

**NORTH DAKOTA INDUSTRIAL COMMISSION
AREA OF INTEREST REVIEW POLICY**

NDIC-PP 2.01. After May 1, 2014, any application for a permit within the following areas of interest that relates to public lands, shall comply with NDIC-PP 2.02 through NDIC-PP 2.04.

1. Black Butte - two miles from the maximum elevation of the butte.
2. Bullion Butte - two miles from the maximum elevation of the butte.
3. Camel's Hump Butte - two miles from the maximum elevation of the butte.
4. Columnar Junipers (Limber Pines) and Burning Coal Vein - one mile from the exterior boundary of the former Dakota National Forest.
5. Confluence of the Yellowstone and Missouri Rivers - two miles from the intersection of the centerline of the riverbeds.
6. Elkhorn Ranch - two miles from the exterior boundary of the National Park and State Park sites.
7. Killdeer Mountain Battlefield State Historic Site - one mile from the exterior boundary of each site.
8. Lake Sakakawea - one half mile from the shoreline at 1850' msl elevation (i.e., the spillway elevation).
9. Little Missouri River - one mile from the centerline of the riverbed as it is determined at the time of the application.
10. Little Missouri River National Grasslands that are designated by the United States Forest Service as backcountry recreation areas;
11. Little Missouri State Park as of 1/1/2014 - one mile from the park's exterior boundary.
12. Pretty Butte - two miles from the maximum elevation of the butte.
13. Sentinel Butte - two miles from the maximum elevation of the butte.
14. Theodore Roosevelt National Park - two miles from the park's exterior boundaries.
15. Tracy Mountain - two miles from the maximum elevation of the mountain.
16. West Twin Butte - two miles from the maximum elevation of the butte.
17. White Butte in Slope County - two miles from the maximum elevation of the butte.
18. Wildlife Management Area not located within any other area of interest - one mile from the exterior boundary.

The director shall maintain a database with the GPS coordinates or legal description of these areas of interest and post a list of the datasets utilized on the Department of Mineral Resources website.

NDIC-PP 2.02. The director shall, within five calendar days after receiving an application to drill a well on public land within an area of interest identified under NDIC-PP2.01:

- A. Post on the daily activity reports section of the Department of Mineral Resources website a notice including all non-confidential permit application information. The posted notice shall include all supporting information or records provided by the applicant which are not confidential. Public comments about public lands within the areas of interest regarding such issues as access road and well location, reclamation plans and timing, noise, traffic, and visual impact mitigation, will be accepted by the Industrial Commission executive director's designee for 10 calendar days after the notice is posted.

- B. Forward the portions of the application that are not confidential to the Director of North Dakota Game and Fish Department, the State Historical Preservation Officer, the Director of North Dakota Parks and Recreation Department, the Director of North Dakota Department of Transportation, the Commissioner of North Dakota Department of Trust Lands, the State Engineer of the North Dakota Water Commission, the State Director of the Bureau of Land Management, the Park Superintendent of Theodore Roosevelt National Park, the Supervisor of Dakota Prairie Grasslands, the Field Supervisor of United States Fish and Wildlife Service North Dakota Field Office and the county auditor of the affected county. Any comments regarding the permit application may be accepted by the Industrial Commission executive director's designee within 10 calendar days after the information is sent.

NDIC-PP 2.03. All comments shall be reviewed by the Industrial Commission executive director's designee who shall summarize any comments received for the director of the Division of Mineral Resources. However, the Mineral Resources director is not bound to act upon any comments.

NDIC-PP 2.04. The director may consider the comment summaries for the purposes of attaching conditions to any permit pursuant to NDAC 43-02-02, 43-02-02.2, 43-02-02.3, 43-02-02.4, 43-02-03 and 43-02-05 to mitigate potential impacts to the sites listed in NDIC-PP 2.01.

Adopted March 3, 2014