

AGENCY NOTIFICATIONS AND RESPONSES – TAB 5

Appendix 5.A Agency Contact Table

Appendix 5.B Sample Notifications

Appendix 5.C Agency Responses

APPENDIX 5.A
Agency Contact Table

Sacagawea Pipeline Company, LLC
Route Application
Palermo to Enbridge Crude Oil Pipeline

Agencies Contacted	Form of Contact	Date of Contact	Date of Reply	Discussion in Route Application
US Army Corps of Engineers	Mailed Letter	5/26/2015 8/11/2015	5/28/2015	Section B.5, page 11
ND Parks and Recreation	Mailed Letter	5/26/2015 8/11/2015	6/18/2015 9/1/2015	Section B.5, page 12
ND Game and Fish Department	Mailed Letter	5/26/2015 8/11/2015	6/22/2015	Section B.5, page 12
Lostwood Wetland Management District	Mailed Letter / Email	5/26/2015 8/14/2015	6/9/2015	Section B.5, page 11
U.S. Fish and Wildlife Service	Mailed Letter	5/26/2015 8/11/2015		
Mountrail County Planning & Zoning	Mailed Letter	5/26/2015 8/11/2015		
U.S. Air Force - Cable Affairs	Mailed Letter / Email	5/26/2015 8/14/2015	6/5/2015	Section C.3, page 24
NDIC Pipeline Authority	Mailed Letter	5/26/2015 8/11/2015		
ND State Water Commission	Mailed Letter	5/26/2015 8/11/2015	5/29/2015 8/26/2015	
ND Department of Health	Mailed Letter	5/26/2015 8/11/2015	6/3/2015 8/26/2015	Section B.5, page 12
ND DOT District 7	Mailed Letter	8/11/2015		
ND Department of Trust Lands	Mailed Letter	5/26/2015 8/11/2015		
ND State Historic Preservation Office	Contacted by Beaver Creek		8/21/2015	Section B.6, page 15
ND Aeronautics Commission - ndaero@nd.gov	Email	8/11/2015		
ND Attorney General - ndag@nd.gov	Email	8/11/2015		
ND Department of Agriculture - ndda@nd.gov	Email	8/11/2015		
ND Department of Human Services - dhseo@nd.gov	Email	8/11/2015		
ND Labor Department - labor@nd.gov	Email	8/11/2015		
ND Department of Career and Tech. Education - cte@nd.gov	Email	8/11/2015		
ND Department of Commerce - commerce@nd.gov	Email	8/11/2015		

Sacagawea Pipeline Company, LLC
Route Application
Palermo to Enbridge Crude Oil Pipeline

Agencies Contacted	Form of Contact	Date of Contact	Date of Reply	Discussion in Route Application
ND Energy Development Impact Office - energyimpact@nd.gov	Email	8/11/2015		
ND Industrial Commission - ndicinfo@nd.gov	Email	8/11/2015		
ND Office of Governor	Mailed Letter	8/11/2015		
Indian Affairs Commission - hhanley@nd.gov	Email	8/11/2015		
Job Service North Dakota	Mailed Letter	8/11/2015		
ND Soil Conservation Committee - scott.hochhalter@ndsu.edu	Email	8/11/2015		
U.S. Department of Defense	Mailed Letter	8/11/2015		
Federal Aviation Administration	Mailed Letter	8/11/2015		
Mountrail County Commission - stephp@co.mountrail.nd.us	Email	8/11/2015	8/11/2015	
North Dakota Transmission Authority - ndicinfo@nd.gov	Email	8/11/2015		
Idaho Township, Mountrail County	Mailed Letter	6/15/2015 8/24/2015		
Palermo Township, Mountrail County	Mailed Letter	6/15/2015 8/24/2015		

APPENDIX 5.B
Sample Notifications



1403 27th STREET NW
PO BOX 98
MANDAN, ND 58554-0098
701-667-1800

May 26, 2015

Dan Cimarosti
Regulatory Project Manager
US Army Corps of Engineers
1513 South 12th Street
Bismarck, North Dakota 58504

RE: Palermo to Enbridge Crude Oil Pipeline – Mountrail County

Sacagawea Pipeline Company, LLC ("Sacagawea") plans to submit a Certificate of Corridor Compatibility Application and Route Permit Application, requesting permission from the North Dakota Public Service Commission ("Commission") to construct an approximately 8-mile crude oil pipeline originating from the Palermo Rail Facility owned by Phillips 66 Partners Terminal, LLC and terminating at the Enbridge Crude Oil Terminal located in Stanley, North Dakota ("Project"). The Project is located entirely within Mountrail County.

