

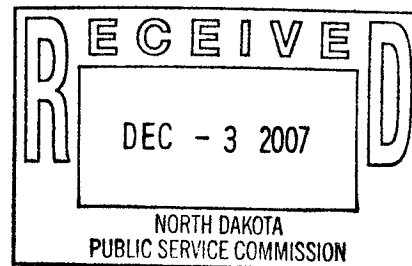
BELLE FOURCHE PIPELINE COMPANY

Environmental Division
Bob Dundas, P.G., Environmental Coordinator
Kate Forsting, Assistant Environmental Coordinator

Reply to:
P.O. Drawer 2360 (82602)
455 North Poplar
Casper, WY 82601
Phone: (307) 237-9301
Fax: (307) 266-0357

November 27, 2007

Patrick Fahn
Utility Analyst
North Dakota Public Service Commission
600 E. Boulevard
Bismarck ND 58505-0480



RE: Transmittal of Permit

Dear Mr. Fahn:

Belle Fourche Pipeline Co. is transmitting as part of case number PU-07-596 8" Crude Oil Pipeline/McKenzie County Siting Application (i.e., Alexander 8" Loop), the Corps of Engineers 11/19/07 project authorization.

Please call me at (307) 266-0411 should you require any additional information.

Sincerely,

Bob Dundas, P.G.
Environmental Coordinator

Attachments

File: BFPL Alex Loop



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640
November 19, 2007

North Dakota Regulatory Office

[NWO-2007-3289-BIS]

Keitu Engineers & Consultants, Inc.
ATTN: Heather Jandt, Project Manager
PO Box 98
Mandan, North Dakota 58554-0098

Dear Ms. Jandt:

1. **Project Authorization.** We have reviewed your October 5, 2007 request and additional routing information provided October 31, 2007 submitted on behalf of **Belle Fourche Pipeline Company, PO Drawer 2360, Casper, Wyoming 82602** for Department of the Army (DA) authorization to open cut crossings of several creeks and streams in conjunction with installation of approximately 32 miles of crude oil pipeline to connect Bowline Junction with the Enbridge (Alexander) Station. The pipeline would cross Camp, Lonesome, Antelope, Charbonneau and Spring Creeks and several tributary systems.

An Approved Jurisdictional Determination (JD) has not been completed for the project site. You may request this office complete an Approved JD prior to your commencement of any work in the waterways. Completion of such a JD may require coordination with Corps Headquarters and the US Environmental Protection Agency. If you do not want the Corps to complete an Approved JD, you may proceed with the proposed project in accordance with the terms and conditions of Department of the Army Nationwide Permit No. 12, found in the March 12, 2007 Federal Register (72 FR 11092), Reissuance of Nationwide Permits. Enclosed is a fact sheet that fully describes this Nationwide Permit and lists the General and Regional Conditions and the Section 401 Water Quality Certification Requirements, if applicable, that must be complied with. **Please note any deviations from the original plans and specifications of your project could require additional authorization from this office.** This verification will be valid until **November 19, 2009.**

2. **Project Location.** The pipeline will run through Sections 5-8, 17-20 and 29-32, Township 150 North, Range 101 West; Sections 5-8, 17-20 and 29-32, Township 149 North, Range 101 West; Sections 25 and 36, Township 149 North, Range 102 West; Sections 2, 3, 10, 15, 22, 27 34 and 35, Township 148 North, Range 102 West; Sections 13, 24, 25 and 36, Township 152 North, Range 102 West; Sections 18, 19 and 29-32, Township 152 North, Range 101 West; Sections 1 and 12, Township 151 North, Range 102 West; Sections 5-8, 17-20 and 29-32, Township 151 North, Range 101 West; Sections 5-8, Township 150 North, Range 101 West; Section 1, Township 147 North, Range 102 West; and Sections 6-8, Township 147 North, Range 101 West; all in Dunn County, North Dakota.

3. **Project Compliance Certification.** *In compliance with General Condition 26, you are required to submit the following project compliance certification within thirty (30) days of project completion. [Please check all applicable statements]*

- I certify that I have completed the project as permitted.
- I certify that I have completed a modified version of the project.
- I certify that I have completed all required mitigation.

Permittee's Signature: _____ Date: _____

4. **Other Authorizations.** This determination is applicable only to the permit program administered by the US Army Corps of Engineers. It does not eliminate the need to obtain other Federal, state, tribal, and local approvals before beginning work.

5. **Responsibility.** You are responsible for all work accomplished in accordance with the terms and conditions of this Nationwide Permit. If a contractor or other authorized representative will be accomplishing the work authorized by the Nationwide Permit on your behalf, it is strongly recommended that they be provided a copy of this letter and the attached conditions so that they are aware of the limitations of the Nationwide Permit. Any activity that fails to comply with all the terms and conditions of the Nationwide Permit will be considered unauthorized and subject to appropriate enforcement action.

6. **Other Special Conditions.**

Endangered Species

That the permittee shall report any threatened or endangered species at the project site. Notification shall be made to the North Dakota Regulatory Office by telephone or fax within 24 hours. Written confirmation shall be provided within 48 hours if deemed necessary by the North Dakota Regulatory Office.

Cultural Resources

That the permittee and/or the permittee's contractor, or any of the employees, subcontractors or other persons working in the performance of a contract or contract(s) to complete the work authorized herein, shall cease work immediately and report the discovery of any previously unknown historic or archeological remains to the North Dakota Regulatory Office. Notification shall be by telephone or fax within 24 hours of the discovery and, in writing, within 48 hours. The North Dakota Regulatory Office will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places. Work shall not resume until notified by the North Dakota Regulatory Office.

Spawning Season

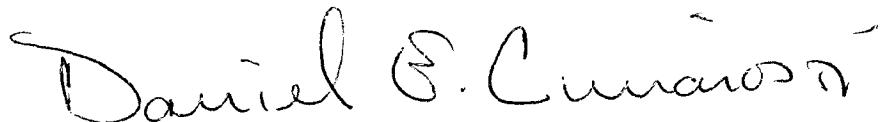
That no regulated activity within waters of the United States listed as Class III or higher on the 1978 Stream Evaluation Map for the State of North Dakota or on the North Dakota Game and Fish Department's website as a North Dakota Public Fishing Water shall occur between 15 April and 1 June. No regulated activity within the Red River of the North shall occur between 15 April and 1 July.

7. **Additional Information.**

Suitable Material and 1978 Stream Evaluation Map: Permittees are reminded that General Condition No. 6 prohibits the use of unsuitable material. In addition, organic debris, some building waste, and materials excessive in fines are not suitable material. Specific verbiage on prohibited materials and the 1978 Stream Evaluation Map for the State of North Dakota can be accessed on the North Dakota Regulatory Office's website at:
<https://www.nwo.usace.army.mil/html/od-rnd/ndhome.htm>.

8. **Points-of-Contact.** If you have any questions concerning this determination, please contact **Toni R. Erhardt** of this office by letter or telephone at 701-255-0015 and reference Authorization Number **NWO-2007-3289-BIS**.

Sincerely

A handwritten signature in black ink that reads "Daniel E. Cimarosti". The signature is written in a cursive style with a large initial 'D' and a long horizontal stroke at the end.

Daniel E. Cimarosti
State Program Manager
North Dakota

Enclosure