

Sacagawea Pipeline Project Topsoil Inspection Report PU-15-114



Prepared for:
**North Dakota
Public Service Commission**

600 E. Boulevard Avenue
Bismarck, ND 58505-0480



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Prepared by:

WENCK Associates, Inc.
301 1st Street NE, Suite 202
Mandan, ND 58554
Phone: 701-751-3370
Fax: 763-479-4242

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1.0 Executive Summary

The North Dakota Public Service Commission (PSC) retained Wenck Associates, Inc. (Wenck) to complete topsoil inspections during construction of the Sacagawea Pipeline (Project) in McKenzie and Mountrail Counties, North Dakota (ND), constructed by Sacagawea Pipeline Company, LLC. (Sacagawea). The purpose of the inspections was to ensure the project was constructed in compliance with the siting laws and rules and the applicable PSC Orders for the Project, which includes a requirement that topsoil must be segregated from subsoil during installation of the pipeline.

Construction for the Project began 15 March 2016. Wenck reviewed Project documents to become familiar with the Project and PSC Orders for the Project. Wenck visually inspected the Project area on 15 March, 22 March, 12 May, 17 May, and 21 July 2016 and observed topsoil and subsoil removal and segregation done by the contractors. Overall soil removal and storage processes appeared to need improvement. The issues included 1) topsoil and subsoil piles were too close together at many of the two-toning areas, and 2) poor topsoil stripping/removal to the correct depth on hilltops and other areas.

2.0 Background and Scope

2.1 INTRODUCTION

The Sacagawea 16-inch Crude Oil Pipeline (Project) is located in McKenzie and Mountrail Counties, North Dakota (**Appendix A, Figures 1 and 2**). The project originates at Paradigm Midstream Service's Keene terminal and will terminate at the Phillips 66 Partners' Palermo Rail Terminal. The Sacagawea Pipeline Company, LLC (Sacagawea) is a joint business venture between Paradigm Pipeline, LLC (Paradigm) and Grey Wolf Midstream, LLC (Grey Wolf). The Project includes a 16-inch diameter underground crude oil pipeline with a total length of approximately 70 miles. 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 in Case No. PU-15-114 on 5 January 2016, granting a Certificate of Corridor Compatibility No. 177 and Route Permit No. 189 for the Project.

2.2 REGULATORY PURPOSE AND SCOPE OF WORK

The North Dakota Energy Conversion and Transmission Facility Act (North Dakota Century Code Chapter 49-22) authorizes the Public Service Commission to determine that the location, construction, and operation of jurisdictional energy conversion and transmission facilities will produce minimal adverse effects on the environment and the welfare of citizens of North Dakota. Construction inspections ensure that such projects are constructed in compliance with the siting laws (North Dakota Century Code Chapter 49-22) and rules (North Dakota Administrative Code Article 69-06) and the applicable Commission Orders.

The North Dakota PSC retained Wenck Associates, Inc. (Wenck) to complete a construction inspection, and specifically a topsoil inspection, of the Project. The inspection process included a review of the Application for Corridor Compatibility and Route Permit, the Project's Order, and other applicable documents. PSC Order #16 for the Project states: "Company 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. 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."

Wenck's scope of work was to perform and document on-site inspections during the topsoil removal phase of the Project to verify that topsoil was properly removed and kept segregated from subsoil until replacement occurred. The number of on-site inspections was to be based on Wenck's determination that equipment operators demonstrated proficiency concerning topsoil and subsoil removal and segregation in compliance with the Commission's Order. This report includes, but is not limited to, documentation of site visit observations and a summary of findings and issues that should be addressed for the Project to be considered complete and in full compliance.

2.3 BACKGROUND

During pipeline installation and excavation work in general, it is important to separate topsoil and subsoil. Topsoil has biological, physical and chemical properties that are critical

to recovery of a site. Topsoil, also known as the A horizon, should be stripped to the correct depth according to natural variations in the depth of this top layer of soil. Distinguishing the horizon boundaries can be difficult as they vary in distinctiveness and topography. Most boundaries are zones of transition rather than sharp lines of division. Boundary distinctiveness is the vertical distance over which one horizon transitions into another which can be abrupt, clear, gradual or diffuse. The boundary topography is the cross-sectional shape of the contact between the horizons which can be smooth, wavy, irregular or broken (Soil Survey, 1993).

Mixing subsoil in with the topsoil is usually detrimental to the reclamation and re-vegetation of a site. Subsoil material has lower organic matter content than topsoil, making it typically lighter in color. It may also have a different texture than the topsoil (Sedivec et al., 2014). The most visible impact of pipeline constructions on agricultural land is the mixing of organic and nutrient rich topsoil with less fertile, mineral subsoil, which can bring up toxic elements such as sodium that restrict plant growth (Folga, 2007).

3.0 Findings of Site Inspection

3.1 METHODS

Samantha Swanberg, Wenck Environmental Scientist, visited the Project site on 15 March 2016, 22 March 2016, 12 May 2016, 17 May 2016, and 21 July 2016. A representative from STI Group, Marc Westbrook, and two representatives from Keitu Engineers & Consultants, Inc. (Keitu), Ryan King and Bobb McKeegan (environmental inspectors) accompanied Wenck staff during the first visit (15 March 2016); Karine Becker from Keitu accompanied Wenck staff on the second visit (22 March 2016); Bobb McKeegan from Keitu accompanied Wenck staff on the third visit, and Matt Finken from Keitu accompanied Wenck staff on the fourth and fifth site inspection visits.

The site was inspected visually by driving to access points and walking or driving within the Project right-of-way (ROW). The survey of the pipeline began at the northeast end near Palermo and moved to the west end near Keene for the first site inspection. The following inspections focused on particular areas throughout the project area (**Figures 1 and 2**). Contractors/equipment operators were observed during the topsoil removal phase of the project to check that topsoil has been properly removed, piled, and kept segregated from subsoil. Digital photographs (Canon Power Shot SD1300 IS, 12 megapixels) were taken showing typical Project infrastructure and documenting problem areas (**Appendix B**). Geographic coordinates were recorded at observation points or potential problem areas using a handheld Global Positioning System (GPS) (Garmin GPSMAP 60CSx; <10m accuracy; NAD83 datum) (**Appendix C**).

