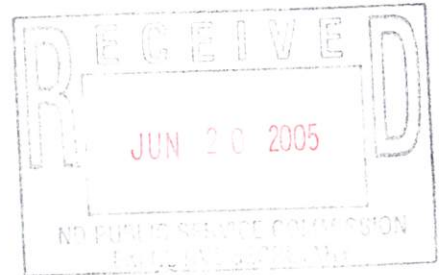


BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

CASE NO. PU-05-184

IN THE MATTER OF THE APPLICATION OF PLAINS PIPELINE, L.P., FOR THE CONSTRUCTION OF APPROXIMATELY 2.38 MILES OF 10-INCH PIPELINE AND 1,000 FEET OF 6-INCH PIPELINE IN WILLIAMS COUNTY, NORTH DAKOTA, ADJACENT TO THE NORTHERNMOST PORTION OF THE TRENTON PIPELINE SYSTEM FOR THE PURPOSE OF INCREASING CAPACITY OF THE PIPELINE IN TRANSPORTING CRUDE OIL FROM RICHLAND COUNTY, MONTANA AND MCKENZIE AND WILLIAMS COUNTIES, NORTH DAKOTA, FOR DELIVERY TO TRENTON STATION LOCATED APPROXIMATELY 5 MILES SOUTHWEST OF WILLISTON, NORTH DAKOTA.



**CONSOLIDATED APPLICATION OF PLAINS PIPELINE, L.P.
FOR WAIVER OF PROCEDURES AND TIME SCHEDULES AND FOR
CERTIFICATE OF CORRIDOR COMPATIBILITY AND ROUTE PERMIT**

Plains Pipeline, L.P. ("Plains"), a limited partnership organized and existing under the laws of the State of Texas with principal offices located at 333 Clay Street, Suite 1600, Houston, Texas 77002, and authorized to do business in the State of North Dakota pursuant to the Energy Conversion and Transmission Facility Siting Act, codified as Chapter 49-22 of the North Dakota Century Code (the "Act"), hereby submits this Consolidated Application for Waiver of Procedures and Time Schedules and for Certificate of Corridor Compatibility and Route Permit, requesting the North Dakota Public Service Commission ("Commission"), in accordance with Sections 49-22-07.2 and 49-22-13(2) of the North Dakota Century Code and Chapter 69-06-06 of the North Dakota



Administrative Code, to: (1) waive the provisions of Sections 49-22-08(5), 49-22-08.1(5) and 49-22-13 of the North Dakota Century Code and Section 69-06-01-02(2) of the North Dakota Administrative Code which requires separate filings of such applications, hearings on such applications and certain time schedules as set forth in said statutes and rules; (2) not hold a public hearing on this waiver request, but pursuant to Section 49-22-13(2) of the North Dakota Century Code and Section 69-06-01-02(3) of the North Dakota Administrative Code, publish a notice of opportunity for hearing as provided therein; and, (3) designate the corridor and route as identified on the maps included with this Application and issue the appropriate Certificate of Corridor Compatibility and Route Permit.

The Commission's Application Guidelines for Waiver of Procedures and Time Schedules requires a description of the facility, the need for the facility, the cost of the facility and separate justification for each provision of the Act for which the Applicant is requesting a waiver, together with evidence that the project will produce minimal adverse effects. As demonstrated in this Application and summarized below, Plains' request for a Waiver of Procedures and Time Schedules and the issuance of a Certificate of Corridor Compatibility and Route Permit is justified as the proposed pipeline is of such design, location and purpose that it will produce minimal adverse effects.

DESCRIPTION

The proposed 10-inch pipeline segment will be approximately 2.38 miles in length and will be constructed adjacent to Plains' existing 6-inch and dual 4-inch diameter pipelines at the northernmost portion of the Trenton Pipeline System near Trenton Station located approximately 5 miles southwest of the city of Williston, North Dakota.

The proposed 6-inch pipeline segment will be approximately 1,000 feet in length and will also be constructed adjacent to Plains' existing 6-inch diameter pipeline and will connect the proposed 10-inch pipeline segment with the existing 6-inch pipeline. Both proposed segments (the 10-inch, 2.38 mile segment and the 1,000 feet, 6-inch segment) will be buried underground.

The proposed 10-inch segment will generally follow the existing dual 4-inch segment from Trenton Station located in Section 34, Township 154 North, Range 102 West, to the southwest for approximately 1/2 mile. At the point where the existing dual 4-inch pipeline turns to the southeast, the proposed 10-inch pipeline will continue in a southwesterly direction approximately 1.5 miles. At that point, a 6-inch segment of approximately 1,000 feet will connect the new 10-inch segment to the existing 6-inch portion of the line.

NEED

The Trenton Pipeline System was originally constructed and installed by Koch Pipeline Company, L.P., in 1968 for the purpose of transporting crude oil from oil fields near Sidney, Montana, to the Flying J Refinery located on the eastern edge of Williston, North Dakota. As currently operated by Plains, the Trenton Pipeline System receives crude oil from numerous oil well sites located in Richland County, Montana, and McKenzie and Williams Counties, North Dakota, and transports the crude oil to a receiving facility known as Trenton Station located approximately 5 miles southwest of the City of Williston, North Dakota. Crude oil transported to Trenton Station is delivered to Enbridge Pipelines (North Dakota) L.L.C. for ultimate transportation and delivery to various references located throughout the United States.

In the past few years, oil and gas exploration activities in Richland County have resulted in a dramatic increase in crude oil production. This increase in crude oil production has created a need

for Plains to increase the capacity of its Trenton Pipeline System. To meet the demand for increased capacity, Plains has plans to commence construction of its proposed 10-inch segment and 6-inch segment as set forth herein as soon as all the necessary regulatory approvals can be obtained.

COST

The estimated cost of installation for the 2.38 miles of 10-inch pipeline and the 1,000 feet of 6-inch pipeline is \$750,000.00.

As part of its Application, Plains has submitted a check in the amount of \$5,000.00 made payable to the Commission for the filing fee as required by the Commission.

JUSTIFICATION

The plans of Plains to increase the capacity of its Trenton Pipeline System with the installation of a segment of 10-inch pipeline approximately 2.38 miles in length and a segment of 6-inch pipeline approximately 1,000 feet in length will have little adverse effect on the current surface uses of the property involved except for the short time frame of 60 days during construction and installation of the proposed pipeline. All segments of the proposed 10-inch pipeline and the 6-inch pipeline will be buried 48 inches below the surface. Considering the expansion of the Trenton Pipeline System as proposed by Plains consists of the construction and installation of two relatively short segments of small diameter pipeline on land that is primarily agricultural cropland or pasture, and the short time involved in construction and installing these pipelines, there will be no adverse effect from the expansion of the Trenton Pipeline System as proposed by Plains. For the foregoing reasons, there is substantial justification for granting a waiver for the requested procedures and time schedules. In support of its request, Plains submits with this Application the following:

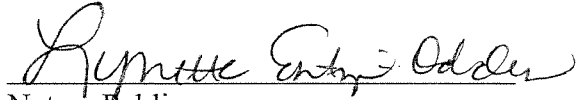
1. Waiver Request of Plains Pipeline, L.P.;



LAWRENCE BENDER

Subscribed and sworn to before me this 20 day of June, 2005.

