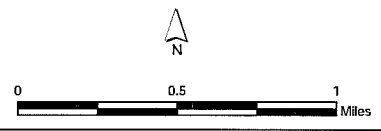
Source: USGS 7.5' series topographic maps

**Garden Creek NGL  
 Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 06 of 15

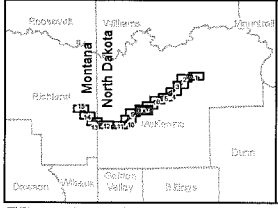
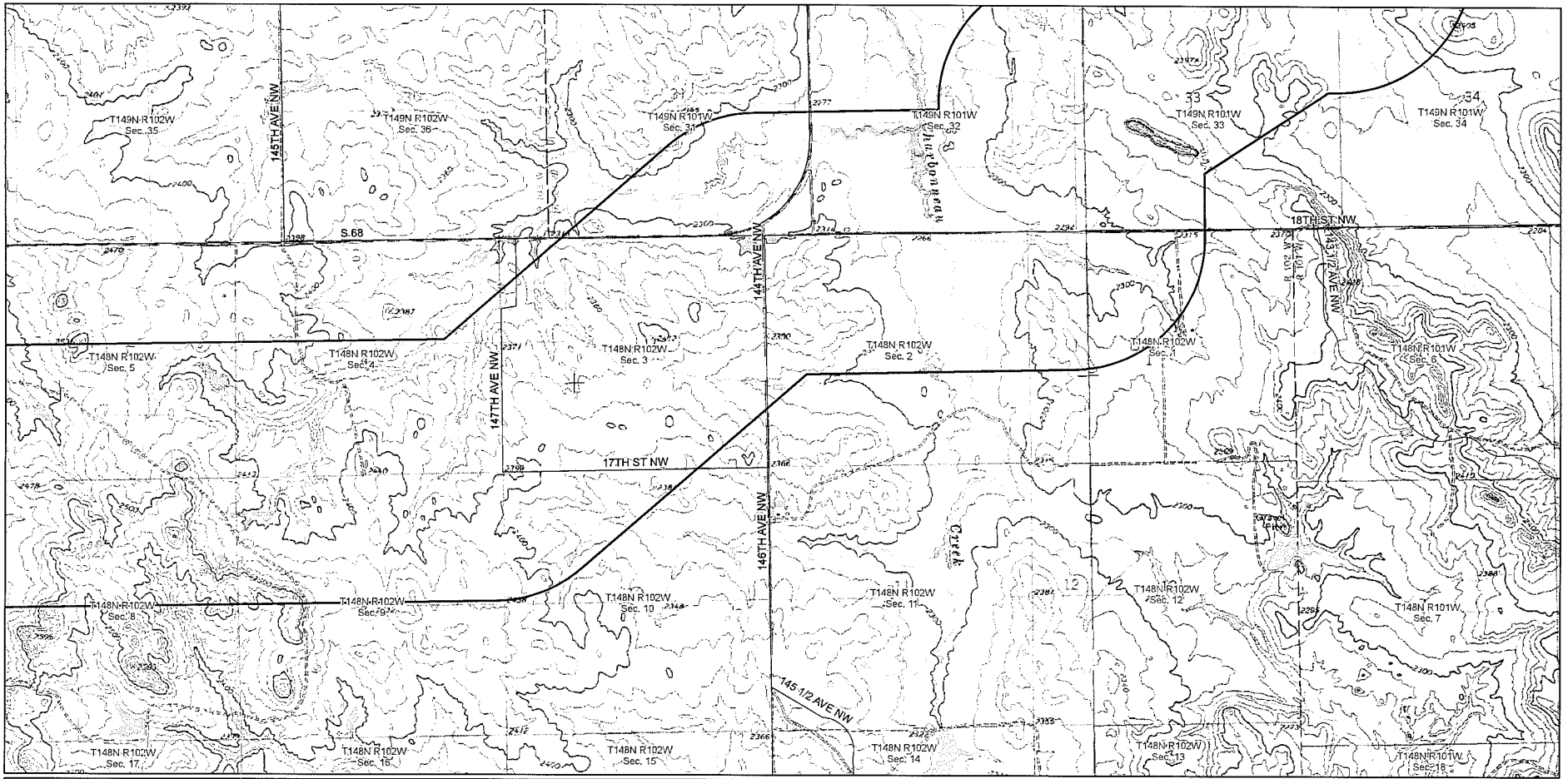


