

Rangeland COLT Crude Oil Pipeline – Williams County  
Rangeland Pipeline, LLC  
ND PSC Case No. PU-10-637  
Keitu Project #569-217

Post-Construction Inspection Report

*August 2015*



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**Rangeland Pipeline, L.P.**  
**Crude Oil Pipeline**  
**Williams County, ND**

Prepared by Keitu Engineers & Consultants, Inc.

## **Executive Summary**

The State of North Dakota, acting through its North Dakota Public Service Commission, Division of the Public Utilities, has acquired Keitu Engineers & Consultants, Inc. to perform consulting services to perform construction inspections applying engineering and science principles for the purpose of ensuring that energy conversion and transmission facilities authorized by the NDPSC are constructed in compliance with the siting laws (N.D.C.C 49-22) and rules (N.D. Administrative Code Article 69-09) and applicable Commission orders for Case No. PU-10-637. Prior to the inspection, Keitu reviewed construction standards and issues and developed a PSC field observation report to be complete at an inspection for a crude oil pipeline.

The State of North Dakota, acting through its North Dakota Public Service Commission (PSC), Division of Public Utilities, has contracted Keitu Engineers & Consultants, Inc. (Keitu) to perform consulting services for post-construction siting inspections. This report addresses the Orders established by the PSC and issues established in File No. PU-10-637. The Crude Oil Pipeline (Project) is located in Williams County, ND. The pipeline was owned and operated by Rangeland Pipeline, LLC (Rangeland Pipeline). The pipeline is now owned and operated by Crestwood Midstream Partners LP. Construction for the Project began October 7, 2011 and was completed in January 2013. The purpose of the post-construction inspection was to ensure the Project was constructed in compliance with the siting laws, rules, and the applicable PSC Orders for the Project. Prior to the post-construction inspection, Keitu reviewed all Project documents to identify any and all aspects requiring site verification.

The site was visually inspected on August 11, 2015 by Keitu staff. Overall, the project was very well-maintained and in good condition. It appeared to be constructed as planned with numerous efforts to minimize impacts. There are a few instances where, if deemed appropriate by the Commission, additional information as noted in Order observations 2, 4, 5 and 17 can be requested from the appropriate parties for further clarification.

## **Introduction**

The construction of the Crude Oil Pipeline (Project) was completed in January 2013, according to the last weekly construction progress report (Docket #163) and the final as built maps were submitted February 2013 (Docket #164). The Project was operated by Rangeland Pipeline, LLC (Rangeland Pipeline) and operation and ownership in now with Crestwood Midstream Partners LP. The Project comprises approximately of 20.5 mile long, 10-inch diameter underground crude oil pipeline that extends from the Rangeland Pipeline Terminals, LLC's COLT Hub near Epping, North Dakota, to a 120,000-barrel above-ground storage tank that is located on a 16 acre site approximately 8 miles south of Tioga, North Dakota, referred to by Rangeland as the Beaver Lodge Meter Station Site. From there, the Project will connect to the Enbridge Pipelines (North Dakota) LLC (Enbridge) and Tesoro High Plains Pipeline Company LLC (Tesoro) transmission pipeline. The pipeline is bi-directional and located entirely in Williams County, North Dakota. Except at the endpoints and where the Project route needs to avoid existing infrastructure, the Project will generally be located adjacent and parallel to the existing Enbridge 10-inch crude oil pipeline (Case No. PU-06-330). The Project is under the jurisdiction of the North Dakota Public Service Commission (PSC), which issued its Findings of Fact, Conclusions of Law, and Order on Case No. PU-10-637 on September 29, 2011, granting a Certificate of Corridor Compatibility No. 123 and Route Permit No. 132 for the Project.

## **Purpose and Scope of Inspection**

The North Dakota Energy Conversion and Transmission Facility Act (North Dakota Century Code Chapter 49-22) authorizes the PSC to determine that the location, construction, and operation of jurisdictional energy conversion and transmission facilities will produce minimal adverse effects on the environment and welfare of the citizens of North Dakota. Construction inspections ensure the Project is constructed in compliance with siting laws, rules, and the applicable Commission Findings of Fact, Conclusions of Law, and Order Provisions (Order).

The North Dakota PSC retained Keitu Engineers & Consultants, Inc. (Keitu) to complete a post-construction inspection of the Project. The inspection process included a review of the Application for Corridor Compatibility and Route Permit, Order, and other applicable documents to determine Project-specific siting and construction requirements; a site visit and inspection of facilities; documentation of compliance; and a report summarizing findings. This report includes; but is not limited to, site visit observations, documentation of compliance deficiencies, and a summary of issues that should be addressed for the Project to be considered complete and in full compliance.

