



July 18, 2014

TO: Julie Prescott – North Dakota Public Service Commission
FROM: Peter Ruffenach - ONEOK

Preconstruction Call – Meeting Minutes

Attendees:

North Dakota Public Service Commission:
Julie Prescott

ONEOK:
Peter Ruffenach
Danette Welsh

Linde:
Ali Jangi
David Jacobs
Sheila Malley
Dennis Brooks
Steve Kay

Westcon:
Chris Bigley
Ryan Smith
Nick Tercell
Eric Volk

Houston Engineering:
Bart Shultz
Emmy Baskerville
Josh Counterman

Items Covered:

- 1.) Introduction by Peter Ruffenach, hand over to Julie Prescott
- 2.) Introduction by Julie Prescott, explanation of topics to be covered
- 3.) Certification relation to order provisions – energy conversion facility siting

ONEOK Partners, L.P.

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Preconstruction meeting minutes

ONEOK Rockies Midstream, L.L.C.

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- a. ONEOK agrees that the certificate of site compatibility is issued by the ND PSC and that the ONEOK is responsible for compliance with the conditions set forth.
- b. ONEOK agrees to hold a preconstruction call prior to commencement of any construction.
- c. ONEOK agrees to comply with the rules and regulations of all other agencies having jurisdiction.
- d. ONEOK agrees that it will obtain all necessary licenses and permits, and shall provide copies of licenses and permits to the PSC.
- e. ONEOK agrees to inform PSC and inspection of intent to start construction, and also to report weekly on construction activities.
- f. ONEOK understands that the Certificate can be suspended or revoked.
- g. ONEOK agrees that it will maintain records showing compliance with the Commission's orders.
- h. ONEOK agrees to construct and operate the facility in accordance with applicable safety requirements.
- i. ONEOK agrees to construct and operate the facility in the manner described in ONEOK's application.
- j. ONEOK will report to the Commission the presence in or near the approved site any critical habitat of threatened species, endangered species, bald eagles, or golden eagles that ONEOK becomes aware of.
- k. ONEOK understands that cultural resource mitigation plans must be submitted to the ND SHPO and approved prior to the start of any fieldwork.
- l. ONEOK agrees that any discovered cultural resource etc must be marked and preserved for evaluation the the State Historical Society.
- m. ONEOK understands that all buried facility crossings of graded roads shall be bored unless specifically permitted otherwise.
- n. ONEOK understands that all pre-existing roads used during construction shall be restored to a condition equal to or better than the condition prior to construction.
- o. ONEOK understands that construction must be suspended when weather conditions would cause construction activities to cause irreparable damage to roads or land, unless adequate protective measures are taken.
- p. 12 inches of topsoil (where available) must be stripped and segregated from subsoil, and topsoil and subsoil should not be mixed.
- q. ONEOK understands that reclamation, reseeding etc is to be done according to the Natural Resources Conservation Service recommendations unless specified otherwise by the landowner and approved by the Commission.
- r. ONEOK understands that its obligation for reclamation will continue through the life of the site
- s. ONEOK agrees to comply with the Tree and Shrub Mitigation Specifications.
- t. ONEOK agrees that it shall repair/replace all fences damaged by construction/operation of facility.
- u. ONEOK agrees that it shall repair/replace all drainage tile broken or damaged as result of construction/operation of facility.
- v. ONEOK understands that staging areas shall not be located on land not owned by ONEOK unless otherwise negotiated.

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- w. ONEOK understand that it shall remove all waste from construction and operation of the facility on a regular basis.
 - x. ONEOK shall restore the affected area to as close to its prior condition as soon as practicable after completion of construction.
 - y. ONEOK understands that it shall provide any necessary safety measures for traffic control or to restrict access to the site.
 - z. ONEOK understands that it shall advise the Commission of any extraordinary events within 5 business days of such event.
 - aa. ONEOK understands and agrees that it shall implement a procedure for how to deal with public complaints.
 - bb. ONEOK agrees to provide Commission with engineering drawings showing structure prior to construction, upon request.
 - cc. ONEOK understands that it shall inform the Commission in writing of plans to modify the energy conversion facility.
 - dd. ONEOK agrees to provide Commission with as-built drawings within 3 months of completion of construction.
 - ee. ONEOK understands that the conditions of the Certificate can be modified by the Commission if the Commission deems it necessary.
 - ff. OKEOK understands that it must apply for another Certificate should it desire to build another energy conversion facility not described in the application.
 - gg. ONEOK shall notify the Commission as soon as reasonably possible of any damage that occurs to underground facilities.
 - hh. ONEOK understands the Certificate is subject to suspension or revocation for failure to comply with ONE-Call.
- 4.) Tree and Shrub Mitigation Specifications
- a. Trees and shrubs to be cleared shall be inventoried
 - b. In native growth areas, trees anticipated to be cleared that are 1” in diamer at breast height must be inventoried for replacement
 - c. In native growth areas, shrubs anticipated for clearing in ROW must be inventoried.
 - d. Outside of ROW, shrubs must be cut flush with the surface of the ground.
 - e. In native growth areas, trees and shrubs may be inventoried by actual count or sampling.
 - f. Trees and shrubs must be selectively cleared.
 - g. Maximum width of clearcuts through shelterbelts etc is 50’.
 - h. If trees removed differ from inventory, they must be noted.
 - i. Prior to replacement, inventory of removed items and mitigation plans for the replacement must be filed with the Commission.
 - j. Two 2-year old samplings must be planted for every one tree removed.
 - k. Except in the case of noxious species, trees must be replaced with same or similar species.
 - l. Landowners must be given the option of having replacement trees and shrubs placed either on or off the right of way.
 - m. At the conclusion of the project, documentation identifying the number variety, type, location, and date of replacement plantings must be filed with the Commission.

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- n. Tree and shrub replacements must be inspected annually in September for three years. Findings of the inspection should be submitted to the Commission by October 1 of each year.
- 5.) Julie Prescott and the PSC documentum address are the proper contacts for the PSC
- 6.) Emmy Baskerville is the proper contact for the PSC third party inspection Houston Engineering.
- 7.) Conclusion of meeting.