Corridor  
 Roadway

Source: USGS 7.5' series topographic maps

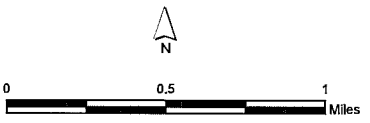


**Garden Creek NGL  
 Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 07 of 15

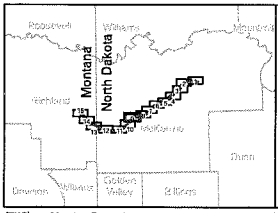
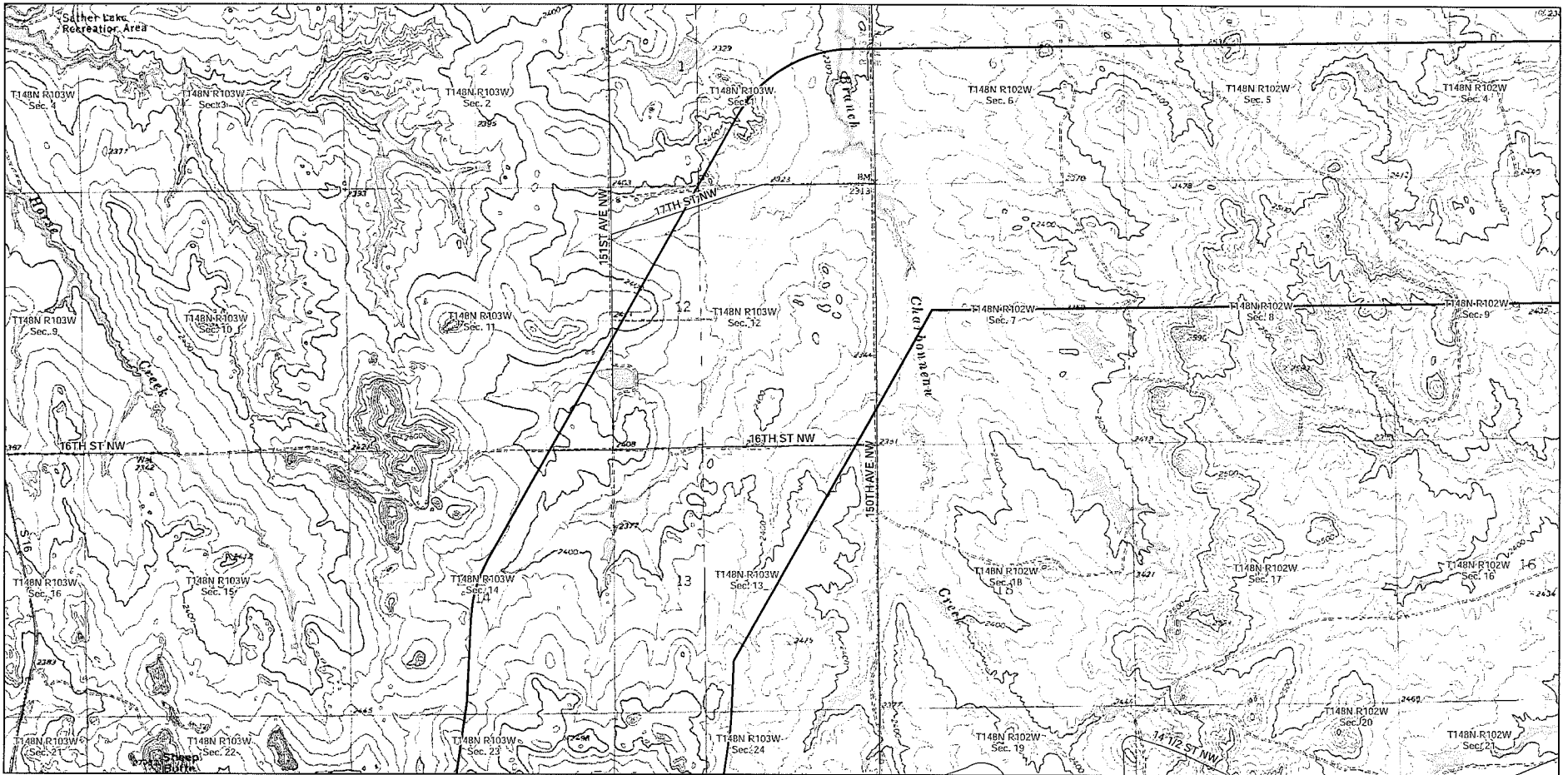