LYNETTE ENTZI-ODDEN
Notary Public, State of North Dakota
My Commission Expires JUNE 26, 2005



Notary Public

Burleigh County, North Dakota

My Commission Expires:

WAIVER REQUEST

SECTION A

Description

A.1 Type of Facility

See Corridor Certificate Application Section A.1.

A.2 Product

See Corridor Certificate Application Section A.2.

A.3 Size and Design

See Corridor Certificate Application Section A.3.

A.4 Location

See Appendix at Tab 1. Maps therein show the location of the pipeline right-of-way and proposed route.

A.5. Geographical Service Area

See Appendix at Tab 2. Maps therein show the Trenton Pipeline System. As shown on these maps, the Trenton Pipeline System currently receives and transports crude oil from Richland County, Montana, and McKenzie and Williams Counties, North Dakota, and transports it to Plains' Trenton Station located approximately 5 miles southwest of Williston, North Dakota. The proposed expansion will provide additional capacity to producers of crude oil in Richland County, Montana, and McKenzie and Williams Counties, North Dakota.

A.6 Time Schedule

See Sections A.4 of Corridor Certificate Application and Route Permit Application.

A.7 Future Plans

There are plans for future expansions of the Trenton Pipeline System near Fort Buford, North Dakota, which is the subject of a separate notice of intent which was filed with the North Dakota Public Service Commission on March 28, 2005, and has been docketed as Case No. PU-05-185.

SECTION B

Need for Facility

B.1 Analysis of Need

See Section C.1 of Corridor Certificate Application

B.2 Description of Feasible Alternatives

See Section C.2 of Corridor Certificate Application

B.3 Statement Concerning Deviations from Most Recent Ten-Year Plan

See Section C.3 of Corridor Certificate Application

SECTION C

Cost

The estimated cost of the North Dakota portion of the proposed pipeline project is \$750,000.

WAIVER REQUEST

Provisions for which Waiver is Requested.

Applicant states, on the basis of the accompanying Application for a Corridor Certificate and Route Permit, that the proposed facility is of such length, design, location, and purpose that it will produce minimal adverse effects, and specifically requests that the Commission waive the following requirements:

1. Pursuant to Section 49-22-13(2) of the North Dakota Century Code, and Section 69-06-01-02(3) of the North Dakota Administrative Code, the applicant requests that the Commission not hold a public hearing on this waiver request, but publish a notice of opportunity for hearing as provided therein.
2. Applicant requests that the Commission Waive the requirement for a hearing on the application for a Corridor Certificate and shorten the three-month period specified in Section 49-22-08(5) of the North Dakota Century Code.
3. Applicant requests that the Commission waive the requirement for a hearing on the application for a Route Permit and shorten the six-month period specified in Section 49-22-08.1(5) of the North Dakota Century Code.
4. Applicant requests that the Commission waive the requirements of Sections 49-22-08 and 49-22-08.1 of the North Dakota Century Code insofar as these sections may require the filing of separate applications for a Corridor Certificate and a Route Permit and insofar as they require the publication of notices of filing of applications.
5. Applicant requests that the Commission waive the requirement of public hearings on applications set forth in Sections 49-22-13(1) of the North Dakota Century Code and Section 69-06-01-02(2) of the North Dakota Administrative Code.

Upon waiver of said requirements, and upon consideration by the Commission of this consolidated application, Applicant requests that the Commission issue a Certificate of Corridor Compatibility and a Route Permit for construction of the proposed pipeline as specified in the application.

APPLICATION FOR CORRIDOR CERTIFICATE

PLAINS PIPELINE, L.P.

Page

Section A: Description of Proposed Facility

- A.1. Type of Facility
- A.2. Product
- A.3. Size and Design
- A.4. Time Schedule

Section B: Studies

- B.1. Cultural Resources Review
- B.2. Consultation with State and Federal Agencies

Section C: Need for Facility

- C.1. Analysis of Need
- C.2. Alternatives to the Proposed Facility
- C.3. Statement Concerning Deviations from Most Recent 10-Year Plan

Section D: Location

- D.1. Study Area
- D.2. Map of Proposed Corridor
- D.3. Relative Value of Each of the Criteria
- D.4. Criteria to be Evaluated
- D.5. General Mitigative Measures to be Taken
- D.6. Qualifications of Persons Contributing to the Study
- D.7. Maps

APPLICATION FOR CORRIDOR CERTIFICATE

SECTION A

DESCRIPTION OF PROPOSED FACILITY

A.1. Describe the type of transmission facility addressed in this application. The description shall include the purpose of the facility and the technology to be employed:

The proposed expansion consists of approximately 2.38 miles of 10 inch diameter pipe and 1,000 feet of 6 inch diameter pipe. The pipe will be buried underground within or adjacent to existing Plains' right-of-way easements in Williams County, North Dakota. The proposed two new segments of pipe will connect a segment of existing 6 inch diameter pipe to Plains' Trenton Station located approximately 5 miles southwest of the city of Williston, North Dakota. A map which depicts the current Trenton Pipeline Station in the state of North Dakota and the proposed route for the expansion project is included with this application. *See Appendix at Tabs 1-2.*

The proposed expansion is referred to by Plains as the "Trenton Expansion Project" and is part of another expansion project plan for the Trenton Pipeline System near Fort Buford referred to by Plains as the "Fort Buford Expansion Project". (ND PSC Case No. PU-05-185.) These two expansion projects compliment more extensive expansion projects which are ongoing in the state of Montana necessitated by increased oil and gas exploration activities in an area of Montana, near the city of Sidney commonly referred to as the "Richland County Bakken Field."

The proposed Trenton Expansion Project will replace a segment of existing 6 inch diameter pipe and a segment of dual 4 inch diameter pipe currently being used to transport crude oil from oil and gas wells located in Richland County, Montana, and McKenzie and

Williams Counties, North Dakota, to Trenton Station. The estimated cost of the Trenton Expansion Project is approximately Seven Hundred Fifty Thousand and no/100 Dollars (\$750,000.00). Plains plans to commence construction on July 1, 2005 or immediately upon the issuance by the North Dakota Public Service Commission of a Corridor Certificate and Route Permit for the Trenton Expansion Project. Plains estimates that construction of the Trenton Expansion Project will take approximately 60 days and has plans to have the new segment of pipeline in service on or before September 1, 2005. Once in service, the Trenton Expansion Project will facilitate the existing Trenton Pipeline System so as to allow an increase in capacity of the pipeline of approximately 23,000 BOPD. Current capacity of the Trenton Pipeline System is approximately 19,000 BOPD. Construction of the proposed Fort Buford Expansion Project (and other potential expansion projects) will result in additional increased capacity of the pipeline of approximately 23,000 BOPD, for a total flow rate of approximately 42,000 BOPD.

A.2. Describe the type, source, and final destination of the product to be transmitted by the proposed facility:

The existing Trenton Pipeline System transports crude oil from oil and gas wells located in Richland County, Montana, and McKenzie and Williams Counties, North Dakota, to Trenton Station located approximately 5 miles southwest of the city of Williston, North Dakota. At Trenton Station, the crude oil is delivered to Enbridge Pipeline (North Dakota) LLC for transportation to various oil refineries in the United States. The majority of crude oil transported by the Trenton Pipeline System originates from the Richland County Bakken Field located in Richland County, Montana, near the city of Sidney. The proposed Trenton Expansion Project (along with other expansion projects planned by Plains) will provide

additional capacity primarily for the increased volumes of crude oil being produced in Richland County, Montana.