Sacagawea recognizes the various federal, state, and municipal regulatory agencies within North Dakota that have environmental compliance authority over the construction, operations, and maintenance of its proposed Project. Sacagawea is committed to developing and fostering an ongoing working relationship with each of these agencies. Sacagawea is committed to maintaining a strong safety record through emergency preparedness and readiness to mitigate the impact of a pipeline failure.

- The proposed pipeline runs through the following legal descriptions:
 - T156N R90W Sections 15, 16, 17, 19, 20, 30, and 31
 - T156N R91W Sections 26, 27, 35, and 36

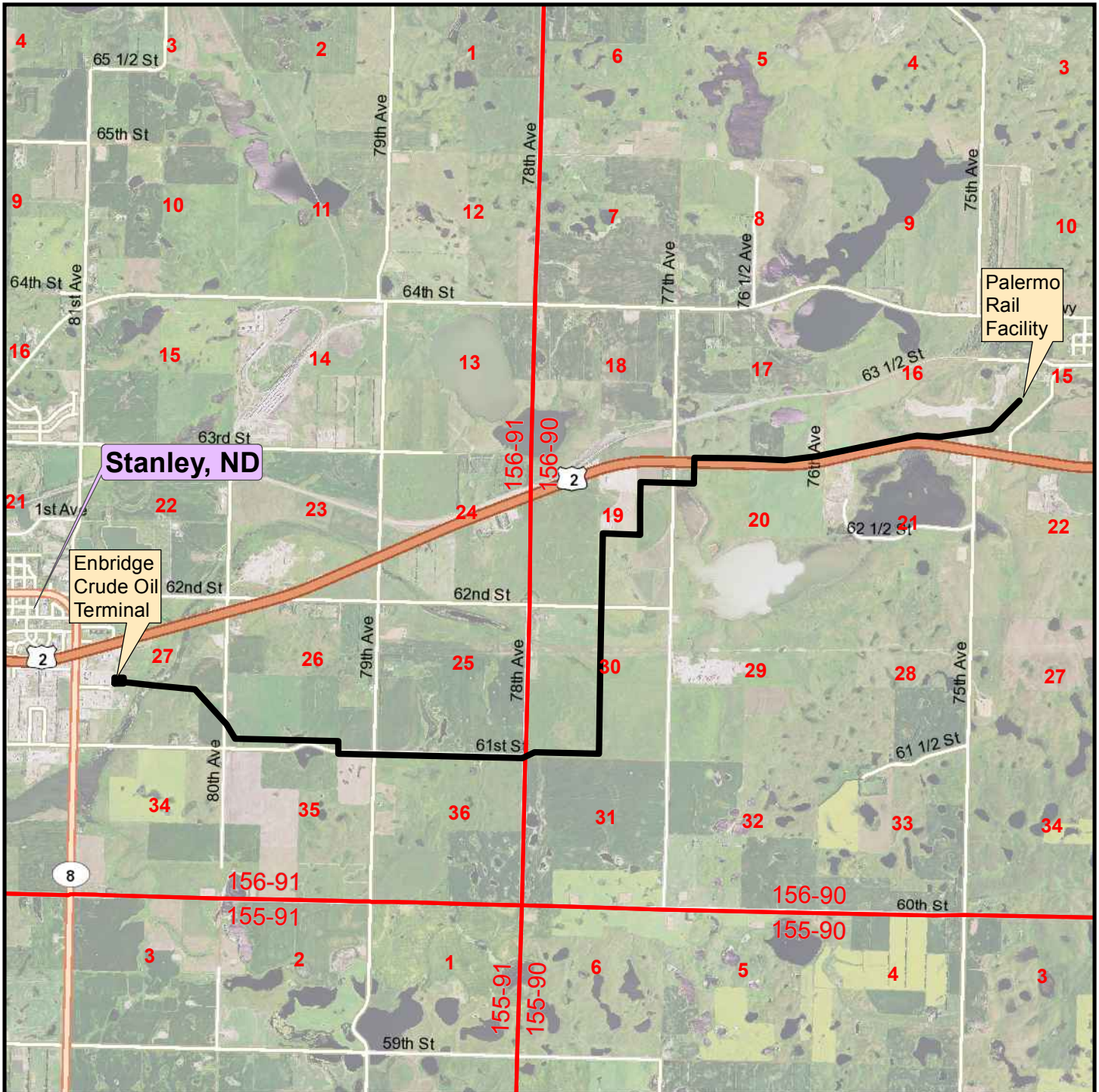
Enclosed is a map of the entire length of the proposed route intended for the US Army Corps of Engineers to review. The Commission requires applicants to contact relevant agencies for comment. We respectfully request that any specific species of concern known in the area is brought to our attention to ensure we focus on those items.

