

**Castle, Carla**

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**From:** Walsh, James  
**Sent:** Tuesday, January 09, 2007 9:36 AM  
**To:** edward\_meendering@fws.gov  
**Cc:** Ellis, Scott; Castle, Carla; Swartzinski, Paul  
**Subject:** Keystone pipeline wetland mapping

Ed,

It was a pleasure meeting you last month at the Keystone Pipeline meeting hosted by Jim Alonso in Devil's Lake. Now that the holidays are behind us, I have been continuing to coordinate the wetlands work for the Keystone Project. Using the paper maps and overlays provided to us by Scott Ralston, we have successfully completed the digital mapping of FWS protected wetland basins within easements in Nelson County. I was wondering if you might be able to provide me with similar maps applicable to wetland easements impacted by the Project in Steele County? I remember that you had mentioned that mapping efforts were not yet 100% complete for Steele County, but any information that you may be able to provide for easements relevant to the Project in the next few weeks would be extremely helpful. If I can be of any assistance, please do not hesitate to contact me.

Thanks very much,  
Randy

*J. Randall Walsh*

Ecologist  
ENSR|AECOM  
1601 Prospect Parkway  
Fort Collins, CO 80525  
office: (970) 493-8878 ext. 180  
cell: (970) 232-4058  
[jwalsh@ensr.aecom.com](mailto:jwalsh@ensr.aecom.com)

# CONFIDENTIAL

Castle, Carla

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From: Walsh, James  
Sent: Tuesday, January 23, 2007 5:11 PM  
To: Castle, Carla  
Subject: FW: Keystone pipeline wetland mapping

Janie - For your files...Thanks

-----Original Message-----

From: Edward\_Meendering@fws.gov [mailto:Edward\_Meendering@fws.gov]  
Sent: Monday, January 15, 2007 1:37 PM  
To: Walsh, James  
Subject: Re: Keystone pipeline wetland mapping

James:

I enjoyed meeting you at Devils Lake and appreciate your willingness in working with the U.S. Fish and Wildlife Service and our wetland easements. I mailed you a letter today with the maps that you requested which are complete. I should be able to have the remaining maps to you by the end of the month once they are completed. Please let me know if you have any questions or comments.

Thank you,  
Ed

## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Mountain-Prairie Region

VALLEY CITY WMD  
11515 River Road  
Valley City, ND 58072-9619  
January 15, 2007



Mr. James Walsh  
1601 Prospect Parkway  
Fort Collins, CO 80525

Barnes Easement #235X, 53X  
Steele Easement #40X,1, 84X,1,2, 91X,1,2

Dear Mr. Walsh:

You requested that the U. S. Fish and Wildlife Service (Service) provide you with a map for protected wetlands located in section 17, NW1/4, S1/2, section 6, SE1/4, section 7, NE1/4 of T. 141 N., R. 57 W., Barnes County, North Dakota and section 21, Lots 1 and 2, E1/2SW1/4 of T. 144 N., R. 57 W., section 9, N1/2NW1/4 of T. 147 N., R. 57 W., section 28, N1/2 of T. 148 N., R. 57 W., Steele County, North Dakota.

The U. S. Fish and Wildlife Service has purchased and owns perpetual rights which restrict or prohibit the right to drain, burn, level, and fill any wetland basin on the ownership represented by this map. This map represents the Service's effort to depict the approximate location of all protected wetland basins based on information and maps available at the time this map was prepared. However, because climatological and other natural conditions may cause the shape and location of wetland basins to change over time and from time to time, this map may or may not show wetlands as they appear in any given year.

The water levels of these wetlands naturally increase and decrease depending on the natural water cycle. The Service has procedures which allow landowners to remove sheet water or water from wetlands that are affecting roads and buildings. If issues arise concerning individual wetland basins represented on the maps, each will be looked at on a case by case basis. It is the landowner's responsibility to contact the Service if there are any questions concerning the draining, burning, filling, and/or leveling of wetlands depicted on the easement wetland maps.