3.2 ON-SITE INSPECTION OBSERVATIONS AND FINDINGS

Construction for the Project began 15 March 2016. At the time of inspection, topsoil work had started (**Appendix B, Photos 1, 2, 5**). Equipment operators started by scraping a small area or a line in the topsoil with the edge of the dozer near the edge of the right of way (ROW) to mark where the topsoil pile should be placed; or there would be a spotter for the dozer operator to make sure the topsoil pile was staying within the ROW. Next, they came along with dozers and stripped the topsoil to the appropriate depth (**Appendix B, Photos 3, 5, 28**). Finally they came through with a grader to finish or smooth out the area in the ROW for the excavator and other equipment. Contractors often employ a combination of graders and dozers depending on the equipment available, depth of topsoil, land use and procedure used to remove the topsoil.

In general, the contractors/equipment operators seemed to need improvement at topsoil stripping. They struggled in some areas, especially on hilltops and other areas with higher slopes. Contractors need to remove topsoil according to color change in the soil, as appropriate to site-specific conditions, rather than to a fixed 12-inch depth throughout the pipeline ROW. Topsoil did not reach 12-inch depth along most of the route. Some areas had topsoil left on the stripped ROW, while other areas had subsoil scraped up with the topsoil. Working with heavy equipment can be difficult to accurately strip topsoil, but overall there was an above average volume of mixing on the Project.

Specifically, topsoil piles on some of the hilltops appeared to be the same color as the subsoil piles, and appeared to have too much subsoil in the topsoil piles (**Appendix B, Photos 19, 20, 24**). Hilltops (summits and shoulders) are known to have less topsoil than

side slopes and toeslopes, especially in tilled areas. It appeared the contractors had stripped hilltops to an incorrect topsoil depth and went into the subsoil. In many areas the topsoil pile appeared approximately the same size throughout the changing topography (summit, shoulder, backslope, footslope and toeslope), indicating the volume excavated was based on a standard depth rather than site-specific conditions.

For the majority of the project, the subsoil pile for the trench was placed in the middle of the ROW while the topsoil pile would be placed on one edge (south side) of the ROW, with the pipe along the other edge (north side) of the ROW. Subsoil piles would be placed next to the topsoil pile where two-toning/side sloping and bell holes were located. Two-toning or side sloping refers to a construction technique where the uphill side of the construction ROW is cut during grading. The material removed from the cut is used to fill the downhill side of the construction ROW to provide a safe and level surface from which heavy equipment can operate. It usually requires extra workspace to accommodate the additional volumes of material generated by using this technique (Folga, 2007). A bell hole is a widening of the trench over a given distance, to provide space for installing a tie-in, valve, etc.; in this area more subsoil is removed creating a bell-shaped trench. At many locations, the subsoil pile was observed touching or overlapping the lower portion of the topsoil piles (**Appendix B, Photos 14, 15, 17, 21, 25**). Two-toning areas often had poor topsoil segregation from subsoil.

On the site visit of 15 March 2016, the ROW had been mowed within rangeland, where there was tall grass. Once topsoil stripping began, a few pockets of frost/frozen areas were observed in clayey areas along the northeastern portion of the pipeline (Observation point 232). Wenck recommended to the Sacagawea inspectors at the time that they should watch out for clayey areas and low areas, as they may likely still be frozen, due to the higher water content. Most areas along the pipeline were very dry, but with rain and rain/snow mix and cold weather in the forecast, there was a potential for frozen soil conditions in the future that needed to be looked out for. As per the agreement with the PSC for winter work in frozen ground conditions, contractors would heat and segregate excavation areas.

Sacagawea environmental inspectors stated in March that the crew got out of the ROW a few times, but that those people were no longer with the company. Inspectors also stated that some subsoil piles were touching topsoil, but all operators were now aware to not do that.

On the 22 March site visit, an area where a hydrovac truck dumped water on the ROW was observed. It was stated that it was clean water and dirt collected at a pot hole site (**Appendix B, Photo 9**). It appeared to all be dumped in one location, rather than being spaced out along the ROW. It is unknown if landowner approved.

On the 12 May site visit, problem areas were observed which included subsoil and topsoil piles touching, subsoil on top of the topsoil piles, and poor topsoil stripping in areas. There was an area where vegetation was growing between the topsoil pile and the subsoil area on the ROW (**Appendix B, Photo 12**). It is unknown if topsoil was stripped here or if an inadequate amount was stripped. The PSC was informed 13 May 2016 of the poor topsoil management situation. A follow up site visit on 17 May showed improvement on areas of new construction (the north side of the lake, on the reservation) that were being worked on (**Appendix B, Photo 26, 27, 28, 29**). Also, a ravine area that was not bored was observed, where the topsoil pile had a lot of woody debris on or in it, along with some subsoil on top of the pile along the side (**Appendix B, Photo 25**).

On the 21 July visit, minimal work was being done on the project due to contractor loss of the county road permit. A few areas of topsoil replacement were observed. Approximately 5 miles of topsoil had been replaced at the time of that inspection.

4.0 Issues to Resolve and Recommendations

4.1 TOPSOIL AND SUBSOIL PILE SEGREGATION

During site inspections, there were several locations where the subsoil pile was observed touching the topsoil pile, and locations where subsoil was on the topsoil pile (Observation Point 283, 286, 290, 295, **Appendix A, Figure 2**). Two-toning areas often had poor topsoil segregation from subsoil. Contractors/equipment operators and inspectors need to take special care to ensure topsoil and subsoil is not mixed. When topsoil and subsoil piles overlap, it is more difficult to keep the soil separated when replacing them over the trench and thus more mixing occurs. Ultimately, soil mixing can affect reclamation efforts and can make revegetation difficult. Wenck recommends monitoring and documentation of the noted areas to ensure vegetation becomes established after reclamation.