As always, Keitu appreciates the opportunity to assist our client and the regulatory agencies with compliance. I will serve as the primary Keitu contact and can be reached at (701) 667-1808 ext 113 or via email at hpatch@keitu.com.



A handwritten signature in blue ink, appearing to read "Heather Patch", is written over a large, faint, light-colored circular graphic in the background of the page.

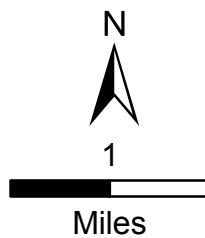
Heather Patch
Staff Engineer

Enclosure: Proposed Pipeline Route



Legend

-  Project Centerline
-  Townships / Sections



Sacagawea Pipeline Company, LLC

Palermo to Enbridge
Crude Oil Pipeline

Project Overview Map

Printed: 5/26/2015



KEITU
ENGINEERS & CONSULTANTS, INC.

1403 27th STREET NW
PO BOX 98
MANDAN, ND 58554-0098
701-667-1800

August 11, 2015

Daniel Cimarosti
Regulatory Program Manager, ND Regulatory Office
US Army Corps of Engineers
1513 South 12th Street
Bismarck, North Dakota 58504

RE: Palermo to Enbridge Crude Oil Pipeline – Mountrail County

Your office was contacted by letter on May 26, 2015 for opportunity to comment on a proposed pipeline project for Sacagawea Pipeline Company, LLC (“Sacagawea”). This letter is to provide an update of the project route.

