



# United States Department of the Interior



## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Casper Area Office  
PO Box 11018  
150 East B Street, RM 1018  
Casper, WY 82602


January 22, 2014

Mr. James Deutsch, Director  
Reclamation & AML Divisions  
North Dakota Public Service Commission  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

Dear Mr. Deutsch:

The Office of Surface Mining (OSM) has reviewed the categorical exclusion certification regarding the 2014 Exploratory Drilling Project, at several sites, principally near Wilton in western North Dakota and determined that the project conforms with exclusion criteria in 516 DM6, Chapter 13, and is excluded from further NEPA compliance. Accordingly, pursuant to section 4-160-40D.3 of the Federal Assistance Manual, you are authorized to proceed with this project and expend Federal funds in accordance with AML grant terms and conditions.

Sincerely,



Jeffrey Fleischman, Chief  
Denver Field Division

Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Wetlands Protection) or The Fish and Wildlife Coordination Act? No [x] Yes [ ]

Threaten to violate a Federal, State, Tribal or local law or requirement imposed for the protection of the environment? No [x] Yes [ ]

### III. RESOURCE IMPACT EXCEPTIONS

Are there any unresolved issues, or adverse effects requiring specialized mitigation, for any of the following resources? If yes, check the ones that apply.

No [x] Yes [ ]

- |   |  |
|---|--|
| <input type="checkbox"/> Topography                         | <input type="checkbox"/> Historic and Cultural           |
| <input type="checkbox"/> Land Use (includes prime farmland) | <input type="checkbox"/> Recreation                      |
| <input type="checkbox"/> Soils                              | <input type="checkbox"/> Air Quality                     |
| <input type="checkbox"/> Vegetation (includes wetlands)     | <input type="checkbox"/> Noise                           |
| <input type="checkbox"/> Hydrology                          | <input type="checkbox"/> Other (includes socioeconomics) |
| <input type="checkbox"/> Fish and Wildlife                  |  |

### IV. ATTACH CONSULTATION LETTERS AND A LOCATION MAP

### V. RESPONSIBLE OFFICIAL CERTIFICATION

Signature: William E. Dodd Date: January 17, 2014

Name and Title: William E. Dodd, Assistant Director, AML Division

### VI. OSM DETERMINATION

This project conforms with the exclusion criteria in 516 DM 6, Appendix 8, and is excluded from further NEPA compliance.

This project does not conform with the exclusion criteria in 516 DM 6, Appendix 8, and requires an environmental assessment.

Signature: [Signature] Date: 1-22-14

Name and Title: FOP