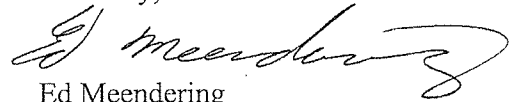
In Summary there are three points to remember about the wetland easement maps:

1. The maps do not and are not intended to provide the exact size or configuration of the wetlands protected by the provisions of the easement.
2. Any burning, draining, filling, or leveling of wetlands depicted on the wetland easement map without a permit issued by the Service is a violation of the provisions of the easement.
3. It is the landowner's responsibility to contact the Service if there are any questions concerning mapped wetlands.

If you have any questions about this map or the easement contract, please contact this office 701-845-3466.

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Sincerely,



Ed Meendering  
Refuge Officer

Att: Maps (6), Barnes 235X, 53X  
Steele 40X,1 section 21, 84X,1,2 section 9, 91X,1,2 section 28.

cc: WMD easement folder (w/o contract)

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## UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE

EXHIBIT "A"

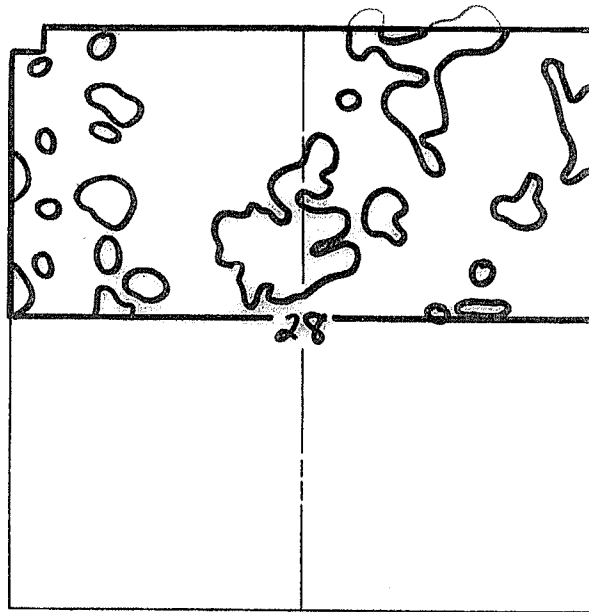
Map 2 of 2

TRACT (91X,1,2)

WATERFOWL PRODUCTION AREA STEELE COUNTY, STATE OF NORTH DAKOTA

EASEMENT AUTHORIZED BY MIGRATORY BIRD HUNTING STAMP ACT OF MARCH 16, 1934,  
AS AMENDED.

T. 148 N., R. 57 W., 5th PRINCIPAL MERIDIAN  
section 28, N $\frac{1}{2}$  except parcel of land conveyed for cemetery and church site as  
recorded in Bk. H Deeds, p. 467.



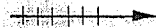


Scale: 4 Inches = 1 Mile

This map delineates wetlands referred to in the easement conveyance dated April 27, 1977 which the parties of the first part agree to maintain as a waterfowl production area. The lands covered by this conveyance include any enlargements of the delineated wetland areas resulting from normal or abnormal increased water.

  
Landowner Signature  
Arthur O. Ostenson

### LEGEND

-  Boundary of Easement Description
-  Wetlands covered by provisions of the easement
-  Nonfunctional drainage facilities which the landowner agrees NOT to repair or clean out

Prepared by: Robert S. Billings Date: 4/27/77

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UNITED STATES DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