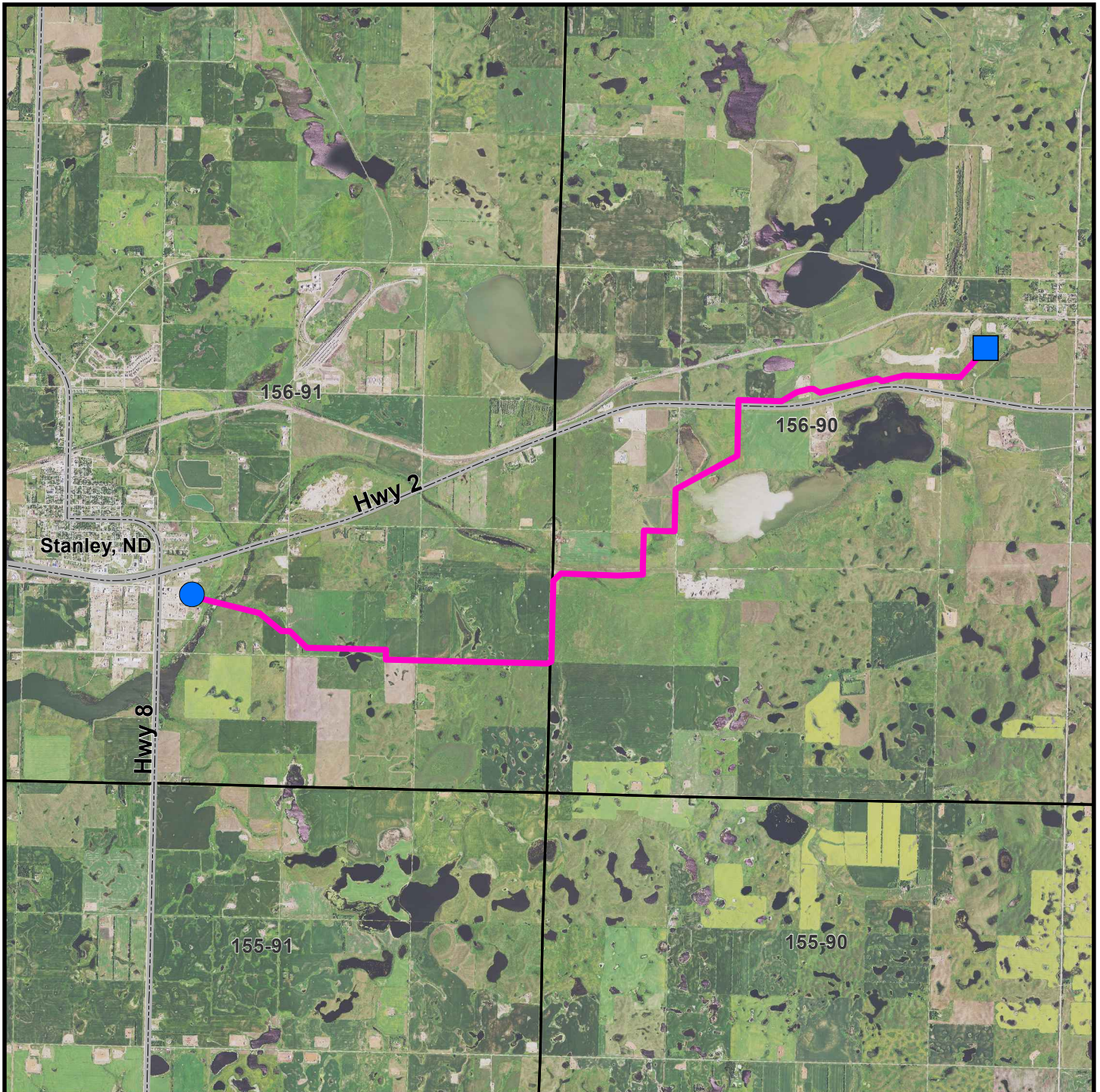
Sacagawea plans to submit a Certificate of Corridor Compatibility Application and Route Permit Application, requesting permission from the North Dakota Public Service Commission (“Commission”) to construct an approximately 8-mile crude oil pipeline originating from the Palermo Rail Facility owned by Phillips 66 Partners Terminal, LLC and terminating at the Enbridge Crude Oil Terminal located in Stanley, North Dakota (“Project”). The Project is located entirely within Mountrail County.

The Commission requires applicants to contact relevant agencies for comment on the Project. Enclosed is an updated map of the entire length of the proposed Project intended for the agency to review. We respectfully request that any specific concerns known in the area are brought to our attention to ensure we focus on those items.

As always, Keitu Engineers & Consultants, Inc. (“Keitu”) appreciates the opportunity to assist our client and the regulatory agencies with compliance. I will serve as the primary Keitu contact and can be reached at (701) 667-1808 ext 113 or via email at hpatch@keitu.com.

Heather Patch
Staff Engineer

Enclosure: Proposed Pipeline Route



Legend

- Project Centerline
- Townships
- Enbridge Crude Oil Terminal
- Palermo Rail Facility

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SACAGAWEA
PIPELINE COMPANY, LLC

**Palermo to Enbridge
Crude Oil Pipeline**

Project Overview Map

Printed: 8/7/2015



1403 27th STREET NW
PO BOX 98
MANDAN, ND 58554-0098
701-667-1800

August 11, 2015

United States Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

RE: Palermo to Enbridge Crude Oil Pipeline – Mountrail County

Sacagawea Pipeline Company, LLC (“Sacagawea”) plans to submit a Certificate of Corridor Compatibility Application and Route Permit Application, requesting permission from the North Dakota Public Service Commission (“Commission”) to construct an approximately 8-mile crude oil pipeline originating from the Palermo Rail Facility owned by Phillips 66 Partners Terminal, LLC and terminating at the Enbridge Crude Oil Terminal located in Stanley, North Dakota (“Project”). The Project is located entirely within Mountrail County, North Dakota.