A.3. Size and Design:

A.3.a Provide a description of the size and design of the ELECTRICAL facility including, but not limited to, the following:

- 1. Width of right-of-way;**
- 2. Estimated span lengths;**
- 3. Anticipated type of structure;**
- 4. Approximate length of facility;**
- 5. Voltage; and**
- 6. The requirement for and general location of any new associated facilities.**

In that this application for Corridor Certificate is for the construction and installation of a pipeline rather than an electrical facility, the provisions of this section are not applicable.

A.3.b Description of size and design of PIPELINE facility.

A.3.b.(1) Width of the Right of Way

Right-of-way acquisitions by Plains for its proposed Trenton Expansion Project have been limited to 50 feet. Additional work space may be required during construction and installation for which landowners will be compensated.

A.3.b.(2) Estimated Distances Between Surface Structures

One block valve will be installed on the proposed Trenton Expansion Project at the location of where the new 6-inch segment

connects to the existing 6-inch segment approximately 2½ miles south of Trenton Station.

A.3.b.(3) Pipe Size

The pipe to be installed on this proposed project is a 2.38 mile segment of 10 inch diameter pipe, 0.250 inch wall thickness, API 5L Grade X42; and, a 1,000 foot segment of 6 inch diameter pipe, 0.280 inch wall thickness, API 5L Grade X42.

A.3.b.(4) Approximate Length of Facility

The proposed Trenton Expansion Project will consist of a segment of 2.38 miles of 10 inch diameter pipe and a segment of 1,000 feet of 6 inch diameter pipe. These two segments of pipe will connect Trenton Station with Plains' existing Trenton Pipeline System approximately 2½ miles southwest of Trenton Station.

A.3.b.(5) Maximum Design Operating Pressure and Temperature

The maximum allowable operating pressure of the proposed Trenton Expansion Project will be 1440 pounds per square inch (psi). The maximum temperature of the crude oil is 70° F.

A.3.b.(6) Maximum Design Flow Rate

The design flow rate of the proposed Trenton Expansion Project is 42,000 BOPD. If development of the Richland County Bakken Field continues as anticipated, the anticipated maximum flow rate for the proposed Trenton Expansion Project will be 42,000 BOPD.

A.3.b.(7) The Number and General Location of Pumping Stations

No additional pumping stations are anticipated in North Dakota as a result of the proposed Trenton Expansion Project.

A.4. Time Schedule:

A.4.a Certificate of Corridor Compatibility

Expected on or before July 1, 2005.

A.4.b Route Application

Route application submitted contemporaneously with Certificate of Corridor Compatibility and Route Application.

A.4.c Route Permit

Expected on or before July 1, 2005.

A.4.d Construction Start Date

Proposed commencement date for construction is July 1, 2005.

A.4.e Construction Complete

Estimated construction completion date is on or before September 1, 2005.

A.4.f In Service Date

Estimated in service date is on or before September 1, 2005.

SECTION B

STUDIES

In planning the Trenton Expansion Project, Plains completed the following studies or assessments of the environmental impacts of the proposed project:

B.1. Cultural Resources Review:

A cultural resources review was conducted for the area involved in the Trenton

Expansion Project in coordination with the North Dakota State Historical Society. A true and correct copy of the study prepared by Metcalf Archeology is included with this application. See Appendix at Tab 3¹.

B.2. Consultation with State and Federal Agencies:

Plains has consulted with the North Dakota Game and Fish Department and the U.S. Fish and Wildlife Service as to its proposed plans for the Trenton Expansion Project. Based upon these consultations, no state-listed or federally-listed species are known to frequent the area of Plains' Trenton Expansion Project. Plains has also been in contact with other state and federal regulatory agencies as to its Trenton Expansion Project and will continue to work with all those regulatory agencies (prior, during and after construction) to ensure that all permits required are obtained and that any environmental impact of constructing and installing the two short segments of pipeline will be kept to a minimum.

SECTION C

NEED FOR FACILITY

C.1. An analysis of the need for the proposed facility based on present and projected demand for the product transmitted by the facility, including the most recent system studies supporting the analysis of the need:

C.1.a Energy Transportation Shortfall

The Trenton Pipeline System was originally constructed and installed by Koch Pipeline Company, L.P., in 1968 for the purpose of transporting crude oil from oil fields near Sidney, Montana, to the Flying J Refinery located on the eastern edge

¹ It should be noted that the study conducted by Metcalf Archeology for the proposed Trenton Expansion Project also includes a study of the proposed "Fort Burford Expansion" docketed as ND PSC Case No. PU-05-185.

of Williston, North Dakota. As currently operated by Plains, the Trenton Pipeline System receives crude oil from numerous oil well sites located in Richland County, Montana, and McKenzie and Williams Counties, North Dakota, and transports the crude oil to a receiving facility known as Trenton Station located approximately 5 miles southwest of the city of Williston, North Dakota. Crude oil transported to Trenton Station is delivered to Enbridge Pipelines (North Dakota) L.L.C. for ultimate transportation and delivery to various locations in the United States.

An increase in oil and gas exploration activities in Richland County, Montana, indicates the need for further capacity expansion of Plains' Trenton Pipeline System. Current crude oil production from the Richland County Bakken Field exceeds capacity of the Trenton Pipeline System. Forecasts are that crude oil production will continue to increase from the Richland County Bakken Field for the next several years. Because the demand for crude oil transportation exceeds the capacity of the present Trenton Pipeline System, Plains has been forced to utilize crude oil tanker trucks to meet the demands of its customers. Without an expansion as proposed by Plains of its Trenton Expansion Project, Plains will need to either further increase the use of crude oil tanker trucks or curtail transportation and fail to meet the demands of its customers to transport crude oil from Richland County, Montana, and McKenzie and Williams Counties, North Dakota to Trenton Station.

C.1.b Purpose of the Expansion

Plains proposes to meet the shortfall in its Trenton Pipeline System with the construction and installation of a number of expansion projects on the system which will increase the capacity of the system from 19,000 BOPD to 42,000 BOPD. As set

forth below, Plains has considered other alternatives to meet the shortfall in its Trenton Pipeline System. Based upon its analysis of the present and projected demand for transportation of crude oil from Richland County, Montana, and McKenzie and Williams Counties, North Dakota, Plains submits that the proposed Trenton Expansion Project (in conjunction with other future expansion projects to the Trenton Pipeline System) is the most optimal response to the needs of oil and gas producers for transportation of their crude oil to refineries throughout the United States.

C.2. Description of any feasible alternative methods of serving the need:

The increase in crude oil production from the Richland County Bakken Field located near Sidney, Montana, has resulted in a significant increase in the usage of truck transportation resources. Current crude oil being produced and being proposed to be transported by the Plains' Trenton Pipeline System is approximately 24,000 BOPD. Transporting this crude oil by tanker truck would require approximately 109 truck loads a day with an average haul of 20 miles one way within the state of North Dakota. This would result in approximately 795,700 loaded miles per year (with an equal amount of unloaded miles) on North Dakota state and county roads. Because of increased transportation demands, Plains has experienced a shortage of resources to accomplish such hauls and has brought trucks into the area from as far away as West Texas and Central Louisiana to augment the resources (both manpower and equipment) available in North Dakota to meet the demands of its customers.