## Methods

Keitu reviewed the North Dakota siting laws and rules, the Application for Certificate of Corridor Compatibility and Route Permit (Application), and the Order for the Project to identify what Project-specific documentation was required for compliance. Keitu then reviewed Project documents in the PSC Online Case Search to identify those siting laws, rules, and Application and Order assertions that already had written verification, those that still required documentation, and those that required physical site verification.

Samantha Swanberg, Staff Consultant, and Ryan Schaner, Field Technician of Keitu visited the Project area on August 11, 2015. The site was visually inspected along portions of the transmission line route by accessing as many points as feasible where road access was available. The inspection began at the Epping Station in Section 1 of Township 155N, Range 99W, in Williams County and followed the line to Section 5 of Township 155N, Range 95W in Williams County. Digital photographs were taken showing typical Project infrastructure and documenting any problem areas (Appendix A). Geographic coordinates were recorded at observation points or potential problem areas using a handheld Global Positioning System (GPS) (Trimble GeoExplorer 6000 series). A map showing the location of the observation points is attached as Figure 1 in Appendix B.

## Observations/Findings of Commission Orders

The following section includes discussion of a list of components of the Project that were asserted in the Application and Orders which could be documented during the post-construction inspection to verify compliance with siting laws, rules and the Orders for the Project, via either written documentation or physical site verification. Included are detailed findings and observations from Keitu personnel involved in the post-construction inspection for the Rangeland Pipeline, LLC Crude Oil Pipeline – Williams County.

### **1. Rangeland Pipeline, LCC's application for a waiver of procedures and time schedules is granted.**

In a March 24, 2011 motion (Docket #18), Patrick J. Fahn moved the Commission to deem the applications complete and issue a Notice of Filing and Notice of Hearing in the request of Rangeland Pipeline for a waiver of procedures and time schedules, a corridor certificate and a route permit for the construction of approximately 20 mile of crude oil pipeline in Williams County, ND, Case No. PU-10-637.

Observation #1 is deemed complete.

- 2. Certificate of Corridor Compatibility No. 123 is issued to Rangeland Pipeline, LLC, designating a corridor for the construction, operation, and maintenance of the proposed pipeline. For purposes of the Certificate, the Corridor will consist of 200-foot wide area centered on the pipeline route for the length of the route and the Beaver Lodge Meter Station Site.**

On September 29, 2011 the Commission designated a transmission facility corridor for Rangeland Pipeline, L.P.'s approximately 20.5 miles of 10-inch pipeline in Williams County, North Dakota for the transmission of crude oil. The certificate (Docket #62, #72), was issued in accordance with the Order of the Commission dated September 29, 2011 in Case No. PU-10-637 and was subject to the conditions and limitations noted in the Order.

Observation #2 is deemed complete.

- 3. Route Permit No. 132 is issued to Rangeland Pipeline, LLC granting authority to construct and operate a 10-inch crude oil pipeline and associated facilities in Williams County, North Dakota.**

On September 29, 2011, the Commission designated a transmission facility route for Rangeland Pipeline, LLC for the construction of approximately 20.5 miles of 10-inch pipeline in Williams County, North Dakota. The permit (Docket #61, #72) was issued in accordance with the Order of the Commission dated September 29, 2011 in Case No. PU-10-637 and was subject to the conditions and limitations noted in the Order.

Observation #3 is deemed complete.

- 4. The August 30, 2011 Certification Relating to Order Provisions - Transmission Facility Siting (Certification), with accompanying Tree and Shrub Mitigation Specifications, be incorporated by reference and attached to this Order issued by the Commission.**

On August 30, 2011, Paul Broker of Rangeland Pipeline, LLC signed the Certification Relating to Order Provisions-Transmission Facility Siting and accompanying Tree and Shrub Mitigation Specifications (Docket #62), binding Rangeland Pipeline to requirements set forth by the Commission in its Order.

Observation #4 is deemed complete.

- 5. To the extent there are any conflicts or inconsistencies between the Application and the Certification provisions, the Certification provisions control.**

Observation #5 was followed.

## Order Provisions/ Facility Siting

- 1. Rangeland understands and agrees that any Certificate of Corridor Compatibility or Route Permit issued by the Commission will be subject to the conditions and criteria set forth in Chapter 49-22 of the North Dakota Century Code and Chapter 69-06-08 of the North Dakota Administrative Code, and that Rangeland shall be responsible for compliance with this order and conditions and criteria set forth in the applicable laws and rules.**

On September 29, 2011 the Commission designated a corridor for Rangeland Pipeline, L.P., for the construction, operation, and maintenance of the proposed pipeline and associated facilities in William County, North Dakota. The certificate (Docket # 62, #72) was issued in accordance with the Order of the Commission dated September 29, 2011 in Case No. PU-10-637 and was subject to the conditions and limitations noted in the order.