Sacagawea recognizes the various federal, state, and municipal regulatory agencies within North Dakota that have environmental compliance authority over the construction, operations, and maintenance of its proposed Project. Sacagawea is committed to developing and fostering an ongoing working relationship with each of these agencies. Sacagawea is committed to maintaining a strong safety record through emergency preparedness and readiness to mitigate the impact of a pipeline failure.

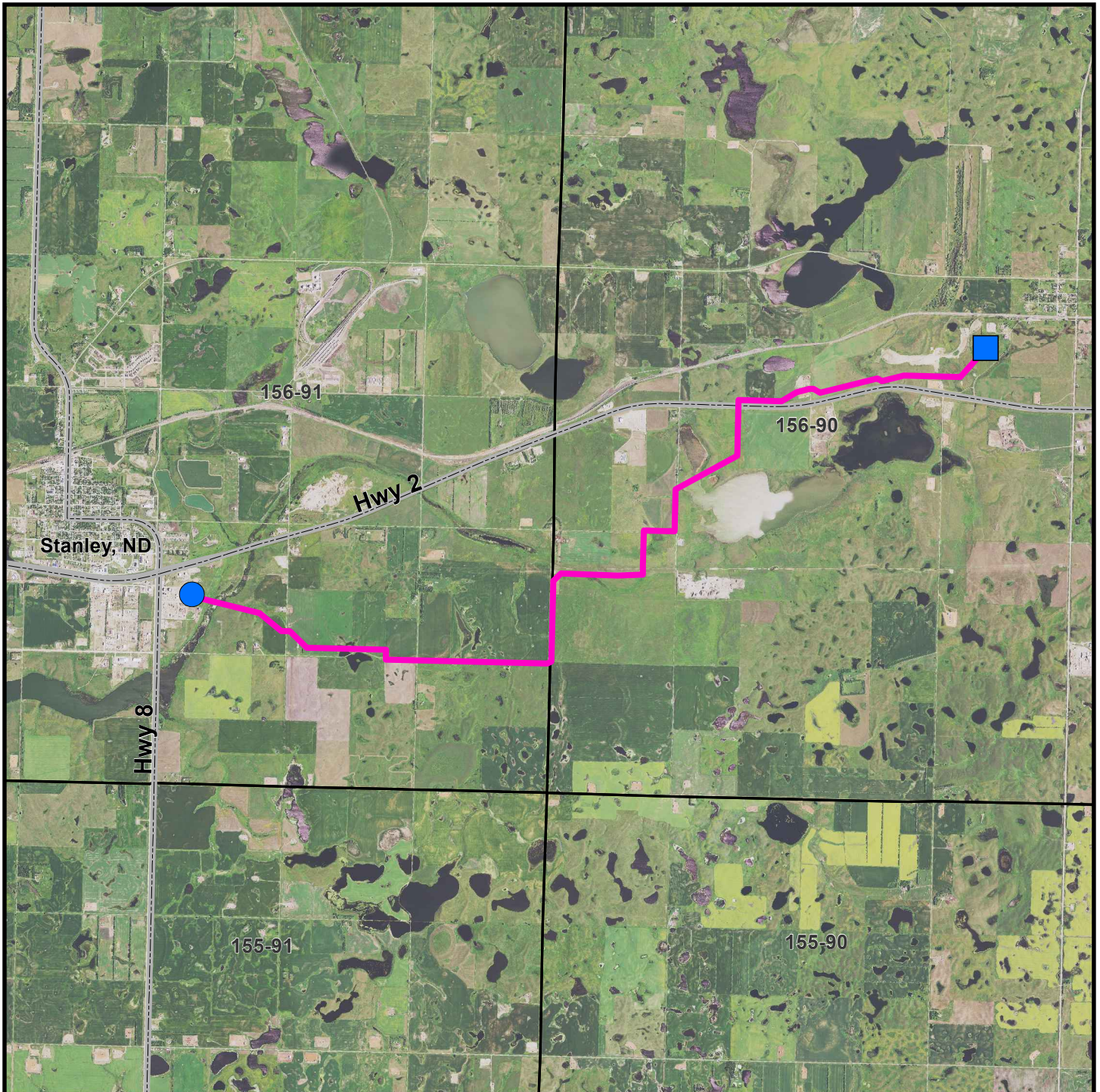
- The proposed pipeline runs through the following legal descriptions:
 - T156N R90W Sections 15, 16, 17, 19, 20, 30, and 31
 - T156N R91W Sections 26, 27, 35, and 36