Exploration activities in the Richland County Bakken Field began to increase rapidly in 2003 and, by the end of 2004, production from producers served by Plains had increased

to over 14,800 BOPD. Thus far this year, production has increased to approximately 24,000 BOPD. The expectation is that the fields served by Plains will peak out at between 42,000 to 50,000 BOPD in the next 3-5 years. As the production approaches the point of doubling, the trucking needs will increase to over 3 million miles a year – loaded and unloaded combined.

The demand for this crude oil production exists at the refineries in Wyoming, Colorado and Utah to the west and south, to points in Minnesota to the east and locally at Mandan, North Dakota. The trucking constraints described above and the difficulty of winter transportation have caused curtailment of production in the past with no signs of improvement except as provided by expansion of existing pipeline services or increased tanker truck service. Plains' pipeline proposal will alleviate these problems and bring the needed transportation facilities to the Richland County Bakken Field so that producers will not be required to curtail production and so that increased tanker truck transportation can be avoided.

C.3. Statement concerning deviations from most recent 10-year plan:

A true and correct copy of Plains' most recent Ten-Year Plan on file with the North Dakota Public Service Commission is included with this application. *See Appendix at Tab 4.* When Plains filed its most recent Ten-Year Plan with the Commission, it was anticipated that increasing the horsepower capacity of its pumping stations in Montana would be sufficient to handle the additional demand for crude oil transportation of producers in the Richland County Bakken Field near Sidney, Montana. While Plains attempts to anticipate the need for additional pipeline capacity by keeping advised of exploration and production activities, the increase in oil and gas exploration and crude oil production in the

Richland County Bakken Field have surpassed what most Plains' customers expected.

SECTION D

LOCATION

D.1. Study Area:

The study area and corridor selected by Plains for its Trenton Expansion Project comprises a portion of existing right-of-way for the Trenton Pipeline System. Approximately ½ mile of the proposed Trenton Expansion Project will be located within the existing right-of-way for the Trenton Pipeline System; approximately 1¼ miles of the Trenton Expansion Project will be located adjacent to or within ½ mile of the existing Trenton Pipeline System; and the remainder of the proposed Trenton Expansion Project will be located within 5,000 feet of the existing Trenton Pipeline System.

D.2. Map of Proposed Corridor:

A map depicting the location of exclusion and avoidance areas in the area of the corridor is included with this application. *See* Appendix at Tab 3. The original corridor and route of Plains' existing Trenton Pipeline Station was selected by Koch Pipeline Company, L.P., prior to the enactment of North Dakota's Energy Conversion and Transmission Facility Siting Act (the "Act"), but are wholly compatible with the criteria established by the Act.

D.3. Relative Value of Each of the Criteria:

Since this application is a consolidated application for a corridor certificate and a route permit, these matters are discussed in Sections B.4, B.5 and B.6 of the route permit portion of the application.

D.4. Criteria to be Evaluated:

Since this application is a consolidated application for a corridor certificate and a

route permit, these matters are discussed in Sections B.4, B.5 and B.6 of the route permit portion of the application.

D.5. General Mitigative Measures to be Taken:

Since this application is a consolidated application for a corridor certificate and a route permit, these matters are discussed in Sections B.4, B.5 and B.6 of the route permit portion of the application.

D.6. Qualifications of Persons Contributing to the Study:

The qualifications of the personnel who contributed to the corridor location study are as follows:

Edward E. Stine

501 4th Avenue NW, Mandan, North Dakota 58554

A curriculum vitae of Edward E. Stine is included with this application. *See* Appendix at Tab 5.

Damita Jean Hiemstra

1820 East Capitol Avenue, #323, Bismarck, North Dakota 58501

A curriculum vitae of Damita Jean Hiemstra is included with this application. *See* Appendix at Tab 5.

J.P. Davis

3900 Crestgate Avenue, Midland, Texas 79707

A resume of J.P. Davis is included with this application. *See* Appendix at Tab 5.

Daniel Jay Holli

303 6th Avenue NE, Belfield, North Dakota 58622

A resume of Daniel Jay Holli is included with this application. *See* Appendix at

Tab 5.

D.7. Maps:

D.7.a Map of Criteria Within Study Area

Copies of maps set forth Exclusion and Avoidance Areas in relationship to the proposed route of the Trenton Expansion Project are included with this application. *See* Appendix at Tab 3.

D.7.b Mylar maps of study area

Plains requests that this request be waived for this application. Color maps have been submitted with this application and Plains requests that these maps be substituted for the Mylar.

APPLICATION FOR ROUTE PERMIT

PLAINS PIPELINE, L.P.

Page

Section A: Description of Proposed Facility

- A.1 Type of Facility**
- A.2 Product**
- A.3 Size and Design**
- A.4 Time Schedule**

Section B: Location

- B.1 Applicant's Policies and Commitments to Limit Environmental Impact**
- B.2 Factor's Listed in Section 49-22-09 to Aid the Commission's Evaluation of the Proposed Route**
- B.3 Identify and Map Criteria Leading to Proposed Route Location Within Corridor**
- B.4 Criteria Determining Route and Effect on Criteria of Location, Construction and Operation**
- B.5 Criteria to be Included**
- B.6 Mitigation Measures**
- B.7 Qualifications of Persons Contributing to the Study**
- B.8 Maps**
- B.9 Other Matters**

APPLICATION FOR ROUTE PERMIT

SECTION A

DESCRIPTION OF PROPOSED FACILITY

A.1 Type of Facility

See Section A.1 of Corridor Certificate Application.

A.2 Product

See Section A.2 of Corridor Certificate Application.

A.3 Size and Design

See Section A.3 of Corridor Certificate Application.

A.4 Time Schedule

See Section A.4 of Corridor Certificate Application.

SECTION B

LOCATION

B.1 Applicant's Policies and Commitments to Limit Environmental Impact.

B.1.a Construction

Construction of the proposed Plains' Trenton Expansion Project will be in accordance with the NPDES General Stormwater Permit obtained from the North Dakota Department of Health. *See* Appendix at Tab 6¹. In addition, Plains is committed to the protection of the environment, both in its construction and operation of its existing pipeline systems, as set forth in its Environmental, Health

¹ It should be noted that the NPDES General Stormwater Permit obtained from the North Dakota Department of Health also covers the proposed Fort Burford Expansion Project docketed as ND PSC Case No. PU-05-185.

and Safety Policy. A copy of Plains' Environmental, Health and Safety Policy is included with this application. *See Appendix at Tab 9.*

B.1.b Ongoing Pipeline Operation

As the operator of the Plains' Pipeline System, Plains has an ongoing commitment to conduct its operations in an economically responsible manner. Substantial, continued effort is placed on pipeline integrity, operational safeguards, emergency response and landowner relationships, all of which reduce the impact of its pipelines on the environment. Included with this application is an outline of the "Response Activities and Resources" of Plains which sets forth a discussion of Plains' commitment to operating the Trenton Pipeline System in an environmentally responsible manner. *See Appendix at Tab 9.*

B.1.c Energy Conservation Considerations

Energy conservation is a major concern of Plains in the operations of its pipelines because energy/power costs for pumping stations are a large expense in pipeline operations. By implementing the Trenton Expansion Project (replacing existing pipe with larger diameter pipe), the costs associated with transporting crude oil can be reduced on a per barrel basis. *See Appendix at Tab 9.*

B.2 Discuss the Factors Listed in Section 49-22-09 of the North Dakota Century Code to Aid the Commission's Evaluation of the Proposed Route

B.2.a Available research and investigations relating to the effects of the location, construction, and operation of the proposed facility on public health and welfare, natural resources, and the environment.