Order #1 is deemed complete.

- 2. Rangeland agrees to hold a preconstruction conference prior to commencement of any construction, which must include a Rangeland representative, its construction supervisor, and a representative of Commission Staff, to ensure that Rangeland fully understands the conditions set forth in the Commission's order.**

A preconstruction meeting was held on October 3, 2011 (Docket #75). It did not have a list of names as to who attended.

Order #2 is deemed complete unless the Commission requests additional information.

- 3. Rangeland agrees to comply with the rules and regulations of all other agencies having jurisdiction over any phase of the transmission facility including all city, township, and county zoning regulations.**

On February 11, 2011, Mollie Smith provided the Commission with an Application for Waiver or Reduction of Procedures and Time Schedules & Certificate of Corridor Compatibility & Route Permit (Docket #8). Within the report, numerous State and Federal agencies including; but not limited to, State Historical Society of North Dakota, North Dakota Parks and Recreation, North Dakota Game and Fish Department, North Dakota State Land Department and the U.S. Fish and Wildlife Service were contacted.

Order #3 is deemed complete.

- 4. Rangeland understands and agrees that it shall obtain all other necessary licenses and permits, and shall provide copies of all licenses and permits to the Commission prior to construction activity associated with the transmission facility that requires said license or permit.**
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According to the Recommended Findings of Fact and Conclusions of Law and Recommended order. Rangeland contacted the following agencies these include: U.S. Army Corps of Engineers Nationwide, North Dakota Department of Health (NDDH); United States Department of Agriculture – Natural Resources Conservation Service; North Dakota Department of Transportation; North Dakota Game and Fish Department; North Dakota Parks & Recreation Department; North Dakota State Water Commission; North Dakota State Land Department; and State Historical Society of North Dakota, State Historic Preservation Office (SHPO). After an online docket review of the Commission’s Project files, it appears not all permits have been supplied to the Commission. The Commission can request documentation of permits, if required.

Order #4 is complete contingent on permits being supplied to the Commission upon request.

- 5. Rangeland agrees to inform the Commission of its intent to start construction on the transmission facility prior to the commencement of construction. Once construction has started, Rangeland shall keep the Commission updated on construction activities on a weekly basis.**

On October 6, 2011 Rangeland Pipeline informed the Commission of their intent to start construction on October 7, 2011 (Docket #76). Rangeland Pipeline submitted weekly progress reports via email to the Commission starting with Docket # 78 throughout the construction process. The weekly progress reports for the weeks ending 6-28-2012, 7-19-2012, 8-2-2012, 8-9-2012, 8-16-2012, 9-6-2012, 9-13-2012, and 10-8-2012 are missing from the PSC website. By comparing the progress reports from before and after the construction activities can be interpreted. It is at the discretion of the Commission to decide whether or not to request this additional documentation.

In Keitu’s opinion, Order #5 is complete contingent on documents being supplied to the Commission upon request.

- 6. Rangeland understands and agrees that the pipeline will be buried to a minimum depth from the ground surface to the top of the pipe of 48 inches in range land, 48 inches for cultivated land, 48 inches at the bottom of the ditch for road crossings, and 72 inches across undeveloped section lines.**

No exposed piping existed along the route or at road crossings at the post-construction site observation points. Potholing to find the exact depth of pipe was not performed during post-construction inspection.

Order #6 is deemed complete.

- 7. Rangeland understands and agrees that any Certificate of Corridor Compatibility or Route Permit issued by the Commission is subject to suspension or revocation and may, in an appropriate and proper case, be suspended or revoked for failure to comply with**

**the Commission's order, the conditions and criteria of the certificate or subsequent modification, or failure to comply with the applicable statutes, rules, regulations, standards, and permits of other state or federal agencies.**

Rangeland Pipeline has complied with the applicable statutes, rules, regulations, standards, and permits of other state or federal agencies to date. The Commission has not suspended or revoked for failure to comply with the Commission's order, the conditions and criteria of the certificate.

Order #7 is deemed complete.

**8. Rangeland agrees to maintain records that will demonstrate that it has complied with the requirements of the Commission's order issuing a Certificate of Corridor Compatibility or Route Permit, and that it will preserve these records for Commission inspection at any reasonable time upon reasonable notice.**

Rangeland Pipeline was the keeper of records for construction of the pipeline. Many of the records are available for viewing on the North Dakota Public Service Commissions' website.

Order #8 is deemed complete.