The Commission requires applicants to contact relevant agencies for comment on the Project. Enclosed is a map of the entire length of the proposed Project intended for the agency to review. We respectfully request that any specific concerns known in the area are brought to our attention to ensure we focus on those items.

As always, Keitu Engineers & Consultants, Inc. (“Keitu”) appreciates the opportunity to assist our client and the regulatory agencies with compliance. I will serve as the primary Keitu contact and can be reached at (701) 667-1808 ext 113 or via email at hpatch@keitu.com.

Heather Patch
Staff Engineer

Enclosure: Proposed Pipeline Route



Legend

- Project Centerline
- Townships
- Enbridge Crude Oil Terminal
- Palermo Rail Facility

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SACAGAWEA
PIPELINE COMPANY, LLC

**Palermo to Enbridge
Crude Oil Pipeline**

Project Overview Map

Printed: 8/7/2015

Heather Patch

From: Heather Patch <hpatch@keitu.com>
Sent: Tuesday, August 11, 2015 10:43 AM
To: Undisclosed Recipients
Subject: Palermo to Enbridge Crude Oil Pipeline - Sacagawea Pipeline Company
Attachments: Palermo to Enbridge Overview Map.pdf

Sacagawea Pipeline Company, LLC ("Sacagawea") plans to submit a Certificate of Corridor Compatibility Application and Route Permit Application, requesting permission from the North Dakota Public Service Commission ("Commission") to construct an approximately 8-mile crude oil pipeline originating from the Palermo Rail Facility owned by Phillips 66 Partners Terminal, LLC and terminating at the Enbridge Crude Oil Terminal located in Stanley, North Dakota ("Project"). The Project is located entirely within Mountrail County.

Sacagawea recognizes the various federal, state, and municipal regulatory agencies within North Dakota that have environmental compliance authority over the construction, operations, and maintenance of its proposed Project. Sacagawea is committed to developing and fostering an ongoing working relationship with each of these agencies. Sacagawea is committed to maintaining a strong safety record through emergency preparedness and readiness to mitigate the impact of a pipeline failure.