A discussion of the effects of the location, construction and operation of the proposed Trenton Expansion Project on the public health and welfare, natural

resources and the environment is included in Section B.4 of this application. Research and investigations relating to these effects have included extensive cultural resource reviews, protected species and sensitive area reviews. Plains has also made application and received from the North Dakota Department of Health a NPDES General Stormwater Permit for the Trenton Expansion Project as well as future expansion projects on the Trenton Pipeline System. These studies were performed in addition to consultation with the appropriate federal, state and local agencies having jurisdiction over the environmental issues related to the proposed Trenton Expansion Project.

B.2.b The effects of new energy conversion and transmission technologies and systems designed to minimize adverse environmental effects.

The proposed Trenton Expansion Project does not include new energy conversion to transmission technologies that are expressly designed to minimize adverse environmental effects. As described in Plains' NPDES General Stormwater Permit, modern construction techniques and mitigation measures will be employed to minimize the effect on the environment as a result of construction and installation of the proposed Trenton Expansion Project. A copy of the NPDES General Stormwater Permit is included with this application. *See* Appendix at Tab 6. These measures are also discussed in Section B.6 and B.9 of this application.

B.2.c The potential for beneficial uses of waste energy from a proposed energy conversion facility.

This project does not involve new energy conversion facilities; no usable waste energy will result from this project.

B.2.d Adverse direct and indirect environmental effects which cannot be avoided

should the proposed site or route be designated.

Unavoidable adverse direct and indirect environmental effects may include short-term or temporary effects on vegetation, agricultural operations and noise levels as described in Section B.4 of this application. Plains will implement mitigation measures to minimize these impacts as described in Section B.6 of this application.

B.2.e Alternatives to the proposed site, corridor or route, which are developed during the hearing process and which minimize adverse effects.

Because Plains is requesting a waiver of the requirements for public hearings on its applications for a Corridor Certificate and Route Permit for its proposed Trenton Expansion Project, no alternatives to the proposed corridor and route are anticipated to be developed during the hearing process. Alternative methods for serving the need to be met by the proposed project are discussed in Section C.2 of the Corridor Certificate Application.

B.2.f Irreversible and irretrievable commitments of natural resources should the proposed site, corridor or route be designated.

Plains is proposing the construction and installation of a pipeline within an existing corridor which was established prior to the enactment of North Dakota's Energy Conversion and Transmission Facility Siting Act (the "Act"); therefore, minimal irreversible or unretrievable commitments of natural resources will result from this project.

B.2.g The direct and indirect economic impacts of the proposed facility.

As set forth in Section C.2 of the Corridor Certificate Application, Plains' proposed Trenton Expansion Project presents an opportunity for Plains to meet the

growing needs of crude oil transportation from the Richland County Bakken Field located near Sidney, Montana. Plains' proposed Trenton Expansion Project provides the most cost-effective method of moving crude oil for producers in the Richland County Bakken Field to Plains' Trenton Station located near the city of Williston, North Dakota, and then to various refineries across the country. The only other alternative to Plains' proposed Trenton Expansion Project would be to employ additional tanker trucks to transport the current and anticipated future increases in production of crude oil. The negative effects of employing tanker trucks to transport current and anticipated future increases in crude oil production from the Richland County Bakken Field are set forth in Section C.2 of the Corridor Certificate Application.

B.2.h Existing plans of the state, local government, and private entities for other developments at or in the vicinity of the proposed site, corridor, or route.

Plains is not aware of any other plans for the construction and installation of pipelines, electric transmission lines or the construction of any other facilities in the vicinity of the proposed Trenton Expansion Project.

B.2.i The effect of the proposed site or route on existing scenic areas, historic sites and structures, and paleontological or archaeological sites.

A thorough cultural resources review was conducted in the area of the proposed Trenton Pipeline Expansion. A copy of the report generated by the review was provided to the State Historical Society of North Dakota ("SHSND"). After a review of the report, the SHSND has concurred that no historic properties will be affected by the Trenton Expansion Project. A copy of the letter from the SHSND confirming that no historical properties will be affected is included with this

application. *See* Appendix at Tab 7.

B.2.j The effect of the proposed site or route on areas which are unique because of biological wealth or because they are habitats for rare and endangered species.

Plains contacted the North Dakota Game and Fish Department and the United States Fish and Wildlife Service to advise these agencies of the proposed route of the Trenton Expansion Project. To date no response has been received from these agencies.

B.2.k Problems raised by federal agencies, other state agencies, and local entities.

Plains is not aware of any problems which have been raised by the federal, state or local agencies to the proposed Trenton Expansion Project.

B.3 Identify and Map Criteria Leading to Proposed Route Location within Corridor

The following criteria which include but are not limited to the criteria set forth in Section 69-06-08-02 of the North Dakota Administrative Code were considered in evaluating the location of the proposed route:

Location, Construction and Operation

Exclusion & Avoidance Areas

Human Environment

Cultural Resources

Vegetation/Wildlife Land Use

Discussions of these criteria are provided in Sections B.4, B.5 and B.6 of this application. A map showing the location of the pipeline for the proposed Trenton Expansion Project is included with this application. *See* Appendix Tabs 1-2.

B.4 Relative Value and Effects Upon Each Criteria Including Location, Construction, and Operation of the Facility

In accordance with the provisions of Chapter 69-06-08 of the North Dakota Administrative Code, the proposed corridor and route for the Trenton Expansion project was selected after consideration of its impact on humans and the environment. Adverse effects of construction and installation of approximately 2.38 miles of 10-inch pipeline and approximately 1,000 feet of 6 inch pipeline (which constitute the proposed Trenton Expansion Project) are substantially minimized by locating the new line within or adjacent to existing pipeline easements for the existing Trenton Pipeline System in this area.

Underground pipeline installation minimizes potential impacts on human or animal welfare and aesthetics. Construction and installation of the new pipe for the proposed Trenton Expansion Project will cause temporary disruption to the environment, but will not result in any long-term changes to the environment. The following is a general analysis of the existing human and natural environment along the route and the potential impacts of pipeline right-of-way preparation, construction, installation and operations of the proposed Trenton Expansion Project.

B.4.a Exclusion and Avoidance Areas (Chapter 69-06-08 of the North Dakota Administrative Code)

The North Dakota Public Service Commission has identified certain sensitive or otherwise important environmental features which must be considered during the selection of a route for transmission facilities. These features have been classified as either “Exclusion Areas” or “Avoidance Areas.” As defined in Chapter 69-06-08 of the North Dakota Administrative Code, Exclusion Areas are areas that are to be excluded from consideration for energy conversion sites and transmission facility routes. Avoidance Areas

are areas not to be considered in the routing of a transmission facility unless it is shown that, under the circumstances, there are no reasonable alternatives.