4.2 POOR TOPSOIL STRIPPING

Topsoil piles in some areas, especially some of the hilltops, appeared to be the same color as the subsoil piles, and appeared to have too much subsoil in the topsoil piles. There were also a few areas that appeared they had not been stripped of enough topsoil and there was still topsoil left on the ROW (Observation point 281, 288, 289, 290, 443, **Appendix A, Figure 1**). Large amounts of woody debris were observed on a topsoil pile near a ravine (Observation point 295, **Appendix A, Figure 2**). Hilltops (summits and shoulders) are known to have less topsoil than side slopes and toeslopes. It appeared that some of the hilltops and other areas were stripped to an incorrect topsoil depth and went into the subsoil. Wenck recommends monitoring and documentation of the noted areas to ensure vegetation becomes established after reclamation.

5.0 Conclusions

Overall, the Project appeared to have been constructed as designed, with some impacts to the surrounding natural or human environment. The Project site was maintained, but with some locations in subpar condition due to soil management issues. These issues included poor topsoil stripping and poor topsoil and subsoil segregation in certain areas. These areas could have re-vegetation establishment problems in the future. Wenck recommends monitoring of these areas after reclamation.

6.0 References

- North Dakota Public Service Commission (ND PSC). 2016. Online Case Search. Available from: http://www.psc.nd.gov/database/company_case_list.php. Accessed March 2016-August 2016.
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- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook.

7.0 Signatures

The services performed by Wenck staff for this project have been conducted in a manner consistent with the degree of care and technical skill appropriately exercised by professionals currently practicing in this area under similar time and budget constraints. Recommendations and findings contained in this report represent our professional judgment and are based upon available information and technically accepted practices at the present time and location. Other than this, no warranty is implied or expressed.

Lead Project Manager, Kevin Magstadt, and Environmental Scientist, Samantha Swanberg, prepared the report.

Kevin Magstadt, P.E., Principal/Regional Manager

Date

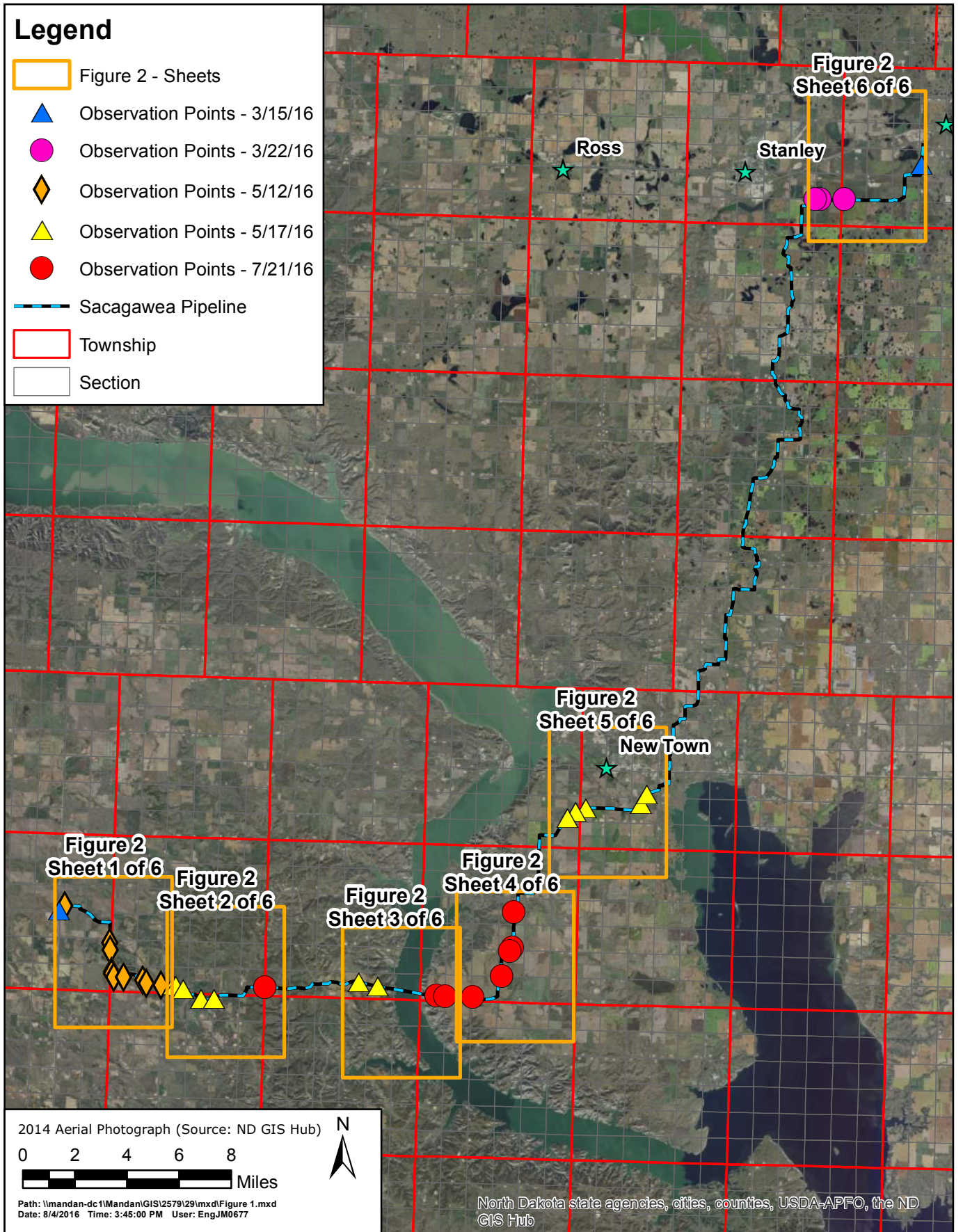
Samantha Swanberg, Environmental Scientist