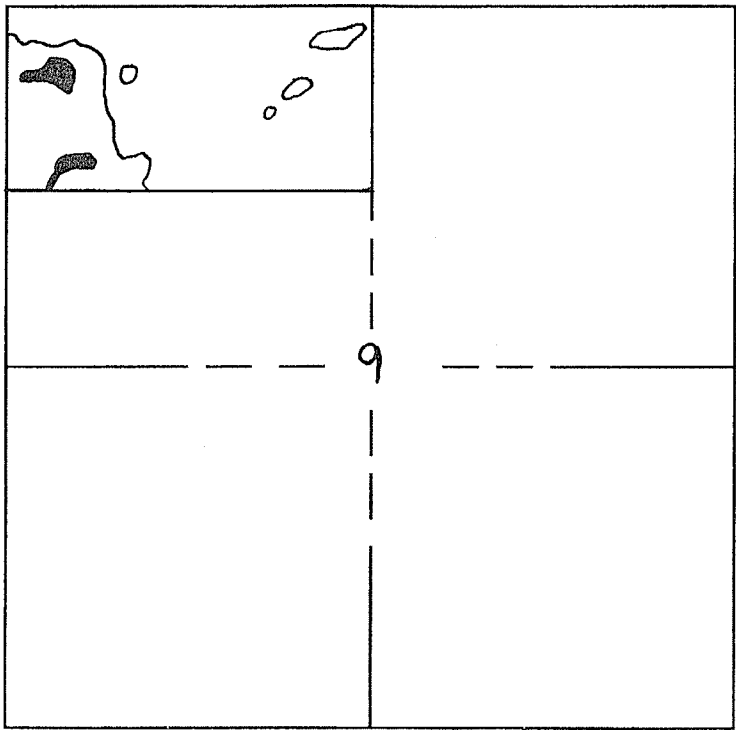
TRACT 84X, 1, 2

MAP 1 of 2

WATERFOWL PRODUCTION AREA STEELE COUNTY, STATE OF ND

EASEMENT AUTHORIZED BY MIGRATORY BIRD HUNTING STAMP ACT OF MARCH 16, 1934, AS AMENDED.  
T. 147 N., R. 57 W., 5th PRINCIPAL MERIDIAN


Section 9, N $\frac{1}{2}$  NW $\frac{1}{4}$





Scale: 4 Inches = 1 Mile

The U.S. Fish and Wildlife Service (Service) has purchased and owns perpetual rights which restrict or prohibit the right to drain, burn, level, and fill any wetland basin on the ownership represented by this map. This map represents the Service's effort to depict the approximate location of all protected wetland basins based on information and maps available at the time this map was prepared. However, because climatological and other natural conditions may cause the shape and location of wetland basins to change over time and from time to time, this map may or may not show wetlands as they appear in any given year.

**LEGEND**

 Boundary of Easement Description

 Wetlands covered by provisions of the easement

 Wetland deleted from easement by Drainage Facility Map prepared when the easement was purchased.

Prepared by: Harris J. Horstad

Date: 5-11-01

# CONFIDENTIAL

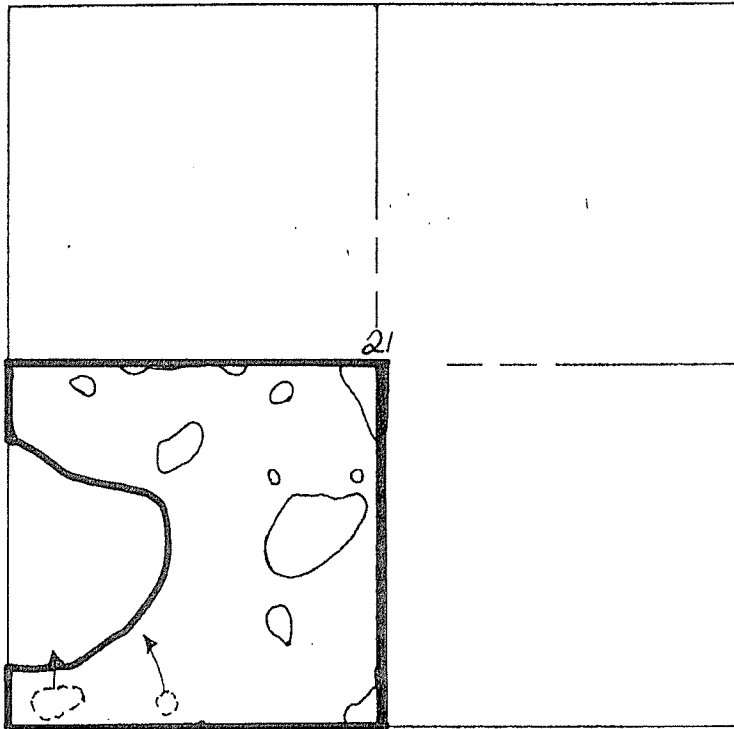
UNITED STATES DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