**9. Rangeland agrees to construct and operate the transmission facility in the manner described in Rangeland's application, in any late filed exhibits and supplemental materials, and in accordance with all applicable safety requirements.**

Rangeland constructed the pipeline in accordance with the application and all applicable safety requirements. On October 16, 2013 an interim field inspection was conducted by Keitu Engineers and Consultants (Docket #169). Based on the inspection, the project was constructed as proposed to the Commission. The construction and operation of the facility is in accordance with all safety requirements.

No piping leaks were noticed along the route or at road crossings at the post-construction site observation points. This would indicate satisfactory construction practices and continuing pipeline maintenance.

Order #9 is deemed complete.

**10. Rangeland agrees to report promptly to the Commission the presence in the permit area of any critical habitat or threatened species, endangered species, bald eagles, or golden eagles of which Rangeland becomes aware and which were not previously reported to the Commission.**

A review of the weekly construction progress reports (Dockets #'s 78-82, 86, 92, 96-97, 99-100, 102, 105, 110, 112, 115-118, 121, 126-147, 149, 152, 154-163) did not note any critical habitat in the area during construction. No report of any critical habitat of threatened or endangered

species, or of bald or golden eagle's notification to the Commission was found in Case File No. PU-10-637. Environmental inspections were noted on the weekly reports. Environmental training for crew was noted in first week of construction (Docket #78).

Order #10 is deemed complete.

**11. Rangeland understands and agrees that all cultural resource mitigation plans must be submitted to the North Dakota State Historic Preservation Office and approved prior to the start of any fieldwork and construction activity in the affected area.**

SWCA Environmental Consultants conducted a Class I and Class III cultural resource inventory for the proposed Rangeland Energy COLT Connector Pipeline in Williams County, ND. According to the report, one previously recorded site was revisited and one cultural resource was newly recorded (Docket #8). The newly recorded resource site was recommended not eligible for the National Register of Historic Places (NRHP). The previously recorded site has been left unevaluated regarding its NRHP eligibility and avoidance was recommended. Reroutes were established to avoid the sites recommended eligible. SWCA recommended a 50-foot-wide avoidance buffer be placed around four of the eligible sites and fencing near the avoidance buffers to ensure that all construction activities remain within the corridor.

These surveys supported a finding of “no historic properties affected” and “no significant sites affected” provided the project area is as located and described in the report, and stipulated avoidance measures for unevaluated and eligible site are followed (Docket #8).

SWCA approved the Unanticipated Discovery Plan for Cultural Resources Identified during the construction of the Rangeland pipeline in Williams County, ND (Docket #17).

Order #11 is deemed complete.

**12. Rangeland understands and agrees that if any cultural resource, paleontological site, archeological site, historical site, or grave site is discovered during construction, it must be marked, preserved and protected from further disturbances until a professional examination can be made and a report of such examination is filed with the Commission and the State Historical Society and clearance to proceed is given by the Commission.**

No cultural resources, paleontological site, archeological site, historical site, or grave site was discovered during construction. This is based on the review of weekly construction progress reports and verification that no correspondence was identified in the Commission's file.

Order #12 is deemed complete.

**13. Rangeland understands and agrees that all buried facility crossings of graded roads must be bored unless the responsible governing agency specifically permits Rangeland to open cut the road.**

From the post-construction site observation points, it appears that all road crossings were bored. The roads over the pipe crossings appeared undisturbed and to grade.

Order #13 is deemed complete.

**14. Rangeland understands and agrees that all pre-existing township and county roads and lanes used during construction must be repaired or restored to a condition that is equal to or better than the condition prior to the construction of the transmission facility and that will accommodate their previous use, and that areas used as temporary roads or working areas during construction must be restored to their original condition.**

Existing roads and trails were to be left in a comparable or better condition than what existed before construction. From the post-construction site observation points, it appears that all pre-existing roads and lanes used for construction were restored to their previous conditions. These areas appear to be revegetated from the observation points.

Order #14 is deemed complete.

**15. Rangeland understands and agrees that construction must be suspended when weather conditions are such that construction activities will cause irreparable damage to roads or land, unless adequate protection measures approved by the Commission are taken.**

Based on review of the weekly progress reports, construction was suspended or delayed when weather conditions were such that construction activities should not occur.

Order #15 was followed.

**16. Rangeland understands and agrees that all topsoil, up to 12 inches, or topsoil to the depth of cultivation, whichever is greater, over and along trench areas where cuts will be made, must be stripped and segregated from the subsoil. Except along segments of the line using the double ditching method, any area on which excavated subsoil will be placed must also be stripped of topsoil. After backfilling is completed, any excess subsoil must be placed over the excavation area, blending the grade into existing topography. Topsoil must be replaced over areas from which it was stripped only after the subsoil is replaced.**

During the post-construction inspection, the vegetation along the pipeline route was in favorable condition and the areas along the pipeline observed were to grade evenly to the adjacent soil level which would indicate that this Order was followed properly.