Date

Map of Project and Observation Points

Legend

- Figure 2 - Sheets
- ▲ Observation Points - 3/15/16
- Observation Points - 3/22/16
- ◆ Observation Points - 5/12/16
- ▲ Observation Points - 5/17/16
- Observation Points - 7/21/16
- Sacagawea Pipeline
- Township
- Section

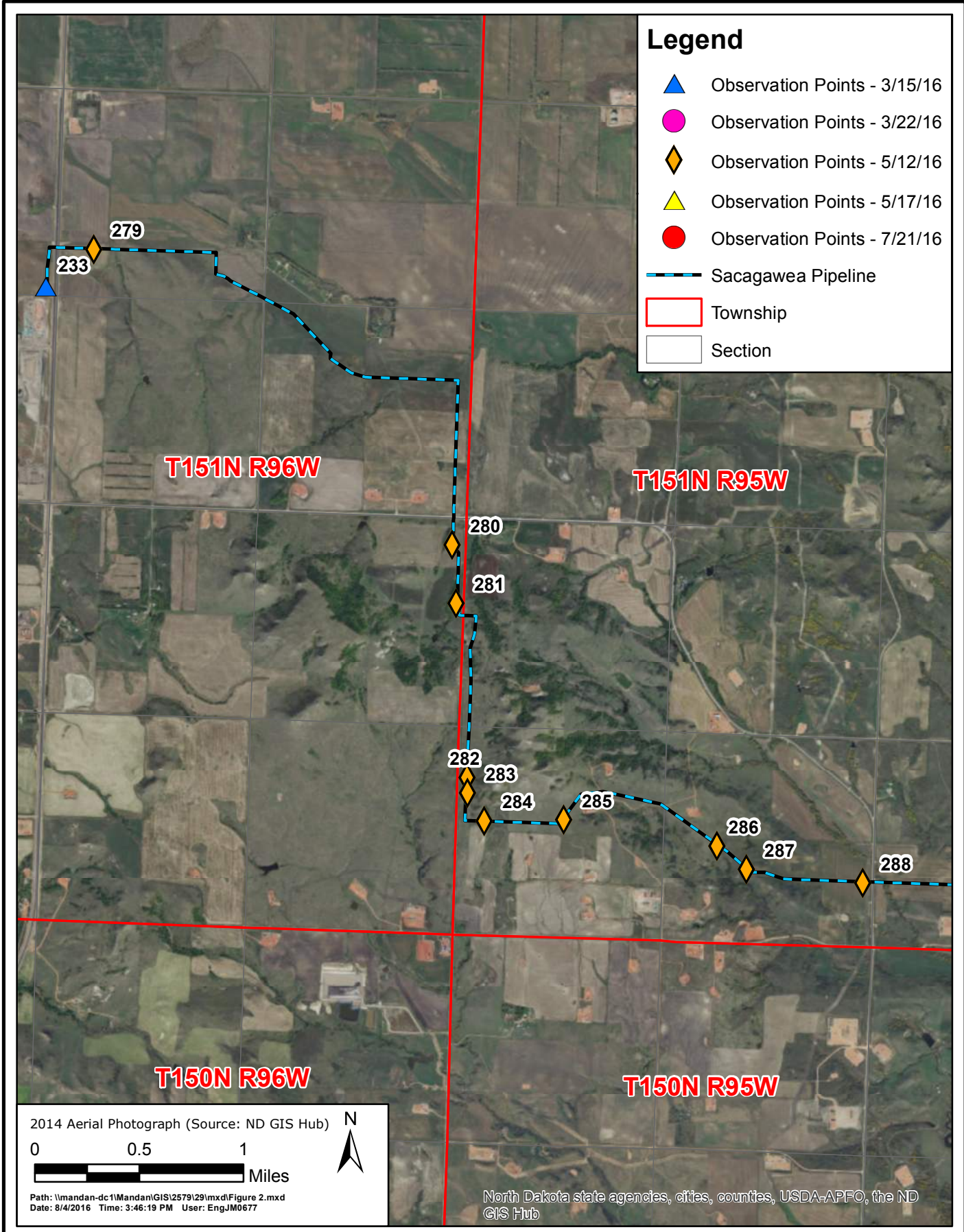


2014 Aerial Photograph (Source: ND GIS Hub)

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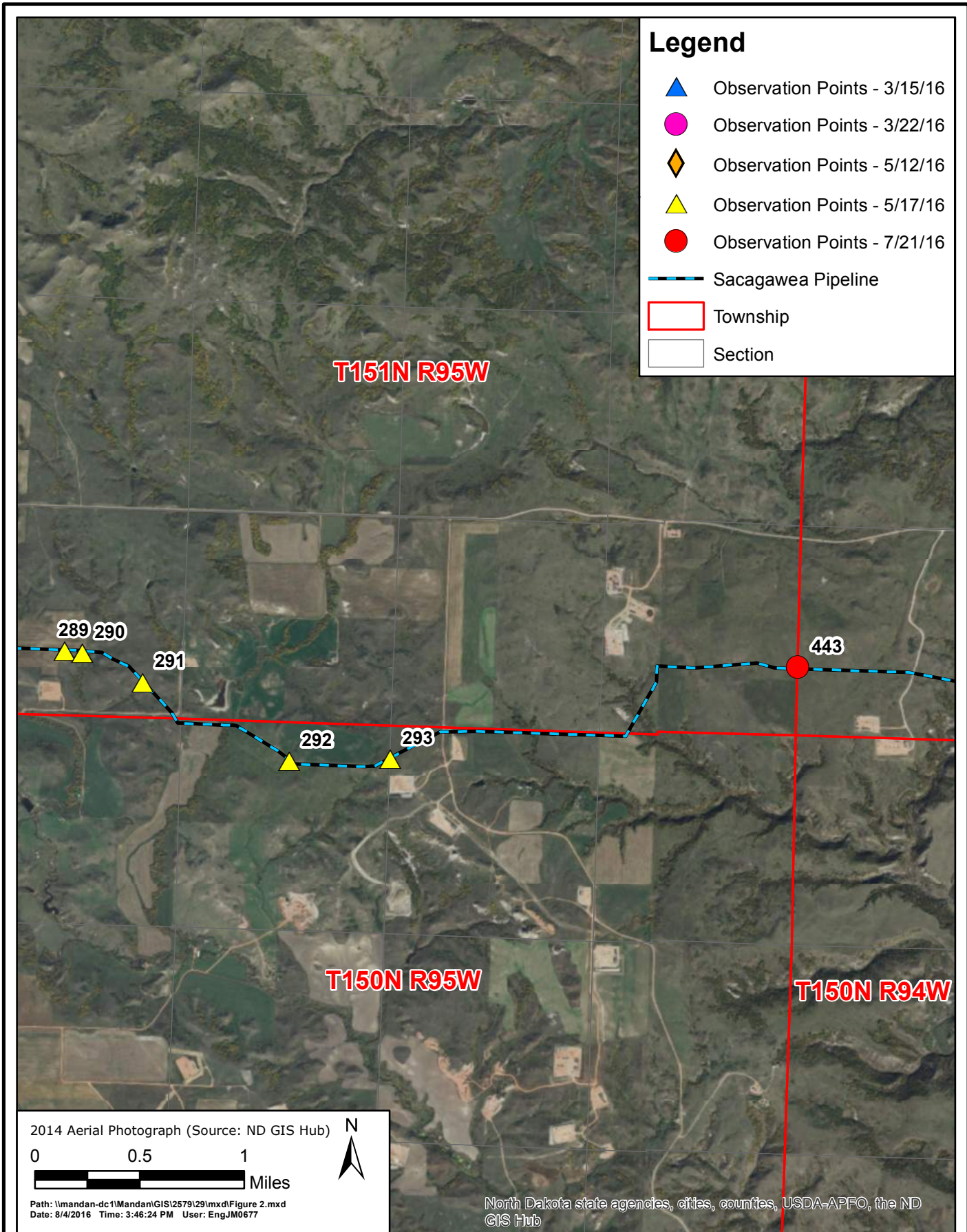
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 - Observation Points - 7/21/16
 - Sacagawea Pipeline
 - Township
 - Section