TRACT 40X,1

MAP 1 of 2

WATERFOWL PRODUCTION AREA Steele COUNTY, STATE OF NORTH DAKOTA  
EASEMENT AUTHORIZED BY MIGRATORY BIRD HUNTING STAMP ACT OF MARCH 16, 1934, AS AMENDED.  
T. 144 N., R. 57 W., 5TH PRINCIPAL MERIDIAN

Section: 21 Lots 1 and 2, E1/2SW1/4



Scale: 4 Inches = 1 Mile

The U.S. Fish and Wildlife Service (Service) has purchased and owns perpetual rights which restrict or prohibit the right to drain, burn, level, and fill any wetland on the ownership represented by this map. This map represents the Service's effort to depict the approximate location of all protected wetlands based on information and maps available at the time this map was prepared. However, wetlands are hydro logically dynamic systems, with regularly expanding and contracting water levels. This map is not meant to depict water levels in the wetland in any given year. The Service reserves the right to correct this map provided the mapped acreage remains consistent with the Easement's Summary Acres.

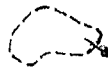
## LEGEND



Boundary of Easement Description



Wetlands covered by provisions of the easement



Wetland deleted from easement by  
Drainage Facility Map prepared  
when the easement was purchased.

Prepared by: Benjamin L. Cleghorn Date: 23 October 2006

Approved by: Ed Meendering Date: 23 October 2006

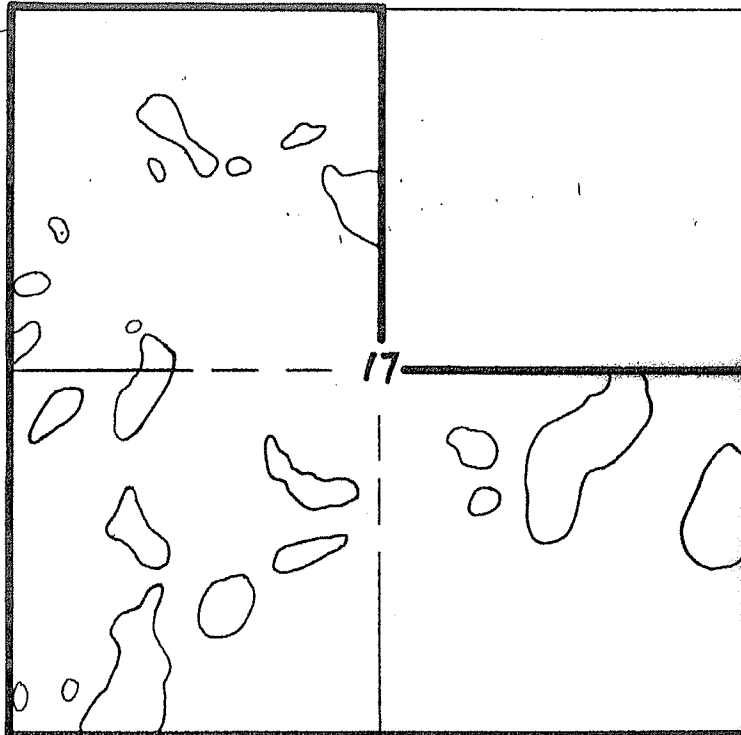
Revised: 4/5/2004

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UNITED STATES DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

TRACT 235X MAP 1 of 1  
WATERFOWL PRODUCTION AREA Barnes COUNTY, STATE OF North Dakota  
EASEMENT AUTHORIZED BY MIGRATORY BIRD HUNTING STAMP ACT OF MARCH 16, 1934, AS AMENDED.  
T. 141 N., R. 57 W., 5<sup>th</sup> PRINCIPAL MERIDIAN




SECTION 17, NW1/4, S1/2



Scale: 4 Inches = 1 Mile

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### LEGEND

-  Boundary of Easement Description
-  Wetlands covered by provisions of the easement
-  Wetland deleted from easement by Drainage Facility Map prepared when the easement was purchased.