Corridor
   
 Roadway

Source: USGS 7.5' series topographic maps

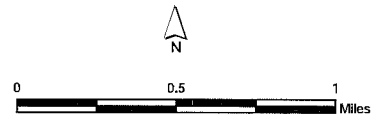


**Garden Creek NGL  
 Proposed Pipeline**
  
**Topographic Map**
  
**Map 08 of 15**

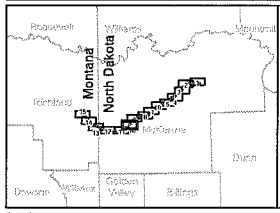
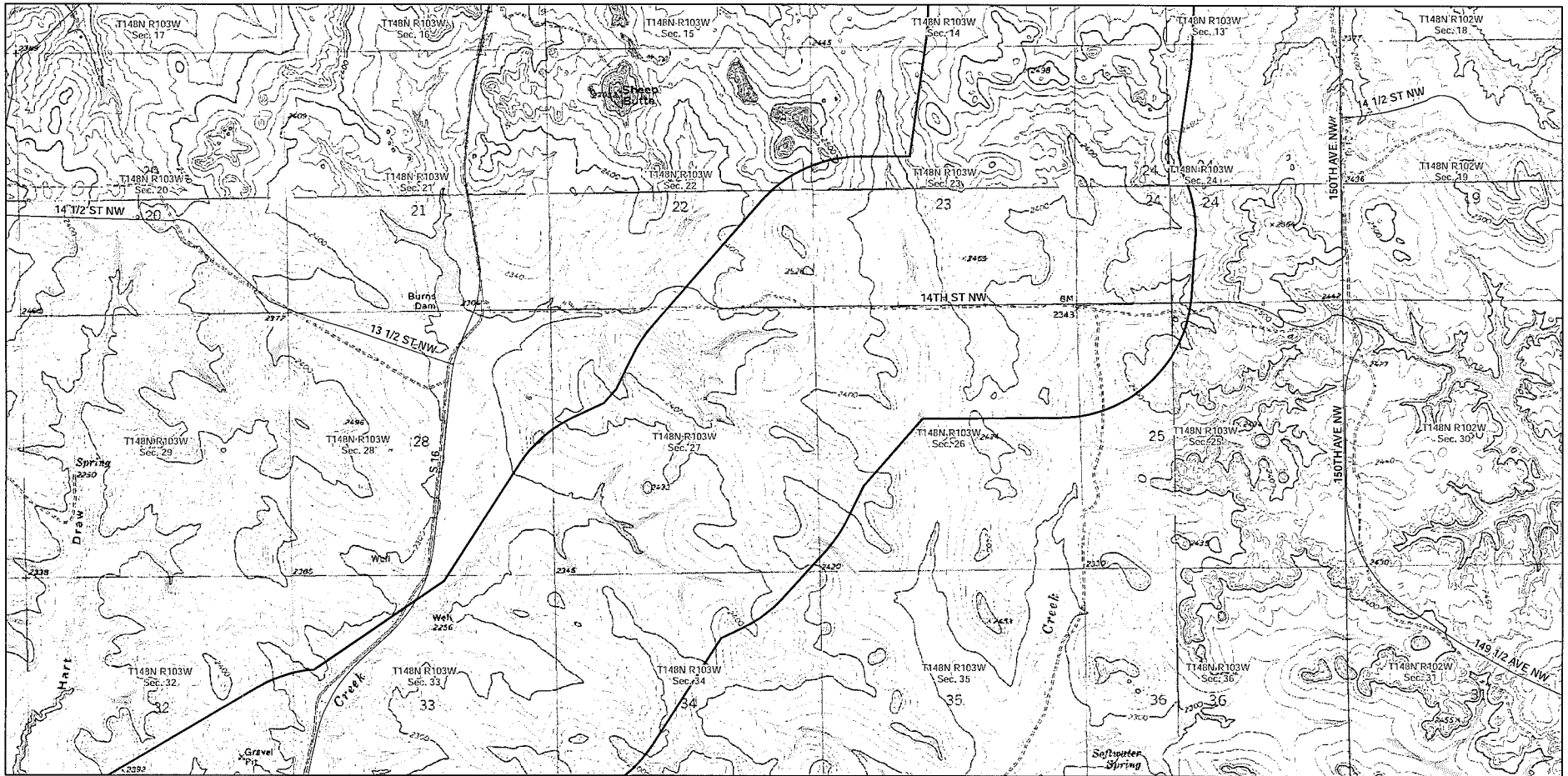