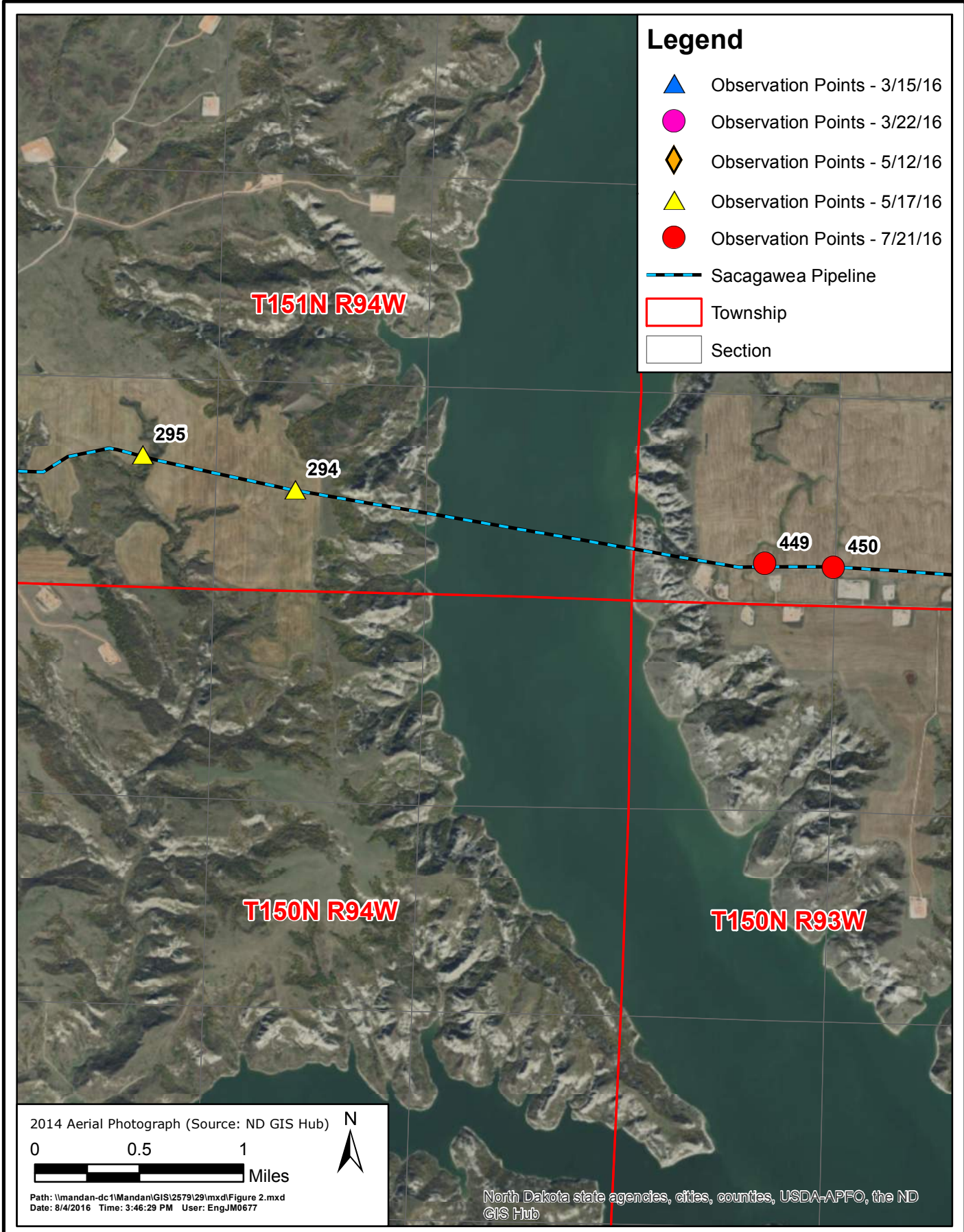
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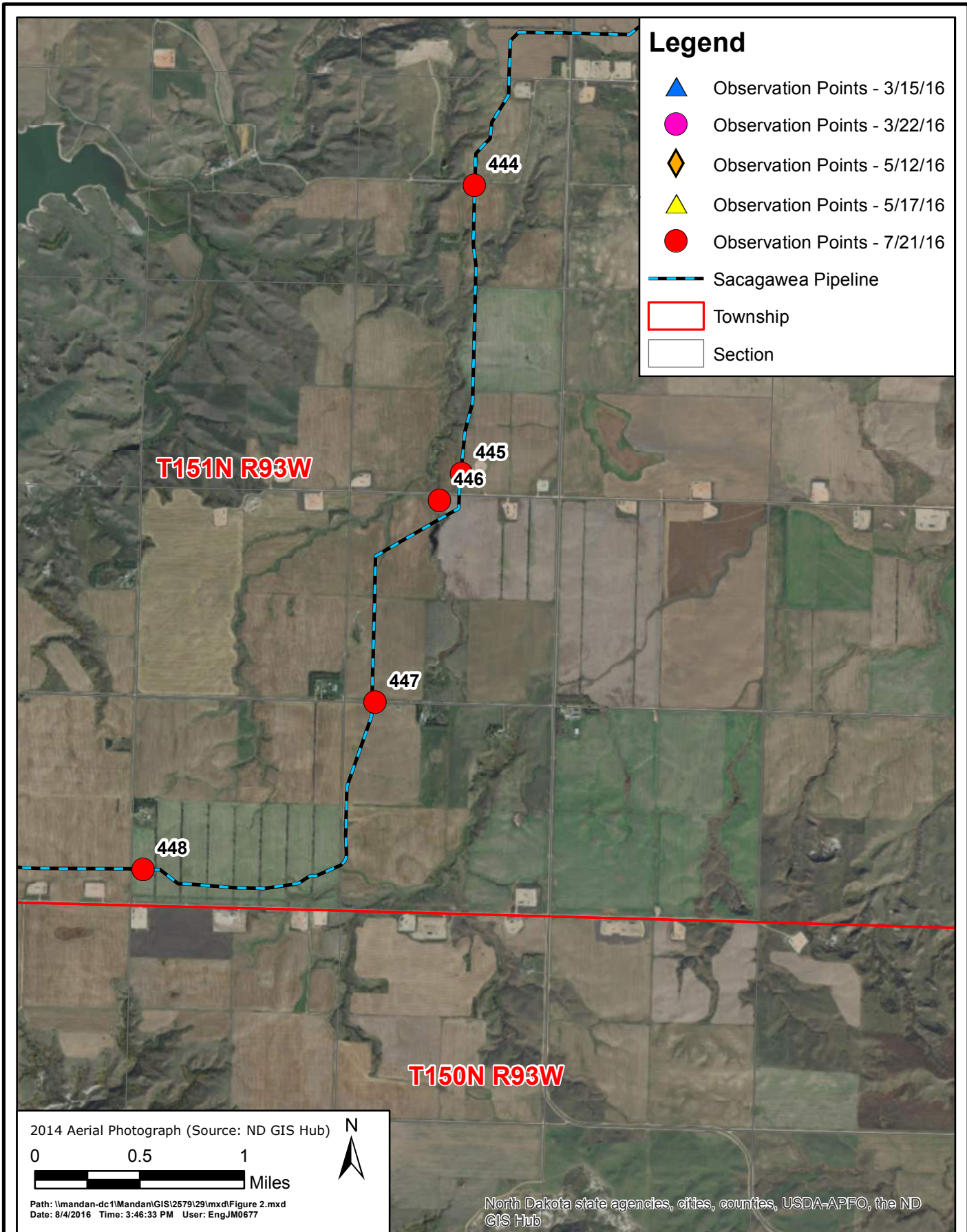
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- Legend**
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 - Observation Points - 3/22/16
 - ◆ Observation Points - 5/12/16
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 - Township
 - Section