Prepared by: Jim F. Gahr Date: 4-27-06  
Approved by: Ed Mendenhall Date: 4-27-06

Revised: 4/5/2004

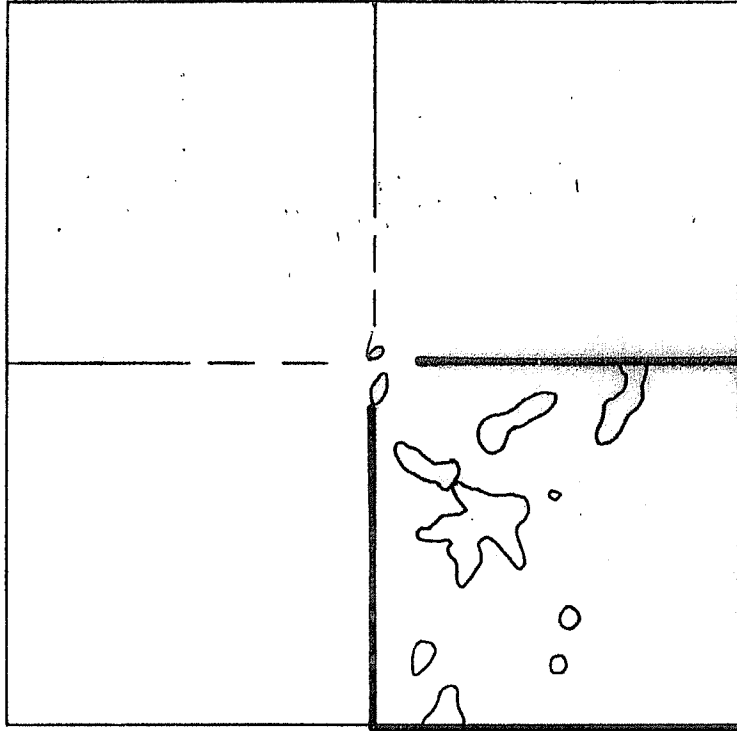


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UNITED STATES DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

TRACT 53X MAP 1 of 2  
WATERFOWL PRODUCTION AREA Barnes COUNTY, STATE OF North Dakota  
EASEMENT AUTHORIZED BY MIGRATORY BIRD HUNTING STAMP ACT OF MARCH 16, 1934, AS AMENDED.  
T. 141 N., R. 57 W., 5<sup>th</sup> PRINCIPAL MERIDIAN


SECTION 6, SE1/4





Scale: 4 Inches = 1 Mile

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## LEGEND

 Boundary of Easement Description

 Wetlands covered by provisions of the easement

 Wetland deleted from easement by  
Drainage Facility Map prepared  
when the easement was purchased.