Corridor  
 Roadway

Source: USGS 7.5' series topographic maps

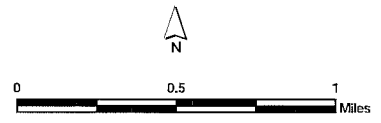


**Garden Creek NGL  
 Proposed Pipeline**  
**Topographic Map**  
 Map 09 of 15

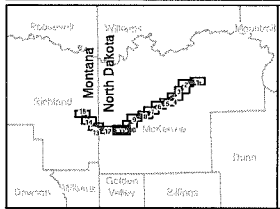
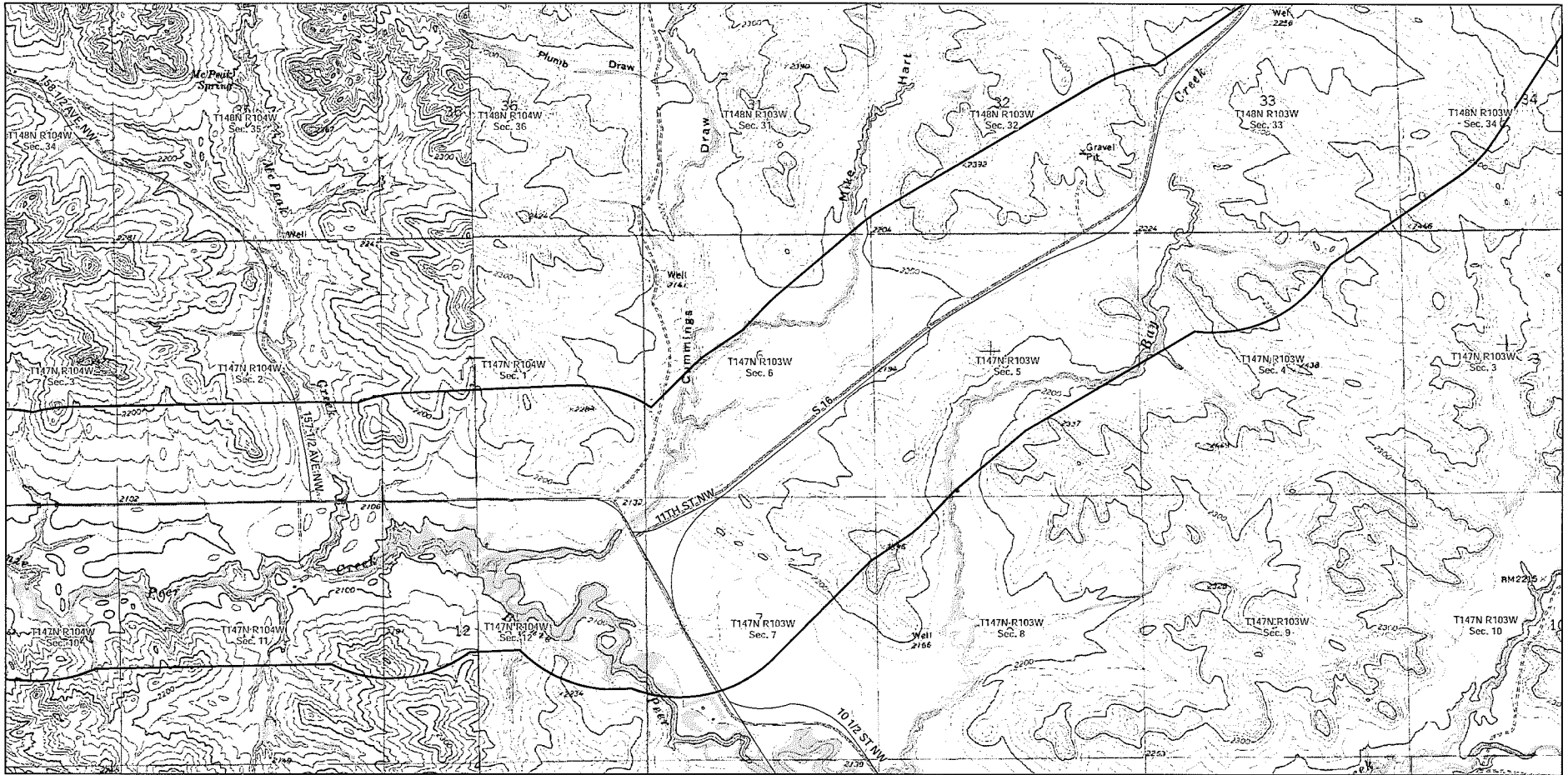


