

Meeting Date:

August 13, 2008

Attendees:

Brent Miller, Whiting
Steve Knudston, Whiting
Steve Meagher, Whiting
Bill La Cross, Empire
John Morrison, Fleck law
Bill Regan, Merjent

Subject:

Stanley Pipeline Projects
PSC Siting Application

The purpose of the meeting was to start the PSC Siting Application preparation process. Whiting will submit a North Dakota PSC application for a Corridor Certificate and Route Permit for two pipelines, a 17-mile 6-inch gas pipeline, and an 18-mile 8-inch oil pipeline, in the same application. The gas pipeline is built. Construction scheduling on the oil pipeline is contingent on the issuance of the PSC approvals, but desired before winter.

Regulatory / Permitting

PSC

The PSC application will contain an environmental assessment (EA) that must document existing natural resource features along the route, and discuss how they will either be avoided, or if affected by the project, discuss how impacts will be minimized, and any mitigation measures that would be implemented. The environmental analysis in the application is based on data collected from the internet, through regulatory agency consultations, and often from field surveys. Several federal and state level agencies are typical consulted for issues related to wetlands, streams, threatened & endangered species, archaeology, and any special land designations. Through the consultation process, some agencies require the completion of field surveys along the route, typically for wetlands and archaeology.

Corps of Engineers

Discussions with the COE have not occurred. It is likely that the COE will look at the project as falling under their regulatory jurisdiction. The COE operates a broad umbrella permitting program (Section 404 permits), where they regulate construction activities in wetland and waterbodies. Installation of pipeline projects commonly fall under this permitting program, even when the projects occur on private lands. Regulated wetlands and the level of COE jurisdiction are difficult to determine without completing a wetland delineation survey along the route. Once the COE becomes a permitting agency on a project they are obligated to conduct an assessment of the project on threatened or endangered species, and cultural resources.

Fish and Wildlife Service

Whiting operations staff have had discussions and field meetings with local FWS staff regarding select lands along the route where the FWS holds easements for wetland and wildlife habitat conservation. During field visits, FWS identified wetlands that they wanted the pipeline to avoid, and the gas pipeline was installed at these locations using boring techniques. Intermittent creek crossings were also completed via boring. Written correspondence and e-mails were not prepared during these discussions. Whiting staff will attempt to summarize FWS discussions (e.g. who, when, what was discussed).

Engineering / construction information

Route Design

2008
Whiting Action
Item

- Both pipelines originate at the Robison Lake Plant Site. A new oil storage tank will be built at Robison Lake by another business entity, and is not a part of Whiting's project.
- The route travels north off the east side of CSAH 8 for the first 11 miles, then leaves the highway for the last 6 miles, continuing north where the highway moves west. The route does not follow any other pipelines.
- The gas line terminates at the intersection with a Williston Basin pipeline 1 mile SE of Stanley.
- The oil pipeline terminates at the Enbridge tank farm in Stanley.
- The oil line will cross a larger creek (Little Knife River) ½ mile before entering the Enbridge facility. This crossing will be an approximate 400-foot HDD.
- The planning of pipeline route was adjusted to avoid residences and a church by at least 200 yds / 600 feet.
- The landscape along the route is mostly crop land, with some prairie and CRP land. Only one location of trees are crossed by the route, and it was bored. No notable shrubs are crossed. There should be no land use changes along the route, except for block valve assemblies.
- Some FWS designated grassland parcels are located along a portion of the route.

Construction

- Both pipelines will lie in a 60-foot-wide construction corridor, with a 12-foot offset from each other.
- The permanent ROW width will remain 60 feet.
- Block valves will be installed ~ every 6 miles, likely together at the same location for both pipelines. A double block valve will result in a 40' x 20' enclosed facility; a single block valve will be 20 x 16' in size.
- Topsoil along the construction ROW was stripped to a depth of 6 inches, and windrowed along the outside edge ROW.
- Depth of cover to the top of the pipe is 48".
- The construction ROW has not yet been restored as the initial construction plan was to install the oil line immediately following completion of the gas line. Restoration would occur over both lines at the same time.
- Storm water permits have not been obtained. Temporary erosion control devices have not been installed on the ROW. The project area has been dry this fall; erosion is not currently an issue.
- Hydrotest water for the gas line was obtained from a municipal well, and is currently being held at a holding pond for use in testing the oil. No NPDES permits have been obtained.
- Landowners along the route appear to be satisfied with the construction of the gas line; no complaints known.
- Whiting has purchased seed for ROW restoration; would typically apply seed between September 1 – October 15.

Merjent data requests from Whiting.

Prepare a summary of discussions with FWS.

Prepare a schematic showing typical cross-section diagram dimensions.

Identify and collect survey data of entry and exit points for wetland and intermittent stream borings.

Forward FWS grassland parcel location information and relationship to the pipeline.

Forward as-built construction alignment sheets.

Near-term environmental next steps; next approximate 2 weeks:

- Project introductory discussion with COE, and likely SHPO.
- Begin discussions between Whiting and Merjent GIS staff.
- Plan, mobilize wetland and archaeology survey crews as needed.
- Prepare, submit resource agency consultation letters.

Next 3 – 5 weeks.

- Write field survey reports, submit to agencies and request concurrence of "no effect."
- Prepare PSC document.
- Apply for remaining minor permit applications.