

**Fahn, Patrick J.**

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**From:** Clark, Rusty L. [Rusty.Clark@oneok.com]  
**Sent:** Thursday, September 08, 2011 11:02 PM  
**To:** Fahn, Patrick J.; -Info-Public Service Commission  
**Cc:** wmccarthy@go2e3.com; Kline, Jim; Mosteller, Glen D.; Vande Bossche, Dick J.; Dailey, Michael J.; Pennington, Jacob L.  
**Subject:** PSC Case No. PU-11-66 (Garden Creek Pipeline) Preconstruction Meeting Minutes  
**Attachments:** Case No. PU-11-66 (GCP) Preconstruction meeting minutes on 9-8-11.pdf; PSC contact list Sheet1.pdf

Mr. Fahn,

I have attached the meeting minutes and contact information for the attendees at this afternoon's meeting. If you have any questions or concerns, do not hesitate to contact me.

29 **PU-11-66** Filed: 9/8/2011 Pages: 5  
**Email preconstruction meeting minutes**

## Meeting minutes

**Project:** Garden Creek Gas Plant (PU-11-66)

**Date:** September 8, 2011

**Subject:** Required preconstruction meeting with North Dakota Public Service Commission

**Date Issued:** September 8, 2011

### Attendees:

**Bear Paw Energy:** Jim Kline, Glen Mosteller, Len Williamson, Russ Clark, Ken Scharpentier (Contractor), Jim Hought, Dean Sorette (Contractor), Scott Lawson

**ND PSC:** Patrick Fahn, Chris Marohl

**E-3:** Bill McCarthy, Katie Schmidt

The following notes summarize the discussions held but do not necessarily include all comments or details. The notes do contain all action items for the group and the designated project personnel that will be responsible for reporting requirements during the project.

Item Nbr.	Topics	Actions and Responsibility
1.0	<b>Certification Relating to Order of Provisions – Facility Siting</b> All accompanying items to Item 1.0 are from the Certification Relating to Order of Provisions signed by Craig Forsander on August 26, 2011. Mr. Fahn read each line item and then allowed for time to ask questions and discuss the item. Only the questions and discussions are listed in the minutes.	
1.1		None
1.2		None
1.3		None
1.4	All other permits have been filed with the PSC. There is one item which is remaining which is an unanticipated finds plan. The SHPO has approved this plan and it is to be provided to Mr. Fahn.	<b>Send Unanticipated Finds Plan approval from SHPO to PSC.</b>  <b>Bill McCarthy</b>  <b>Send Record of Decision and Special Use Permit from USFS to PSC.</b>  <b>Jim Kline or Bill McCarthy</b>
1.5	The weekly construction report will be filed by Jim Kline.	<b>Jim Kline</b>
1.6		None
1.7		None
1.8	Mr. Fahn stated that if a 3 <sup>rd</sup> party inspector was to review the project that the inspector will want to see the construction documentation.	None
1.9	Mr. Fahn stated the Certification Relating to Order Provisions supercedes the Application if there is a conflict between the two.	None
1.10		None
1.11		None

Item Nbr.	Topics	Actions and Responsibility
1.12	There has been concurrence with the SHPO on Bear Paw's Unanticipated Discovery Plan.	None
1.13		None
1.14		None
1.15		None
1.16		None
1.17		None
1.18		None
1.19		None
1.20		None
1.21		None
1.22		None
1.23		None
1.24		None
1.25		None
1.26		None
1.27		None
1.28	Russ Clark stated that injuries requiring only first aid do not need to be reported to Commission. Other injuries need to be reported within 5 days.	None
1.29	Mr. Fahn requested a person to be the point of contact for complaints on the construction of the pipeline. Jim Kline stated that he is the point of contact and that Len Williamson is to be his back-up. Cell phone numbers were provided. Office number for Jim Kline is (918)	None
1.30		None
1.31	Mr. Fahn stated that the route is to be the centerline of the pipeline as filed in the application. If a deviation is required, provided the pipeline stays within the study area for the route, a deviation notice must be filed with the Commission and they can be approved by staff fairly quickly. If the deviation takes the pipeline outside of the study area for the route, this may require an opportunity for Notice of Public Hearing.	None
1.32		None
1.33		None
1.34		None
1.35		None
1.36		None
1.37		None
<b>2.0</b>	<b>Findings of Fact, Conclusions of Law and Order</b> All accompanying items in Item 2.0 are items that were pointed out by Mr. Fahn to clarify and identify areas that were testified about during the public hearing in Watford City, ND. While not all items were highlighted, meeting attendees are expected to follow these findings during construction. Only questions and discussions are listed in the minutes.	
2.1	Paragraph 22 of the findings: Bear Paw will use a 95 to 100 foot construction right of way and have a permanent 50 foot right of way.	
2.2	Paragraph 11 of the findings: Who is the certified archeologists that will be monitoring the sites? Bill McCarthy stated that this person will be under contract but has not been hired at this point. Mr. Fahn requested Mr. McCarthy send the name of the archeologist to the Commission once he or she is under contract.	<b>File the name of the archeologist with the Commission</b>  <b>Bill McCarthy</b>
2.3	Paragraph 12 of the findings: Bear Paw will comply with the FWS recommendations in Exhibit 1 or implement practicable measures to avoid wildlife.	