Plains has made a thorough study and review to identify any Exclusion and Avoidance Areas along the proposed route of its Trenton Expansion Project. The table immediately below lists each type of Avoidance or Exclusion Area, category, and administering agency, and indicates whether each type of area is crossed by the route. No Exclusion Areas are located within the vicinity of the proposed route. Only one Avoidance Area was identified as crossed by the proposed route.

B.4.a.(1) Specific Avoidance and Exclusion Areas

Avoidance and Exclusion Area	Category	Crossed By Route	Administering Agency
National Memorial Parks	Exclusion	No	National Park Service
National Historic Sites and Landmarks	Exclusion	No	National Park Service
National Natural Landmarks	Exclusion	No	National Park Service
National Wilderness Areas	Exclusion	No	National Park Service U.S. Forest Service
National Parks	Exclusion	No	National Park Service
National Monuments	Exclusion	No	National Park Service State Historical Society
State Parks	Exclusion	No	State Park Service
State Historic Sites	Exclusion	No	State Historical Board
State Historical Markers	Exclusion	No	State Historical Board
State Archaeological Sites	Exclusion	No	State Historical Board
State Monuments	Exclusion	No	State Historical Society
State Nature Preserves	Exclusion	No	State Park Service

Avoidance and Exclusion Area	Category	Crossed By Route	Administering Agency
Areas Critical to the Life Stages of Threatened or Endangered Animal or Plant Species	Exclusion	No	USFWS
Areas Where Animal or Plant Species Unique or Rare in the State Would be Irreversibly Damaged	Exclusion	No	Various
County Parks and Recreation Areas, Municipal Parks, and Parks under other Governmental Jurisdiction	Exclusion	No	Various
National Wildlife Areas	Avoidance	No	USFWS
National Wildlife Refuges	Avoidance	No	USFWS
National Grasslands	Avoidance	No	U.S. Forest Service
National Historic Districts	Avoidance	No	State Historic Society
National Wild, Scenic or Recreational Rivers	Avoidance	No	Heritage Conservation Recreation Services, State Outdoor Recreation Agency
State Wild, Scenic or Recreational Rivers	Avoidance	No	State of North Dakota Legislative Assembly
State Game Refuges	Avoidance	No	North Dakota Game and Fish Department
State Game Management and Management Areas	Avoidance	No	North Dakota Game and Fish Department
State Forests	Avoidance	No	State Forest Service
State Forest Management Lands	Avoidance	No	State Forest Service
State Grasslands	Avoidance	No	State Park Service
Irrigated Land	Avoidance	No	State Water Commission
Areas of Historic, Archaeological or Paleontological Significance	Avoidance	No	State and County Historical Society

Avoidance and Exclusion Area	Category	Crossed By Route	Administering Agency
Areas of Recreational Significance	Avoidance	No	Various
Reservoirs	Avoidance	No	U.S. Army Corps of Engineers State Water Resource Commission
Municipal Water Supplies	Avoidance	No	State Water Resource Commission
Water Sources for Organized Rural Water Districts	Avoidance	No	State Water Commission
Wooded Areas	Avoidance	No	State Forest Service
Woodlands	Avoidance	No	Geological Survey
Areas which are Geologically Unstable	Avoidance	No	State Geologist Geological Survey
Within 500 Feet of a Farmhouse, Rural Residence or Place of Business	Avoidance	Yes	Landowner

B.4.a.(2) Areas within 500 feet of Farmhouse, Rural Residence, or Place of Business

The proposed route will pass near several farmhouses or rural residences. Included with this application is a map which sets forth the location of the pipeline for the proposed Trenton Expansion Project and the distance to farmhouses or residences. *See Appendix at Tab 8.*

B.4.b Selection Criteria (Section 69-06-08-02.3 of the North Dakota Administrative Code)

Rules and regulations of the North Dakota Public Service Commission specify several selection criteria to be considered in designating a corridor or route.

Specifically, the Commission considers whether any significant adverse effect will result from the location, construction and operation of the facility as they relate to these criteria, whether the effects will be at an acceptable minimum, and whether the effects will be managed and maintained at an acceptable minimum. Potential impacts as they relate to each of the selection criteria are discussed below. Measures Plains will implement to minimize these impacts are noted below and discussed in greater detail in Section B.6 of this application.

B.4.b.(I) Impact on Agriculture

Agricultural Production

The proposed pipeline will be constructed and installed within or adjacent to existing Plains' pipeline rights-of-way in Williams County, North Dakota, near Plains' Trenton Station located approximately 5 miles southwest of the city of Williston, North Dakota. All portions of the pipeline for the proposed Trenton Expansion Project (2.38 miles of 10-inch pipe and 1,000 feet of 6-inch pipe) will be constructed and installed on agricultural land.

Crop Land

The proposed Trenton Expansion Project will have only a minor effect on agricultural land use. The pipeline for the proposed Trenton Expansion Project will be buried to a depth of 48 inches so as to not have an impact on typical tillage operations in the area. Therefore, the pipeline will not interfere with normal agricultural operations on crop land after construction is complete. A potential

impact of pipeline construction and installation to crop land crossed by the route of the proposed Trenton Expansion Project is a temporary loss of soil productivity immediately following construction. Crop production will be disrupted in cases where the construction period overlaps with the growing season. A short segment of the proposed Trenton Expansion Project crosses agricultural crop land comprised of alfalfa and other hay crops.

Pasture

The proposed Trenton Expansion Project will also have minimal impact on pasture land. Most of the proposed Trenton Expansion Project crossed agricultural pasture land. Construction and installation of the pipeline for the proposed Trenton Expansion Project will have only a minimal temporary impact on the agricultural pasture land crossed by the route.

Family Farms and Ranches

The construction of the proposed Trenton Expansion Project will not result in long term disruptions of family farming operations. Payments made in connection with the acquisition of easements will benefit landowners along the proposed route.

Lands Suitable for Irrigation

No lands suitable for irrigation will be affected by the proposed Trenton Expansion Project.

B.4.b.(2) Impact on Noise Sensitive Land Uses

Only 1 farmstead with a house and other structures is located within 500 feet of the right-of-way for the new pipeline for the proposed Trenton Expansion Project. There are no other sensitive noise receptors such as schools or hospitals in the vicinity of the proposed Trenton Expansion Project. During construction and installation of the pipeline for the Trenton Expansion Project, residences in close proximity to the construction will be exposed to short-term increases in construction-related noise. The heavy construction equipment needed to construct and install the new pipeline for the Trenton Expansion Project will generate short-term increases in ambient noise levels. Increases in ambient noise levels due to construction and installation of the line will be limited to the period of construction (estimated to be approximately 60 days) and to daylight hours. No noise will be generated along the right-of-way of the proposed Trenton Expansion Project after construction and installation is complete. There will be no noise increases at the existing Trenton Station as a result of the proposed Trenton Expansion Project.