Order #16 is deemed complete.

**17. Rangeland understands and agrees that reclamation, fertilization, and reseeding is to be done according to the Natural Resources Conservation Service recommendations, unless otherwise specified by the landowner and approved by the Commission.**

Construction activities disturbed soils and vegetation to an extent that would require some reseeding following completion of operation. The ground was re-graded to the approximate original contour and re-vegetated (rangeland) or tilled (cropland) when the work was completed. Soils were smoothed to the natural contours of the surrounding areas. Reseeding with native perennial species compatible with the surrounding vegetation appeared to occur. If surface disturbance did not significantly impact nearby vegetation, plants regenerated or sprouted from onsite existing propagates.

Documentation at the request of the ND PSC of re-vegetation surveys and noxious weed surveys will be required for Order #17 to be complete.

**18. Rangeland understands and agrees that its obligation for reclamation and maintenance of the right-of-way will continue throughout the life of the transmission facility.**

Regular maintenance and inspection are performed during the life of the facility to ensure its continued integrity. Inspections are limited to the right-of-way. When problems are found, repairs will be scheduled. If damages to crops occurred during maintenance and repairs, reimbursement is made to the landowner, consistent with the terms of the easement.

Based on the post construction inspection, Rangeland Pipeline has performed reclamation and maintenance of the right-of way and they have continued this since the facilities have been placed in operation.

Order #18 has been followed to date.

**19. Rangeland understands and agrees that its obligation for reclamation and maintenance of the transmission facility, associated facilities, and roadways will continue throughout the life of the transmission facility.**

Regular maintenance and inspections are performed during the life of the facility to ensure its continued integrity. When problems are found, repairs will be scheduled. If damages to crops occurred during maintenance and repairs, reimbursement is made to the landowner, consistent with the terms of the easement.

Based on the post-construction inspection, Rangeland Pipeline has performed reclamation and maintenance of the facility.

Order #19 has been followed to date.

**20. Rangeland agrees to comply with the Tree and Shrub Mitigation Specifications, attached.**

According to the Natural Resources and Wetland Determination Report (Exhibit 8, Docket #65) SWCA estimated 443 trees, saplings and shrubs may be impacted. According to a confirmation of the Natural Resource Surveys at the Rangeland Pipeline Beaver Lodge Metering Station Exhibit 11 (Docket #51), SWCA estimated approximately 155 trees and shrubs would be taken out at the Beaver Lodge Metering Station. Inergy Crude Logistics, LLC (now Crestwood Midstream Partners LP) sent a letter (Docket #168) to the landowners regarding the tree plantings, asking about the late replanting tree survival rate and if replanting was needed again. Tree replacement needs to fulfill the 2:1 mitigation requirements. Trees will be inspected once per year for three years following construction of the project.

Order #20 is deemed incomplete until documentation can be provided to the Commission indicating survival rates on a yearly basis for 3 years following replanting.

**21. Rangeland understands and agrees that it shall work with landowners and residents to mitigate any increase in television and residential radio interference that results from the construction of the transmission facility.**

According to the Proposed Findings of Fact, Conclusions of Law, and Recommendation (Docket #52) eleven residences and one place of business are present within the corridor. Of these, three occupied residences and one unoccupied residence are within 500 feet of the route. Rangeland Pipeline obtained written waivers of the Avoidance Area criterion from each of the four residences owners (Docket #64, #68).

Order #21 is deemed complete.

**22. Rangeland understands and agrees that it shall repair or replace all fences and gates removed or damaged during all phases of construction and operation of the transmission facility.**

Based on the weekly construction reports, Rangeland Pipeline has installed new fence along the pipeline (Docket #129, #135). During the post construction investigation on August 11, 2015 fences were observed.

Order #22 is deemed complete.

**23. Rangeland understands and agrees that is shall repair or replace all broken or damaged drainage tile during all phases of construction and operation of the transmission facility.**

By reviewing the weekly progress reports and the Commission's files, no encounter with drainage tile was reported. Landowners were contacted for their knowledge of drain tile locations prior to the pipeline installation and no one was aware of drainage tile in the area.

Order #23 is deemed complete.

**24. Rangeland understands and agrees that staging areas or equipment shall not be located on land owned by a person other than Rangeland unless otherwise negotiated with landowners.**

A review of the Project files did not indicate that any temporary staging areas were required on land other than owned by Rangeland Pipeline unless otherwise negotiated with landowners. All temporary facilities were removed, and the staging and laydown areas were cleaned up. Reclamation along the right-of-way was continuous and coordinated with construction.

