



NEWS RELEASE

USDA Forest Service - - Dakota Prairie Grasslands
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Congress Establishes New NEPA Exclusions for Oil & Gas Activities

Bismarck, ND – To expedite exploration and development to meet the nation’s energy needs, Congress established five categorical exclusions (CE) for oil and gas activities on Federal oil and gas leases in Section 390 of the Energy Policy Act of 2005. These new CEs will impact the current National Environmental Policy Act (NEPA) process of the USDA Forest Service-Dakota Prairie Grasslands.

“The Section 390 CEs are established by Congressional statute,” Dave Pieper, Dakota Prairie Grasslands supervisor, said. “The Dakota Prairie Grasslands will use these new CEs to implement projects that meet the criteria.”

The Section 390 CEs are established by Congressional statute and have replaced the standard procedural mechanism for compliance with NEPA. Agency NEPA procedures are not to be used in lieu of Section 390. These CEs change project timelines, documentation processes, and public involvement procedures; they do not change the on-the-ground implementation of oil and gas activities.

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“We fully expect to continue to meet our land stewardship responsibilities through the implementation of ‘best management practices’ and appropriate mitigation measures,” Pieper said.

“The Dakota Prairie Grasslands has identified some oil and gas projects that meet the Section 390 CE criteria,” Pieper said. “Projects will be posted on our website as they are identified and will be included in the cover letter of the quarterly NEPA Scheduled of Proposed Activities.”

The Medora and McKenzie Ranger Districts are reviewing potential proposed wells, and the Section 390 CE criteria preliminary apply to approximately forty-five projects. There are seven projects likely to go forward on the Little Missouri National Grassland within the next two months:

- Whiting 14-15, located on the Medora Ranger District in the SW quarter of the SW quarter of Section 15, Township 143 N, Range 103 W.
- Slawson 2-7, located on the Medora Ranger District in the SW quarter of the NE quarter of Section 7, Township 140 N, Range 101 W.
- Amerada-Hess 7-13, located on the Medora Ranger District in the NW quarter of the SW quarter of Section 7, Township 139 N, Range 101 W.
- Maverick 1-14H, located on the McKenzie Ranger District in the SE quarter of the SE quarter of Section 14, Township 147 N, Range 105 W.
- Catapult 1-19H, located on the McKenzie Ranger District in the NW quarter of the NW quarter of Section 19, Township 147 N, Range 104 W.
- Federal 4-11H, located on the McKenzie Ranger District in the NW quarter of the NW quarter of Section 11, Township 147 N, Range 105 W.

- MonDak Federal 4-18H, located on the McKenzie Ranger District in the NW quarter of the NW quarter of Section 11, Township 148 N, Range 104 W.

Proposed activities that meet the criteria for a Section 390 CE will not be open to public comment and they will not be administratively appealable.

Currently there are two separate groups of oil and gas CEs. The Section 390 CEs established by Congress are effective as of August 8, 2005; the Forest Service oil and gas CE that went out for public comment in December with comments is currently being analyzed.

For more information on the Section 390 CEs, contact the USDA Forest Service-Dakota Prairie Grasslands office at 701-250-4443. The Dakota Prairie Grassland website address is <http://www.fs.fed.us/r1/dakotaprairie>.

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