B.4.b.(3) Impact on Visual Effect on the Adjacent Area

The only above ground facilities that will be constructed as part of the proposed Trenton Expansion Project is a valve at the point where the 1,000 foot segment of 6-inch line connects to the existing

6-inch line approximately 2 miles southwest of Trenton Station. Other than this permanent above ground facility, the proposed Trenton Expansion Project will result in only short-term visual effects related to construction activities.

B.4.b.(4) Impact on Extractive and Storage Resources

No extractive and storage resources will be affected by the proposed Trenton Expansion Project.

B.4.b.(5) Impact on Wetlands

No wetlands will be affected by the proposed Trenton Expansion Project.

B.4.b.(6) Impact on Woodlands and Wooded Areas

No woodlands or wooded areas will be affected by the proposed Trenton Expansion Project.

B.4.b.(7) Impact on Radio and Television Reception, and Other Communication or Electronic Control Facilities

No effects on radio or television reception or radio reception, communication or electronic control facilities are anticipated to be affected by the proposed Trenton Expansion Project.

B.4.b.(8) Impact on Human Health and Safety

Plains is committed to taking aggressive measures to prevent spills and environmental damage. *See* Appendix at Tab 9. The new segment of pipeline for the proposed Trenton Expansion Project will be hydrostatically tested and inspected prior to putting the same into

service.

B.4.b.(9) Impact on Animal Health and Safety

Because of the short duration involved in constructing and installing the proposed Trenton Expansion Project, the project is not anticipated to have any significant impact on animal health and safety in the area of the project.

B.4.b.(10) Impact on Plant Life

During the construction and installation phase of the pipeline for the proposed Trenton Expansion Project, vegetation will be removed from the construction right-of-way. After construction is complete, no significant changes in plant life or land use is anticipated.

B.4.c Policy Criteria (Section 69-06-08-02.4 of the North Administrative Code)

The North Dakota Public Service Commission may give preference to an applicant that will maximize benefits resulting from the adaptation of policies and practices of the Commission. These policies, and the extent to which this project aligns with or reenforces those policies are described below.

B.4.c.(1) Location and Design

Plains believes that the pipeline for the proposed Trenton Expansion Project has been placed in the optimal alignment. No Exclusion Areas and only one Avoidance Areas are crossed by the proposed route. Further, the proposed alignment is within or adjacent to Plains' existing pipeline right-of-way, minimizing the needs for

new right-of-way and the environmental and human impacts associated with a new route. In addition, the proposed Trenton Expansion Project will be designed and operated in a manner that meets or exceeds state and federal engineering, safety and operational designs.

B.4.c.(2) Training and Utilization of Available Labor in this State for the General and Specialized Skills Required

No training of local labor is anticipated as a direct result of the proposed Trenton Expansion Project. During construction of the proposed Trenton Expansion Project, skilled and unskilled labor, both local and non-local workers will be employed by Plains or the general contractor selected by Plains to construct and install the pipeline for the proposed Trenton Expansion Project.

B.4.c.(3) Economies of Construction and Operation

The proposed Trenton Expansion Project is believe to be the most cost effective and operationally sound means of meeting Plains' delivery obligations to its customers in Richland County, Montana, and McKenzie and Williams Counties, North Dakota. These matters are addressed in further detail in Section B.2.g of this application and Sections C.2 of the Corridor Certificate Application.

B.4.c.(4) Use of Citizen Coordinating Committees

No citizen coordinating committee is anticipated as a result of the proposed Trenton Expansion Project.

B.4.c.(5) Commitment of a Portion of the Transmitted Product for Use in this State

All crude oil transported by the existing Trenton Pipeline System and the proposed Trenton Expansion Project will be transported to Plains' Trenton Station for delivery to Enbridge Pipelines (North Dakota) LLC. Some portion of the crude oil volume transported by Plains to Enbridge Pipeline eventually ends up at the Tesoro Refinery in Mandan, North Dakota.

B.4.c.(6) Labor Relations

The proposed project will have no anticipated effect on labor relations within North Dakota.

B.4.c.(7) Coordination of Facilities

The proposed Trenton Pipeline Expansion has been designed to optimally utilize Plains' existing transportation system.

B.4.c.(8) Monitoring of Impacts

Plains believes that construction-related impacts will be adequately mitigated throughout the proposed route by the use of best management practices, good construction techniques and environmental inspections; therefore, long-term monitoring of impacts directly related to the proposed pipeline expansion is not anticipated. Following the installation of the new pipe for the proposed Trenton Expansion Project, a thorough inspection will be performed to ensure restoration efforts have been successful.

B.4.c.(9) Utilization of Existing and Proposed Rights-of-way and Corridors

The proposed Trenton Expansion Project will occur within or adjacent to Plains' existing right of way. Construction activities will generally utilize 50 foot wide construction right of way. Additional temporary work space adjacent to the construction right of way may be necessary for construction in certain areas. Plains will acquire certain work space from the landowner where necessary; use of unauthorized work space is prohibited without the landowner and Plains' approval. In all cases, the size of extra work space will be kept to the minimum necessary to safely conduct work. Temporary working areas will revert to landowners upon completion of construction and installation of the pipeline for the proposed Trenton Expansion Project.

B.4.c.(10) Other Existing and Proposed Transmission Facilities

The proposed Trenton Expansion Project is in addition to the existing Trenton Pipeline System operated by Plains within the states of Montana and North Dakota. Plains also operates the following pipeline systems: Killdeer Pipeline System located in Dunn County, North Dakota; Whitetail Pipeline System located in Billings County, North Dakota; TR Pipeline System located in Billings, Stark and Dunn Counties, North Dakota; Bowman Pipeline System located in Bowman County, North Dakota; Fallon County, Montana and

B.4.d Design and Construction Limitations

See Section A.3 of Corridor Certificate Application.

B.4.e Economic Considerations

See Section B.2.g of this application and Section C Corridor Certificate Application.

B.4.f Human Environment

The proposed Trenton Expansion Project will be constructed within or adjacent to existing Plains' right-of-way in Williams County, North Dakota. The project area is sparsely populated and farming and ranching is the predominate economic activity. The entire route of the proposed Trenton Expansion Project will cross privately owned lands. Only one rural residence is located within 500 feet of the right-of-way for the proposed Trenton Expansion Project. The route of the proposed Trenton Expansion Project does not pass through any parks, recreation areas or cities.

B.4.g Terrain and Geology

The proposed Trenton Expansion Project traverses relatively level terrain. No special problems are anticipated in construction and installation of the proposed Trenton Expansion Project because of terrain or geology.

B.4.h Soils

The route of the Trenton Expansion Project crosses agricultural cropland and pasture. Soil productivity could be impacted if topsoil were to become mixed with subsoil during construction. To minimize this, potential topsoil will be segregated

from subsoil during trench excavation. Topsoil will be stored separately from trench subsoil and will then be returned to the surface after the trench is backfilled.

B.4.i Vegetation and Wildlife

Vegetation:

The route of the proposed Trenton Expansion Project crosses exclusively agricultural land. The primary impact on vegetation will result from construction-related removal or destruction of vegetation on the right-of-way. Plains will clear the right-of-way only to the extent necessary to assure suitable access for construction, safe operation and maintenance of the new pipeline. In areas that require permanent vegetation (pasture lands or hay lands), Plains will specify appropriate seed mixes, application rates and seeding dates, taking into account recommendations of appropriate federal, state and local agencies and landowner requests.