Order #24 is deemed complete.

**25. Rangeland understands and agrees that it shall remove all waste that is a product of construction and operation, restoration, and maintenance of the site, and properly dispose of it on a regular basis.**

A review of the weekly construction reports showed that Rangeland Pipeline and its contractors kept the site clean throughout the construction of the Project. No unusual waste was noted during the post construction site visit on August 11, 2015.

Order #25 is deemed complete.

**26. Rangeland understands and agrees that it shall, as soon as practicable upon the completion of the construction of the transmission facility, restore the area affected by the activities to as near as is practicable to the condition as it existed prior to the beginning of construction.**

Construction activities disturbed soils and vegetation to an extent that would require some reseeded following completion of operations. During the site visit on October 16, 2013 re-contouring and reseeded had already been completed and re-vegetation was nearly completed along the route. The only area of partial re-vegetation was where the landowner had planted crops over the pipeline (Docket #169). Throughout the site visit on August 11, 2015 no issues regarding the reclamation of the surrounding area were noted.

Order #26 is deemed complete.

**27. Rangeland understands and agrees that it shall provide any necessary safety measures for traffic control or to restrict public access to the transmission facility.**

Based on the post-construction inspection, Rangeland Pipeline restricts public access to the facility. Signs and chain-link fence surround the main facility and the above ground valve stations.

Order #27 is deemed complete.

**28. Rangeland understands and agrees that it shall advise the Commission of any extraordinary events which take place at the site of the transmission facility, including injuries to any person, or the death of any threatened or endangered species on the site within five business days of such event.**

A review of the project files indicated a bald eagle soaring in the area; however, no nest was located (Docket #86). No other extraordinary events were documented.

Order #28 is deemed complete.

**29. Rangeland understands and agrees that it shall implement a procedure for how complaints concerning the transmission facility will be handled by Rangeland Pipeline.**

According to the preconstruction conference meeting minutes (Docket #75) during construction all complaints received would be directed to the appropriate representative. Russel Bandemer with Contract Land Staff was designated to be the point of contact for all complaints concerning the facility during construction and reclamation work.

Order #29 is deemed complete.

**30. Upon request, Rangeland agrees to provide the Commission with engineering design drawings of the transmission facility prior to construction.**

Rangeland Pipeline provided sufficient design specifications in the Application. The certificate of corridor compatibility and route permit and appendices including design drawings were (Docket #8) filed February 11, 2011.

Order #30 is deemed complete.

**31. Rangeland understands and agrees that it shall inform the Commission in writing of any plans to modify the transmission facility or of any plans to modify the site plan for the transmission facility. Rangeland understands and agrees to obtain written approval from the Commission prior to any modifications to the site plan or the transmission facility. Approval may be granted after notice and opportunity for hearing.**

Rangeland Pipeline submitted a minor modification of the site plan to the Commission on December 20, 2011 (Docket #98). Rangeland filed a motion for an amendment to remove from the Order the finding that a cultural resource site is located within the Beaver Lodge Meter

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Station Site and the requirement for a fence surrounding this area to avoid impacts. A second Class III Cultural Resource Inventory of the Beaver Lodge Meter Station was conducted and it was concluded that no cultural resources were present within the site. With this, Rangeland proposed to utilize the fenced off area.

On February 29, 2012, the Commission accepted the modification with the following requirements: Rangeland will avoid potential impacts to the cultural resource sites by narrowing the construction right-of-way to a width of 50 feet for a linear distance of 300 feet adjacent to the site and having a qualified archaeological monitor present during all earth disturbing activities adjacent to the site (Docket #120).

Order #31 is deemed complete.

**32. Rangeland agrees to provide the Commission with both an electronic and a paper copy of the corridor approved by the Commission, and will provide this information within three months of the Commission order approving the corridor. Rangeland also agrees, to provide an electronic version of the approved corridor that can be imported into ESRI GIS mapping software within 3 months of the construction. This electronic map data must be referenced to the North Dakota coordinate system of 1983, North and/or South zones US Survey feet (NAD 83) UTM Zone 13N or 14N feet (NAD 83), or geographic coordinate system (WGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed.**

Rangeland Pipeline initially provided sufficient design specifications in the Application and exhibits to understand and verify the proposed transmission facility. On February 11, 2011 Rangeland Pipeline provided the anticipated pipeline route in Docket #8. Rangeland provided the Commission with the appropriate documents.

Order #32 is deemed complete.