Corridor  
 Roadway

Source: USGS 7.5' series topographic maps



**Garden Creek NGL  
 Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 10 of 15



Corridor  
 Roadway

N

0      0.5      1  
 Miles

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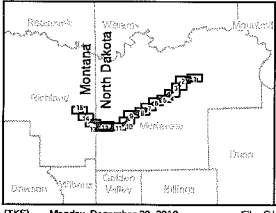
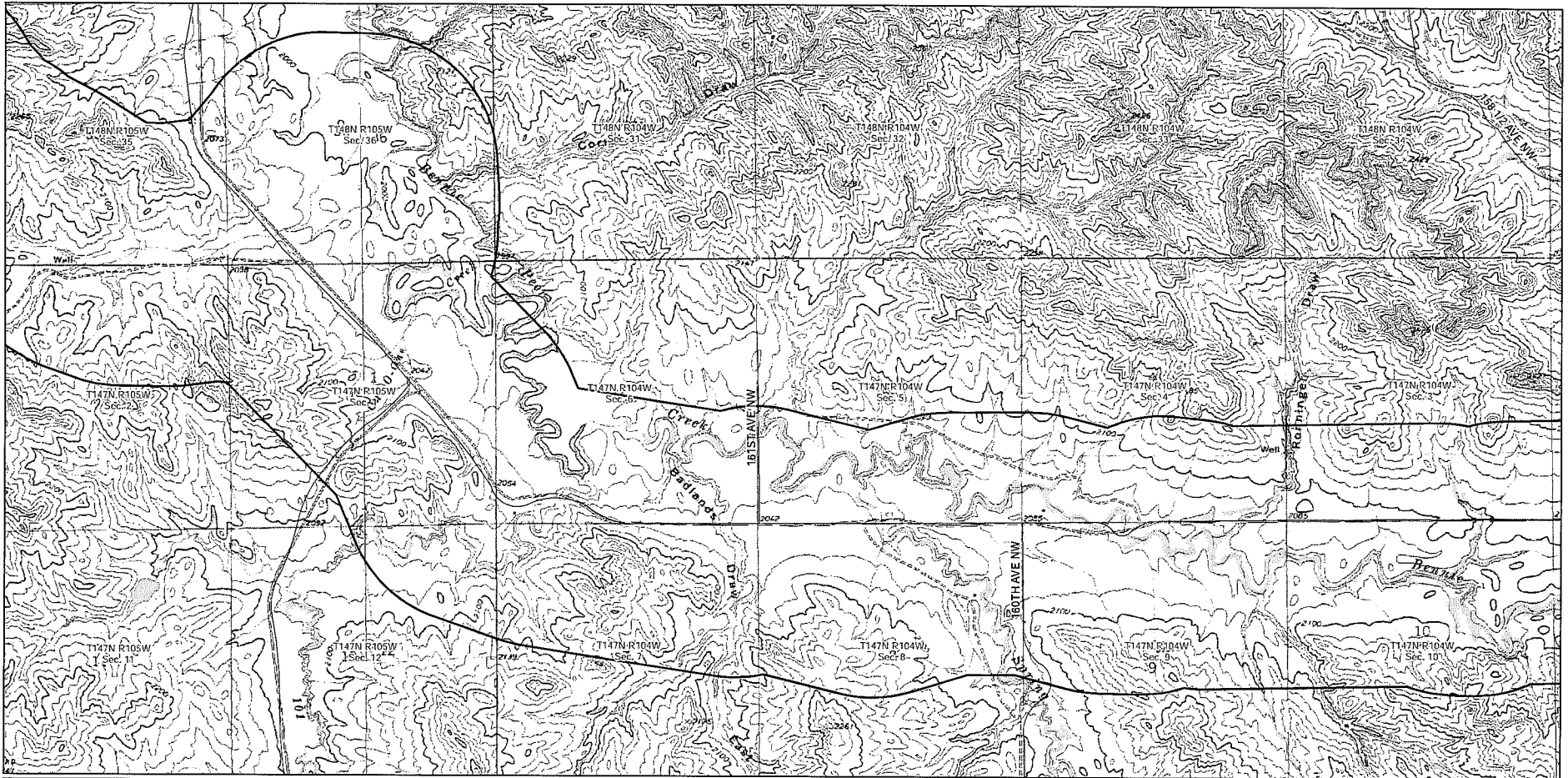
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**Source: USGS 7.5' series topographic maps**