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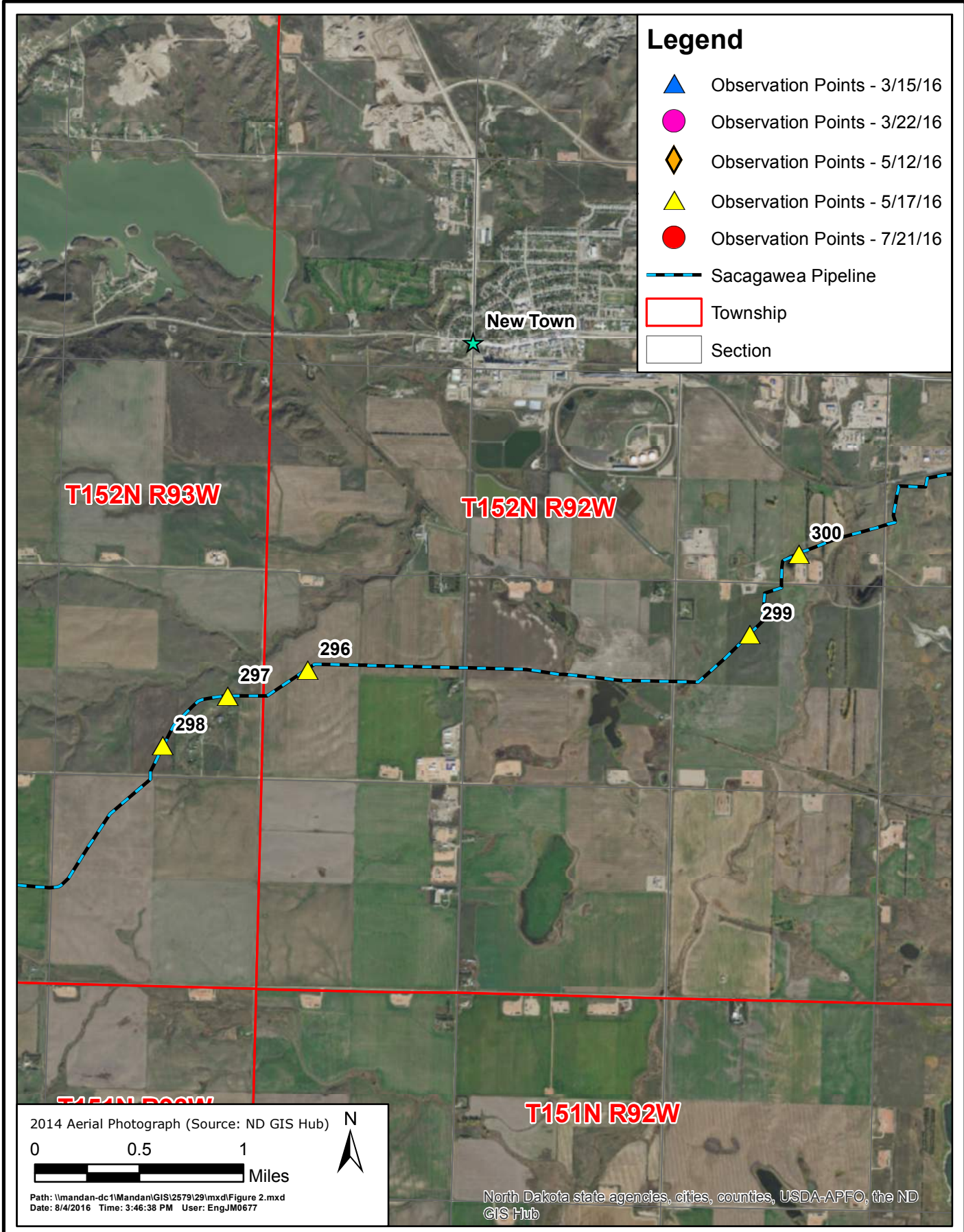
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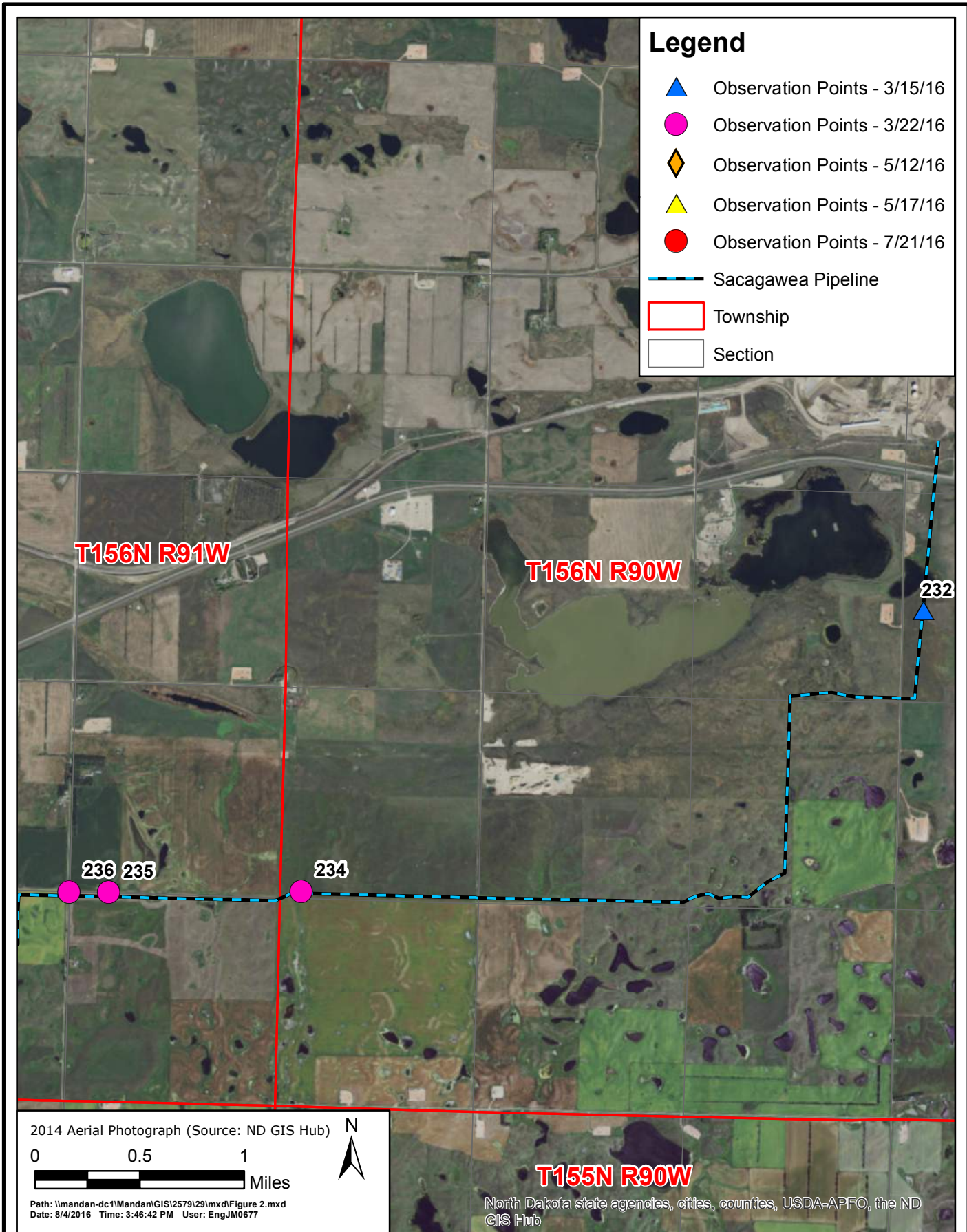
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- Observation Points - 7/21/16
- Sacagawea Pipeline
- Township
- Section

2014 Aerial Photograph (Source: ND GIS Hub)

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Photographs



Above: Photo 1 (Point 232) – Start of topsoil stripping. The far right of the photo you can see where the dozer scraped a line in the ground for the topsoil pile to be placed, to stay in the ROW. Grass was previously mowed. Direction looking north.