**33. Rangeland agrees to provide the Commission with both an electronic and a paper copy of the design specifications for the construction of the transmission facility showing the location of the transmission facility as built, and will provide this information within three months of the completion of the construction. Rangeland also agrees to provide an electronic version of the as-built facility design specifications that can be imported into ESRI GIS mapping software within 3 months of the completion of the construction. This electronic map data must be referenced to the North Dakota coordinate system of 1983, North and/or South zones US Survey feet (NAD 83) UTM Zone 13N or 14N feet (NAD 83), or geographic coordinate system (WGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed.**

Rangeland Pipeline initially provided sufficient design specifications in the Application and exhibits to understand and verify the proposed transmission facility. On December 30, 2011, the Commission received paper and electronic copies of the final as-built facility design specifications in Docket #101. The Commission received as-built overview maps located in Docket #164.

Order #33 is deemed complete.

**34. Rangeland understands and agrees that the authorization granted by any Certificate of Corridor Compatibility or Route Permit issued by the Commission for the transmission facility are subject to modification by order of the Commission if deemed necessary to protect further the public or the environment.**

A review of the Project files did not indicate that any authorizations granted by the Certificate of Site Compatibility for the facility were modified by the Commission to date. Should the Commission deem necessary in the future to modify the corridor certificate and route permit it can do so if deemed necessary to further protect the public or the environment. No other information was found in the case file to deem that the Commission should modify the Certificate of Corridor Compatibility (Number 123) and Route Permit (Number 132).

Order #34 is deemed complete.

**35. Rangeland understands and agrees that in the event Rangeland desires to construct, within any corridor granted by certificate of Corridor Compatibility in this proceeding, a transmission facility or energy conversion facility that was not included in Rangeland's application in this proceeding, Rangeland shall apply to the Commission for a Route Permit or Site Certificate for the facility.**

A review of the project files did not indicate that any authorizations granted by Certificate of Corridor Compatibility for a transmission facility or energy conversion facility were modified by the Commission to date.

Order #35 is deemed complete.

**36. Rangeland shall notify the Commission, as soon as reasonable possible, if any damage, as defined by North Dakota Century Code Chapter 49-23, occurs to underground facilities during construction conducted under the certificate or permit issued in this proceeding. In the event of any damage to underground facilities, Rangeland shall suspend construction in the vicinity of the damage until compliance with One-Call Excavation Notice System requirements under North Dakota Century Code Chapter 49-23 has been determined and clearance to proceed has been given by the Commission or Commission staff.**

An online review of the docketed project files did indicate that damages occurred to unmarked underground pipelines that were no longer in use. On November 15, 2011, a Williston Basin Interstate natural gas pipeline was encountered (Docket #83). Rangeland did suspend construction and provide certain information regarding the incident. Commission staff determined compliance with One-Call Excavation Notice System requirements. Rangeland was given clearance to proceed (Docket #88).

Rangeland also suspended work when an unmarked Hess pipeline was damaged (Docket #89) on November 24, 2011. It was determined that Rangeland was in compliance with One-Call Law and clearance to proceed was given (Docket #91).

On September 20, 2012, an unmarked abandoned crude pipeline was encountered at the Dry Fork Station (Docket #148). Rangeland discontinued construction and contacted officials. The Commission gave Rangeland permission to proceed construction presented in Docket #153.

Order #36 is deemed complete.

**37. Rangeland understands and agrees that the corridor certificate and route permit are subject to suspension or revocation and may, after hearing, be suspended or revoked for failure to comply with the Commission's order, requirements of the One-Call Excavation Notice System under North Dakota Century Code Chapter 49-23, the conditions and criteria of the certificate or permit or subsequent modification, or failure to comply with applicable statutes, or rules, regulations, standards, and permits of other state or federal agencies.**

The Commission has not suspended or revoked for failure to comply with the Commission's order, requirements of the One-Call Excavation Notice System under North Dakota Century Code Chapter 49-23, the conditions and criteria of the certificate. Rangeland Pipeline has complied with the applicable statutes, rules, regulations, standards, and permits of other state or federal agencies to date.

Order #37 is deemed complete.

## **Conclusions**

Overall, the Project appeared to be constructed as designed with minimal impacts to the surrounding natural and human environment. The Project site was in good condition and well maintained.

The project has been constructed in compliance with the siting laws and rules and applicable Commission orders. I declare that, I have the specific qualifications based on education, training, and experience to assess a project of this nature. If deemed appropriate by the Commission, they



can request additional information as noted in Order observations 2, 4, 5 and 17 from the appropriate parties for further clarification.