**Garden Creek NGL  
 Proposed Pipeline**

**Topographic Map**

Map 11 of 15



Corridor  
 Roadway

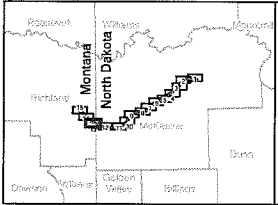
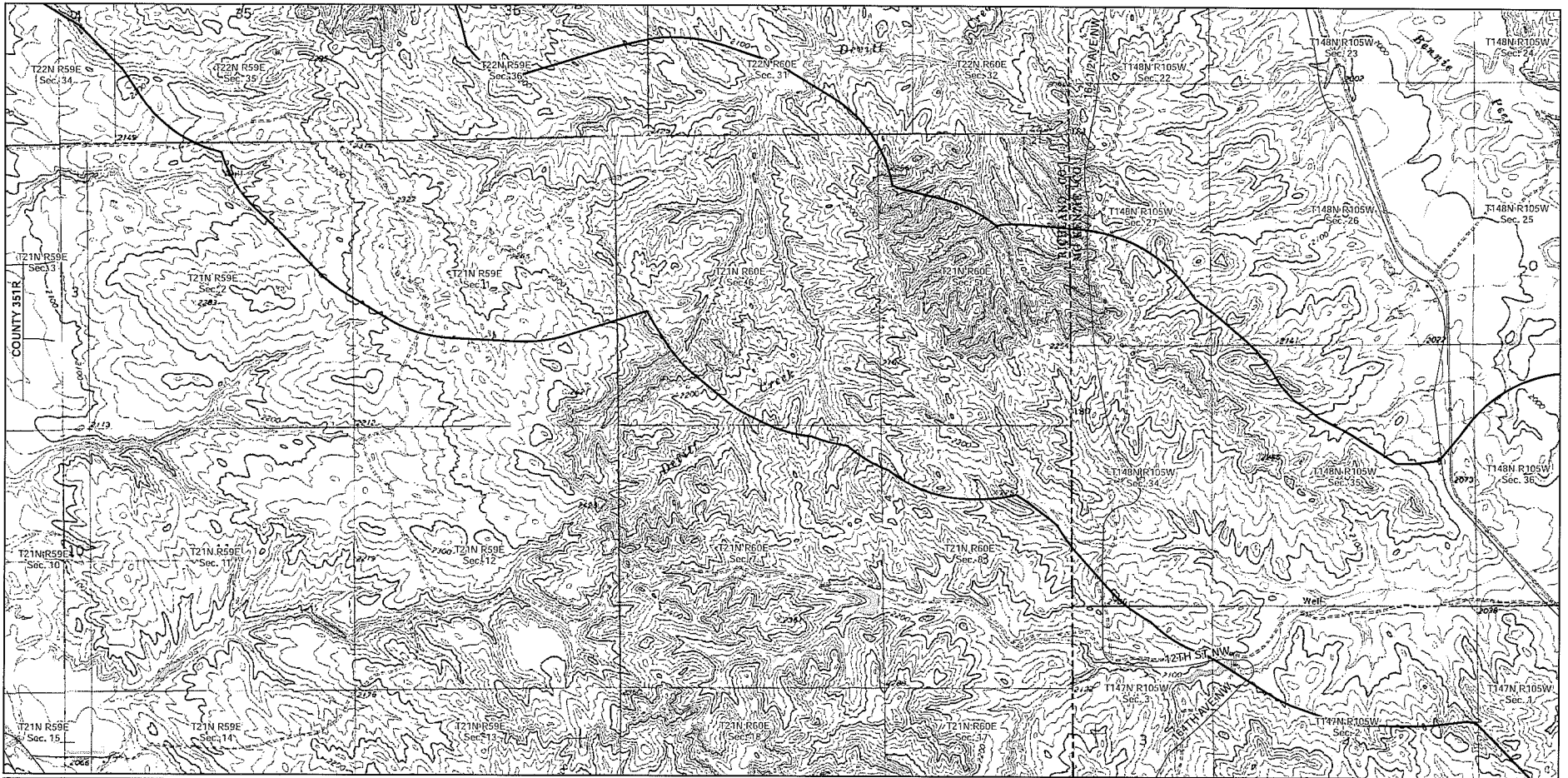
Source: USGS 7.5' series topographic maps

0 0.5 1 Miles

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A SUBSIDIARY OF CROOK PARTNERS, L.P.