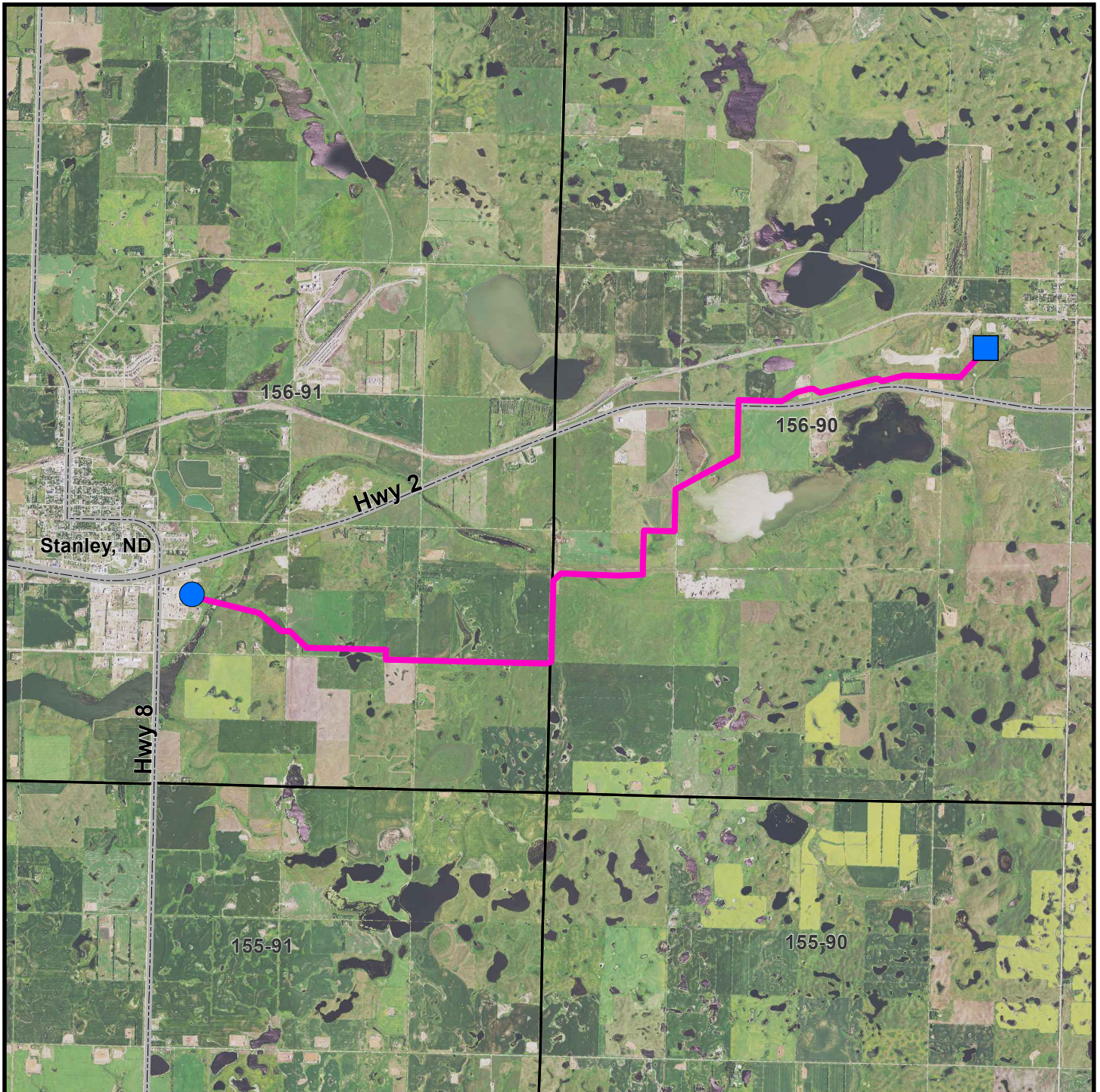
- The proposed pipeline runs through the following legal descriptions:
 - T156N R90W Sections 15, 16, 17, 19, 20, 30, and 31
 - T156N R91W Sections 26, 27, 35, and 36

Attached is a map of the entire length of the proposed Project intended for the Agency to review. The Commission requires applicants to contact relevant for comment on the Project. We respectfully request that any specific concerns known in the area are brought to our attention to ensure we focus on those items.

As always, Keitu appreciates the opportunity to assist our client and the regulatory agencies with compliance. I will serve as the primary Keitu contact and can be reached at (701) 667-1808 ext 113 or via email at hpatch@keitu.com.

Heather Patch

Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
Direct: (701) 667-1808 ext 113
Office: (701) 667-1800



Legend

- Project Centerline
- Townships
- Enbridge Crude Oil Terminal
- Palermo Rail Facility

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SACAGAWEA
PIPELINE COMPANY, LLC

**Palermo to Enbridge
Crude Oil Pipeline**

Project Overview Map

Printed: 8/7/2015

APPENDIX 5.C

Agency Responses

Lostwood Wetland Management District

Heather Patch

From: Heather Patch <hpatch@keitu.com>
Sent: Friday, August 14, 2015 2:29 PM
To: 'Magstadt, Shea'
Subject: RE: Sacagawea Pipeline Company
Attachments: Sacagawea_Wetland_Data_V09.zip

Shea,

I have attached is a zip file of our updated wetland delineations, bores, and latest centerline. There have been reroutes since the latest version I sent to you.