Prepared by: Jim F. Gahn Date: 4-26-06

Approved by: Ed Meandering Date: 4-26-06

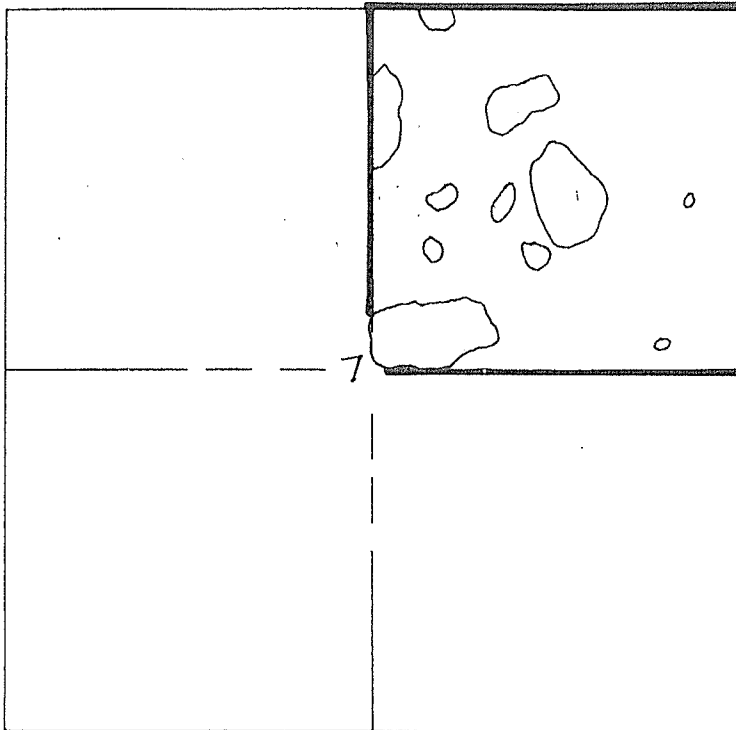
Revised: 4/5/2004

# CONFIDENTIAL

UNITED STATES DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

TRACT 53X MAP 2 of 2  
WATERFOWL PRODUCTION AREA Barnes COUNTY, STATE OF North Dakota  
EASEMENT AUTHORIZED BY MIGRATORY BIRD HUNTING STAMP ACT OF MARCH 16, 1934, AS AMENDED.  
T. 141 N., R. 57 W., 5<sup>th</sup> PRINCIPAL MERIDIAN



SECTION 7, NE1/4



Scale: 4 Inches = 1 Mile

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## LEGEND

- Boundary of Easement Description
-  Wetlands covered by provisions of the easement
-  Wetland deleted from easement by Drainage Facility Map prepared when the easement was purchased.

Prepared by: Jim F. Gahn Date: 4-26-06  
Approved by: Ed Meador Date: 4-26-06

Revised: 4/5/2004

Castle, Carla

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From: Walsh, James  
Sent: Thursday, February 01, 2007 3:29 PM  
To: Edward\_Meendering@fws.gov  
Subject: RE: Keystone pipeline wetland mapping

Ed,

I just wanted to let you know that I received the wetland easement maps for Barnes and Steele counties that you mailed-out to me earlier this week. I greatly appreciate your help with this project.

Thanks again,  
Randy

J. Randall Walsh  
Ecologist  
ENSR|AECOM  
1601 Prospect Parkway  
Fort Collins, CO 80525  
office: (970) 493-8878 ext. 180  
jwalsh@ensr.aecom.com

-----Original Message-----

From: Edward\_Meendering@fws.gov [mailto:Edward\_Meendering@fws.gov]  
Sent: Monday, January 15, 2007 1:37 PM  
To: Walsh, James  
Subject: Re: Keystone pipeline wetland mapping

James:

I enjoyed meeting you at Devils Lake and appreciate your willingness in working with the U.S. Fish and Wildlife Service and our wetland easements. I mailed you a letter today with the maps that you requested which are complete. I should be able to have the remaining maps to you by the end of the month once they are completed. Please let me know if you have any questions or comments.

Thank you,  
Ed

Castle, Carla

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From: Walsh, James  
Sent: Monday, March 12, 2007 2:45 PM  
To: thomas\_tornow@fws.gov; dana.greene@keystone.trow.com  
Subject: RE: Maps with centerline

Tom,

Thanks for the note and reminder. I am finally back in the office and will be coordinating the new map assembly over the next day or two. I am hopeful that I will have a new set of maps ready for FedEx to you by Thursday, so you can expect the new map book by early next week. I will e-mail you with an update once we complete the map production.

Randy

J. Randall Walsh  
Ecologist  
ENSR|AECOM  
1601 Prospect Parkway  
Fort Collins, CO 80525  
office: (970) 493-8878 ext. 180  
jwalsh@ensr.aecom.com

-----Original Message-----

From: thomas\_tornow@fws.gov [mailto:thomas\_tornow@fws.gov]  
Sent: Thursday, March 08, 2007 10:47 AM  
To: dana.greene@keystone.trow.com  
Cc: Walsh, James  
Subject: Maps with centerline

Randy and Dana,

I hope you made it home OK. Noel from our Huron office didn't make it home until Saturday afternoon. Colleen and Bryan are continuing with the mapping of easements that we know will be sure crossings. Send us your current map ASAP so we can meet your mapping needs. This will also be a good test on e-mail contact.

Tom Tornow  
Madison WMD  
U.S. Fish & Wildlife Service  
605 256-2974  
Thomas\_Tornow@fws.gov