Below: Photo 2 (Point 232) – Start of topsoil stripping. Bore pipe along the left side. Direction looking north toward Palermo station.





Above: Photo 3 (pt. 232) - Start of topsoil stripping. Direction looking south.

Below: Photo 4 (pt. 232) – Dozer stripped topsoil in this area to a depth of approximately 5-6 inches. Grader still needs to go through and will likely take another inch off. Direction looking north.





Above: Photo 5 (pt. 233) – Start of topsoil stripping on cropland near the Keene terminal. Spotter to the right of photo to make sure topsoil pile stays in the ROW. Soil was dry. Direction looking south.

Below: Photo 6 (pt. 234) – ROW and bore pull back area. The additional ROW to the left of the photo is for additional work space for the bore. Direction looking east.





Above: Photo 7 (pt. 234) – Bore location (leveled and smoothed). Notice small amount of subsoil on top of the bottom of the topsoil pile to right of photo. Direction looking west.

Below: Photo 8 (pt. 234) – Bore location (leveled and smoothed). Notice small amount of subsoil on top of the bottom of the topsoil pile (shown by arrow). Direction looking west.





Above: Photo 9 (pt. 235) – Hydrovac truck dumped water in this location. Environmental inspector stated they were told clean water was used. Unknown if landowner approved.
Direction looking west.

Below: Photo 10 (pt. 279) – Topsoil stripped, on far left; Subsoil was on right side. Pipe has been buried; area still needs to be finished/smoothed. Direction looking east.





Above: Photo 11 (pt. 280) – Open trench, with pipe strung along side and subsoil pile flattened on the other side of the pipe to create a work space. Topsoil on far ROW edge.
Below: Photo 12 (near pt. 281) – Topsoil pile to the far left and subsoil to the right of photo. Grass growing in-between piles. This area may not have been properly stripped of topsoil, potentially may have subsoil on top of topsoil and vegetation.





Above: Photo 13 (pt. 282) – Topsoil pile to the right of photo. Topsoil pile was moved from the left to the right side of the ROW. Direction looking north.

Below: Photo 14 (pt. 283) – Two-tone area. Subsoil pile appears to be pushed into and on top of the topsoil pile. There needs to be separation between the topsoil and subsoil piles. Direction looking south.





Above: Photo 15 (near pt. 283) – Two-tone area. Subsoil pile appears to be pushed into and on the topsoil pile. There needs to be separation between the topsoil and subsoil piles.
Looking north.

Below: Photo 16 (pt. 285) – Subsoil pile in middle of ROW. Clinker, also called “scoria,” is mixed in the pile which was from an old wellpad site.





Above: Photo 17 (pt. 286) – Topsoil pile to the right of photo. Subsoil pushed on top of the bottom of the topsoil pile.

Below: Photo 18 (east of pt. 288) – Most of the trench has been backfilled to the left of photo. Topsoil on the right, notice the light soil colors in the piles and consistent volume excavated across the topography. Direction looking east.





Above: Photo 19 (pt. 289) – Topsoil pile on hilltop area. Pile is very light in color and appears to have a lot of subsoil in pile.

Below: Photo 20 (pt. 289) – Two-tone area. Topsoil pile to the far right, subsoil to the left of photo. Both piles appear to be the same color. Direction looking east.





Above: Photo 21 (pt. 290) – Topsoil pile with a small amount of subsoil pushed on top of topsoil pile. Direction looking east.

Below: Photo 22 (pt. 291) – Side-cut in two-tone area showing soil profile.





Above: Photo 23 (pt. 292) – Open trench, with only partial fence around area.

Below: Photo 24 (pt. 290) – Two-tone area. Notice the change in color of the topsoil pile, it starts at a dark brown and as you go back the color is the same as the subsoil.





Above: Photo 25 (pt. 295) – Topsoil pile with some subsoil on it, along with woody debris. Unknown what will be done with the woody debris.

Below: Photo 26 (pt. 296) – Topsoil pile with space left in it for farm equipment, livestock and/or animals to pass through.





Above: Photo 27 (pt. 296) – Topsoil and subsoil pile with space between them. Work done after May 12, area observed on May 17, 2016.

Below: Photo 28 (pt. 298) – Dozer stripping topsoil, pile to the left of photo.





Above: Photo 29 (pt. 300) – Bore area near wetland. Access road located on the right, going around the wetland. Topsoil and subsoil piles have space between them. Silt fence near wetland. Direction looking west.

Below: Photo 30 (pt. 443) – Two-tone area, topsoil pile to the left. Looks to be an inadequate amount of topsoil was stripped. Notice the dark colored two-tone subsoil pile area.





Above: Photo 31 (pt. 445) – Unfinished, started topsoil replacement.

Below: Photo 32 (pt. 445) – Unfinished, started topsoil replacement. Vegetation growing on topsoil pile, part of pile replaced back on ROW. Direction looking northeast.





Above: Photo 33 (pt. 447) – Topsoil replaced on ROW and extended ROW for bore area. Contours appear to match up. Direction looking northwest.

Below: Photo 34 (pt. 446) – Topsoil replaced on ROW area. Contours appear to match up. Direction looking west.





Above: Photo 35 (pt. 294) – Lake Sakakawea bore location with mats and some silt fences placed along area. Observed May 17, 2016. Direction looking west.

Below: Photo 36 (pt. 294) – Lake Sakakawea bore location with mats and some silt fences placed along area. Topsoil pile near mats with partial silt fence. Direction looking east.





Responsive partner.
Exceptional outcomes.

Phone: 701-751-3370

Email: sswanberg@wenck.com

Web: wenck.com

MINNESOTA

Maple Plain
763-479-4200

Bloomington
952-831-5408
Windom
507-831-2703

New Hope
800-368-8831
Woodbury
651-294-4580

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602-370-7420

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