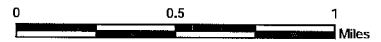
Enhancing Execution  
with Experience

**Garden Creek NGL  
Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 12 of 15



Corridor  
 Roadway

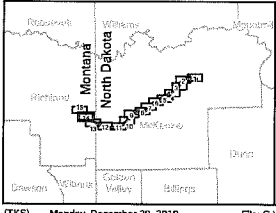
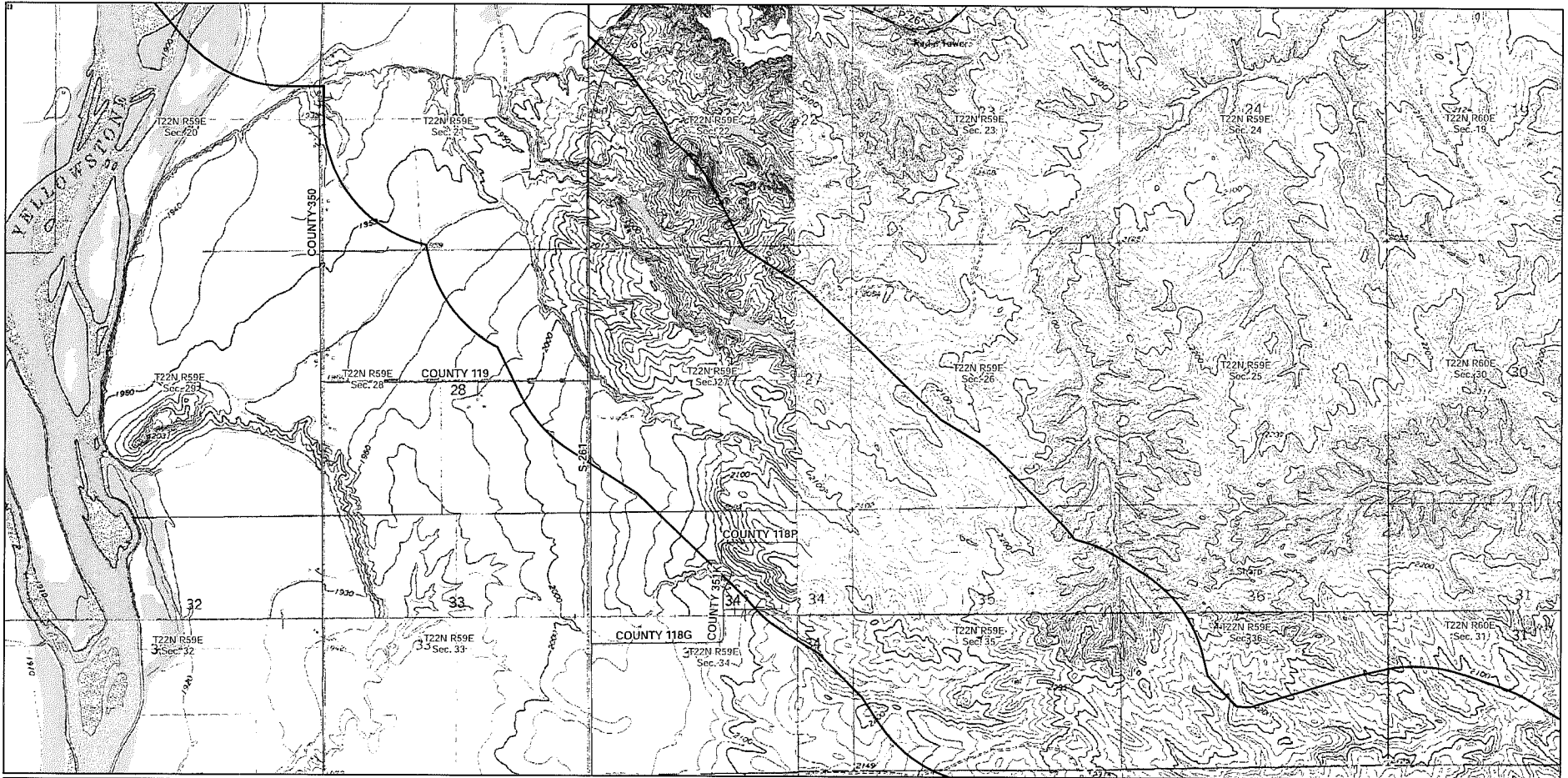
Source: USGS 7.5' series topographic maps