Sincerely,

Nathan J. Gaffrey, PE  
Project Engineer

## **Appendix A: Site Photos**



**Photo 1** – COLT Hub near Epping, North Dakota (Epping Station).



**Photo 2** – Beaver Lodge Meter Station site.



**Photo 3** – Midway mainline block valve station.



**Photo 4** – Picture indicates revegetated field and typical pipeline markers.



**Photo 5** – Pipeline markers near drainage pathway.



**Photo 6** – Typical pipeline marker. Note pipeline markers going through tree row in background.



**Photo 7** – Typical pipeline markers going through tree rows.



**Photo 8** – Typical pipeline markers across entrance/driveway.



**Photo 9** – Typical pipeline markers showing Enbridge’s paralleling line.

**Appendix B: Figure**

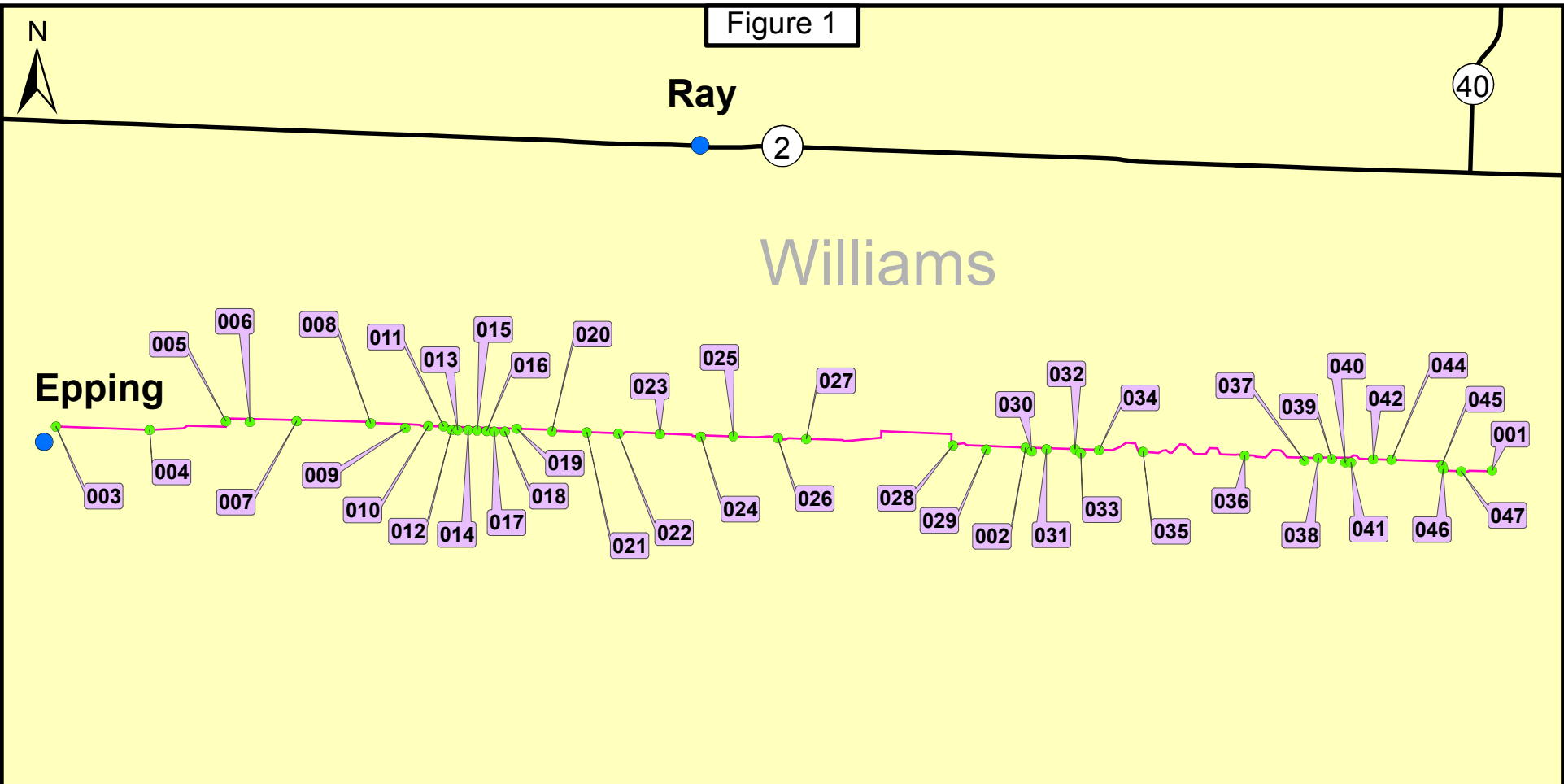
Figure 1

Ray

40

Williams

Epping



ND PSC Case Number PU-10-637  
 Rangeland Pipeline, LLC

10-inch Crude Oil Pipeline  
 Williams County  
 Colt Pipeline Project

Legend

- Observation Points
- Pipeline Route
- Cities
- Counties