Item Nbr.	Topics	Actions and Responsibility
2.4	Paragraph 16 of the findings: Bear Paw stated that they will directionally bore all wetlands and waterbodies.	
2.5	Paragraph 23 of the findings: States that the pipeline will constructed in accordance with 49 CFR 195	
2.6	Paragraph 2 of the Order: Bear Paw stated they will not begin construction on the USFS until a ROD has been filed. Bill McCarthy stated that the ROD has been signed today, September 8. A special use permit will be issued on September 15 or 16.	<p><b>Send the USFS Record of Decision (ROD) and Special Use Permit to the Commission</b></p> <p><b>Bill McCarthy</b></p>
<b>3.0</b>	<p><b>Energy Conversion and Transmission Facility Siting Act Section 49-22-21.</b></p> <p>All accompanying items to Item 3.0 are penalties that can be assessed to Bear Paw Energy by the Public Service Commission on behalf of the State of North Dakota. A certificate of site compatibility or permit for the construction of a transmission facility may be revoked or suspended for reasons stated in 49-22-20 and 49-22-16.1. Mr. Fahn read each line item and then allowed for time to ask questions and discuss the item. Only the questions and discussions are listed in the minutes.</p>	
3.1		<b>None</b>
3.2		<b>None</b>
3.3		<b>None</b>
3.4		<b>None</b>
<b>4.0</b>	<b>General comments or concerns.</b>	
4.4	The dates for the weekly reports is set by when the notice of the start of construction is sent to the Commission. Mr. Kline requested to send them via e-mail and Mr. Fahn stated that was normal for the other Bear Paw Projects and to contact Mr. Clark for assistance.	<p><b>File weekly reports with the Commission</b></p> <p><b>Russ Clark</b></p>

9/8/11

**Bear Paw Energy**  
**Garden Creek NGL 10" Pipeline**

Name	Title	Company	E-mail	Phone	Cell
Jim Kline	Project Manager	Bear Paw	jim.kline@oneok.com	918-561-8007	918-729-6181
Len Williamson	Construction Coordinator	Bear Paw	len.williamson@oneok.com	406-433-3664 x305	918-671-3604
Jake Pennington	Construction Supervisor	Bear Paw	jake.pennington@oneok.com	406-433-3664 x312	406-489-0466
Dick Vande Bossche	Director Operations	Bear Paw	dickvandebossche@oneok.com	406-433-3664 x306	406-489-1544
Glen Mosteller	Mgr, G & P Process Engr	Oneok	glen.mosteller@oneok.com	918-732-1366	918-691-6523
Russ Clark	Process Engineer	Oneok	rusty.clark@oneok.com	918-561-8053	303-345-4310
Craig Forsander	VP G & P Operations	Oneok	craig.forsander@oneok.com	918-588-7414	918-630-8411
Michael Dailey	Managing Attorney	Oneok	michael.dailey@oneok.com	918-588-7314	918-237-9194
Mick Urban	Governmental Affairs	Oneok	mick.urban@kansasgasservice.com	785-271-3038	785-221-9943
Bill McCarthy	Environmental	E3 Environmental, LLC	wmccarthy@go2e3.com	651-282-0650	651-319-7456
Ken Charpentier	Contractor Spread 1	Alpha Oil & Gas Services	charps62@yahoo.com	218-776-2140	406-480-3059
Scott Lawson	Contractor Spread 2	Frontier Services	scott@frontier-services.com	406-670-1319	406-489-2180