Wildlife:

Plains has contacted the North Dakota Game and Fish Department, the United States Fish and Wildlife Service and Fauna West Wildlife Consultants located in Billings, Montana, regarding its proposed Trenton Expansion Project. Based upon these consultations, no threatened or endangered plant or animal species are known to occur in the proposed Trenton Expansion Project area.

B.4.j Land Use

Agriculture is the exclusive use of land in the area of the proposed Trenton Expansion Project. The project will have a temporary effect on agricultural use. Crop production will be disrupted in cases where the construction period overlaps

with the growing season. In those areas where the proposed Trenton Expansion Project crosses pasture land, there will be temporary loss of grazing lands until permanent vegetation is reestablished.

B.4.k Water Resources-Ground Water

No wells will be installed or abandoned as part of the proposed Trenton Expansion Project.

Water Resources- Surface Water

Lakes and Ponds:

No lakes or ponds will be crossed with the proposed Trenton Expansion Project.

Streams:

No streams will be crossed with the proposed Trenton Expansion Project.

Wetlands:

No wetlands will be crossed with the proposed Trenton Expansion Project.

Water Use:

The proposed Trenton Expansion Project will not have any effect on water use patterns in that following construction the lands crossed by the Trenton Expansion Project will be restored to as near as possible to their original condition.

The proposed Trenton Expansion Project will require the appropriation of water to hydrostatically test the new pipeline. Plains has been in contact with appropriate officials with the City of Trenton to purchase municipal water for this operation.

Surface Water Runoff:

Potential construction-related effects on surface waters are primarily related to sedimentation from uncontrolled erosion of disturbed areas. Much of the route of the proposed Trenton Expansion Project is level or gently sloping which limits the potential runoff effects.

Plains has obtained from the North Dakota Department of Health a NPDES General Stormwater Permit. A true and correct copy of the NPDES General Stormwater Permit is included with this application. *See Appendix at Tab 6.*

Discharges to Surface Waters:

During construction, waste water will be generated from hydrostatically testing the new pipeline prior to placing it in service. This water will be discharged in accordance with the NPDES General Stormwater Permit.

B.4.1 Cultural Resources

A thorough cultural resources review has been conducted of the area of the proposed Trenton Expansion Project. Based upon that review, no historic properties are affected by the proposed Trenton Expansion Project.

B.5 The criteria to be evaluated shall include at a minimum all of the following which are within the designated corridor:

- a. Exclusion areas;**
- b. Avoidance areas;**
- c. Selection criteria;**
- d. Policy criteria;**
- e. Design and construction limitations; and**

f. Economic Considerations.

Complete descriptions, potential impacts and mitigation measures relevant to the six criteria cited above are provided in Sections B.4 and B.6 of this application.

B.6 Mitigation Measures

Some of the protection, mitigation and restoration measures Plains will implement have been described in Section B.4 in conjunction with the descriptions of potential impacts. A discussion of additional measures Plains will employ follows:

B.6.a Measures to Preserve the Human Environment

Plains will require its construction contractor to clean up on a daily basis personal litter, bottles and paper deposited by right-of-way preparation and construction crews. Waste and scrap that is the product of pipeline construction will be removed or properly disposed of in accordance with applicable regulations before construction ends.

Plains will, to the extent practicable, restore the area affected by the pipeline construction to the conditions that existed immediately before construction of the pipeline. Restoration will be compatible with the safe operation, maintenance, and inspection of the pipeline.

To the maximum extent practicable, Plains will minimize noise and dust resulting from construction near residential areas.

B.6.b Measures to Protect Terrain and Geological Resources

Plains will, to the maximum extent practicable, restore the area affected by the pipeline construction to the natural conditions that existed immediately before

construction of the pipeline. Restoration will be compatible with the safe operation, maintenance, and inspection of the pipeline.

To the maximum extent practicable, Plains will restore the construction area to pre-construction contours. Measures such as slope breakers, erosion control blankets and revegetation will be employed to maintain the stability of slopes along the right-of-way.

Fuel and other hazardous materials will be stored in accordance with the requirements of Plains' NPDES General Stormwater Permit. The Permit also describes response, containment and cleanup measures. A copy of NPDES General Stormwater Permit is included with this application. *See Appendix at Tab 6.*

B.6.c Measures to Protect Soils

Plains will implement temporary and permanent erosion control measures as specified in Plains' NPDES General Stormwater Permit. Requirements of the Permit will be included as conditions in the construction contract documents and enforced as such throughout the project.

Temporary erosion and sedimentation control measures may include installation of silt fence, straw bales, slope breakers, trench breakers, erosion control fabric and mulch.

Compaction of agricultural soils will be minimized by restricting construction activities during period of prolonged rainfall. Where unacceptable levels of compaction occur in agricultural lands, deep tillage, a chisel plow or other deep tillage equipment will be utilized to loosen the soil to the reasonable satisfaction of the landowner.

B.6.d Measures to Protect Vegetation and Wildlife

Plains will clear the right-of-way only to the extent necessary to assure suitable access for construction, safe operation, and maintenance of the pipeline.

In areas that require permanent revegetation, Plains will specify appropriate seed mixes, application rates, and seeding dates, taking into account recommendation of appropriate state and federal agencies and landowner requests. Consequently, significant changes in cover types are not anticipated.

B.6.e Measures to Protect Land Use Patterns

Plains will repair or replace fences and gates removed or damaged as a result of right-of-way preparation, construction or maintenance activities.

The proposed pipeline will be installed at a minimum depth of 48 inches from the surface contour to minimize the potential for environmental damage resulting from deep tillage activities unless modified to accommodate special construction issues at the site.

B.6.f Measures to Protect Water Resources

Measures to protect water resources have been discussed to some extent in Section B.4.k, Water Resources, and in previous mitigation sections on soils (Section B.6.c) and vegetation and wildlife (Section B.6.d). Plains' NPDES General Stormwater Permit describes these measures in detail. Temporary sediment control measures such as silt fence installed at each crossing will minimize the movement of spoil and sediment from surface runoff during the after construction. Permanent erosion control measures, such as vegetation and installation of slope breakers, will effectively stabilize riparian zones.

Water appropriations for hydrostatic testing will be conducted in accordance with applicable permits. Plains will conduct trench dewatering and hydrostatic test discharges in a manner consistent with the NPDES General Stormwater Permit obtained from the North Dakota Department of Health.

B.6.g Measures to Protect Cultural Resources

A thorough cultural resources review was conducted in the proposed project area during the planning of Plains' Trenton Expansion Project.

Plains has met with the SHSND and been advised that no historical properties are affected by the proposed Trenton Expansion Project. Plains will continue to keep the SHSND advised if any cultural resources are discovered during construction and installation of the pipeline for the proposed Trenton Expansion Project.

B.7 Qualifications of Persons Contributing to the Study

See Section D.6 of the Application for Corridor Certificate.

B.8 Maps

See Section D.7 of the Application for Corridor Certificate.

B.9 Other Matters

In accordance with Section 49-22-08 of the North Dakota Century Code, Plains requests leave to file such other and additional information and documents as the Commission may require to supplement its Application for Route Permit.