Garden Creek NGL  
Proposed Pipeline

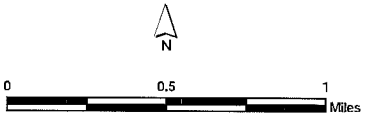
Topographic Map

Map 13 of 15

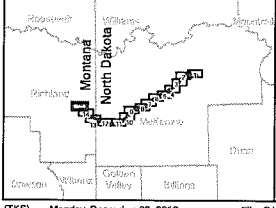
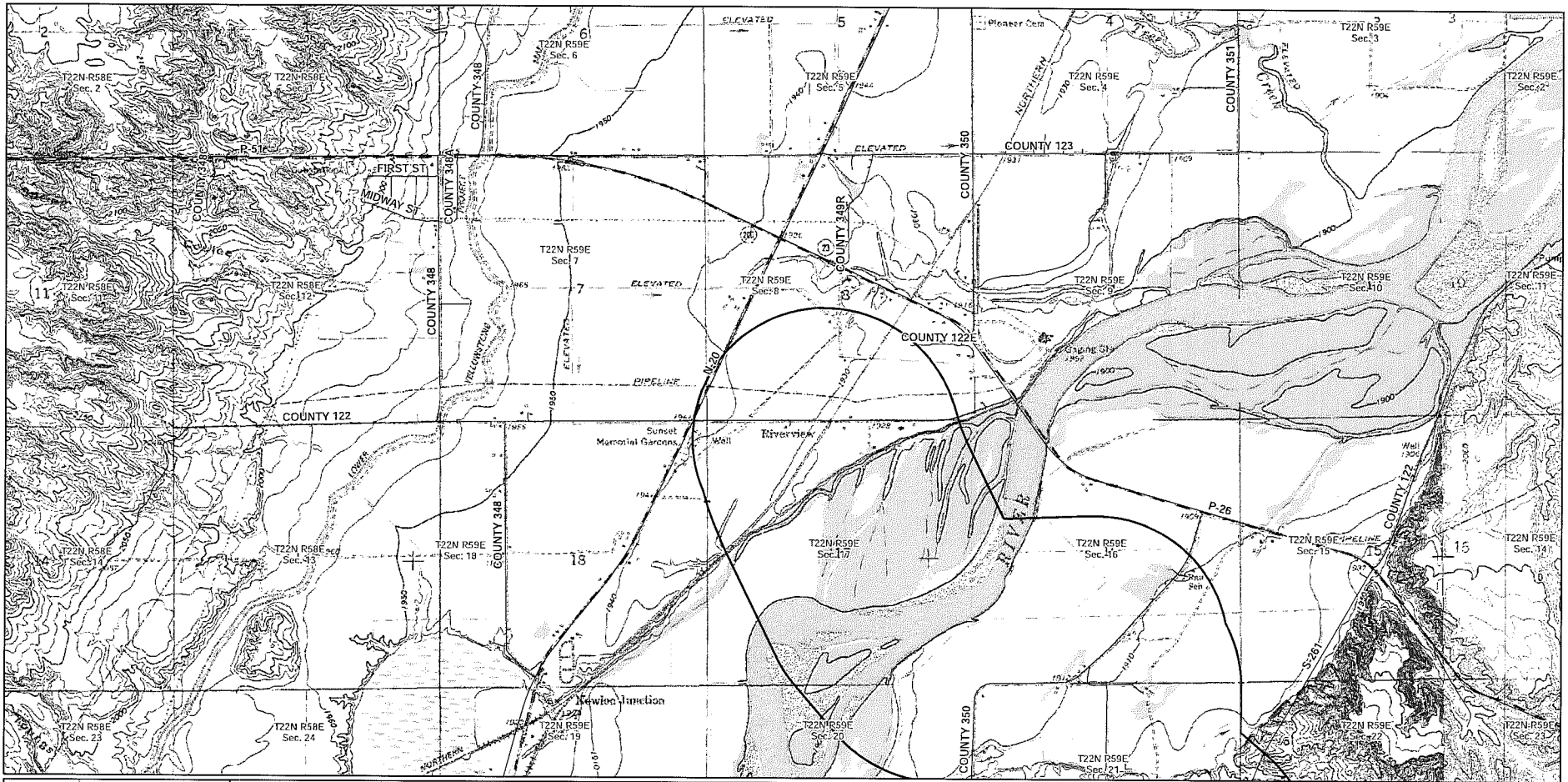


Corridor  
 Roadway

Source: USGS 7.5' series topographic maps

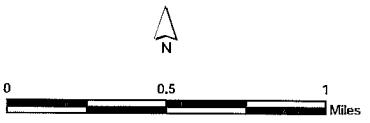


**Garden Creek NGL  
 Proposed Pipeline**  
  
**Topographic Map**  
  
 Map 14 of 15



Corridor  
 Roadway

Source: USGS 7.5' series topographic maps



## Garden Creek NGL Proposed Pipeline

### Topographic Map

Map 15 of 15