If everything looks acceptable, would you be able to type up a letter stating Sacagawea is cleared in this area?

Let me know if you have any questions or if you require any further information.

Thank you,

Heather Patch

Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
(701) 667-1808 ext. 113

From: Heather Patch [mailto:hpatch@keitu.com]
Sent: Wednesday, July 08, 2015 8:58 AM
To: 'Magstadt, Shea' <shea_magstadt@fws.gov>
Cc: kbecker@keitu.com
Subject: RE: Sacagawea Pipeline Company

Shea,

Attached is a zip file of our wetland delineations, bores, and latest centerline. Please note that at this time all bore start and stop locations have been set at 30' from the wetland edge, it is likely that these distances will be greater.

Let me know if you have any questions or if you require any further information.

Thank you,

Heather Patch

Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
(701) 667-1808 ext. 113

From: Magstadt, Shea [mailto:shea_magstadt@fws.gov]
Sent: Wednesday, June 10, 2015 2:37 PM
To: Heather Patch
Subject: Re: Sacagawea Pipeline Company

Heather,

Please send me a shape file of your wetland delineations and start and stop locations of the bores and I will review that. If everything looks acceptable at that point, I will type up a letter with maps stating Sacagawea is cleared.

Thanks

On Wed, Jun 10, 2015 at 2:33 PM, Heather Patch <hpatch@keitu.com> wrote:

Shea,

We have wetland delineators on staff that will be out in the field this week. Right now I am planning to have them delineate these wetlands to make sure we avoid them. Is this an acceptable solution? Do you still need to be notified before construction?

Thanks,

Heather

From: Magstadt, Shea [mailto:shea_magstadt@fws.gov]

Sent: Wednesday, June 10, 2015 1:03 PM

To: Heather Patch

Subject: Re: Sacagawea Pipeline Company

Heather,

Prairie wetlands are "dynamic" and tend to fluctuate from very large to completely dry. Before construction, I could be able to meet in the field to help identify wetland edges and if we could stay approximately 30' away, that would probably be fine.

Thanks

On Wed, Jun 10, 2015 at 12:06 PM, Heather Patch <hpatch@keitu.com> wrote:

Thank you Shea.

Do you have boundaries for these wetlands and a required setback for how far you need construction to stay away?

Heather Patch

Staff Engineer - Chemical

Keitu Engineers & Consultants, Inc.

(701) 667-1800

www.keitu.com

From: Magstadt, Shea [mailto:shea_magstadt@fws.gov]

Sent: Tuesday, June 09, 2015 3:39 PM

To: Heather Patch

Subject: Re: Sacagawea Pipeline Company

Heather,

Please see attached maps and insure that the identified wetlands will be avoided by either going around or boring underneath. If these wetlands need to be identified in the field prior to construction, please let me know and I could be available to meet someone.

Also, I have a similar (maybe the same) pipeline up in this area. It would be the Paradigm/Sacagawea Pipeline. Is this the same and are you also working on the remainder of the line that heads down to New Town. If so, there are many easements this pipeline crosses on that path.

If you have any questions, please feel free to let me know.

Thanks

On Tue, Jun 9, 2015 at 3:09 PM, Heather Patch <hpatch@keitu.com> wrote:

Thank you for your time on the phone this afternoon. Attached is the latest centerline for the Project.

Please let me know if you require any additional information.

Heather Patch

Staff Engineer - Chemical

Keitu Engineers & Consultants, Inc.

(701) 667-1808 ext 113

From: Magstadt, Shea [mailto:shea_magstadt@fws.gov]

Sent: Tuesday, June 09, 2015 1:47 PM

To: hpatch@keitu.com

Subject: Sacagawea Pipeline Company

Heather,

Per our phone conversation. If you could send me the newest version of this pipeline (GIS shape file) that would be great.

Thanks

--

Shea Magstadt
Wildlife Refuge Specialist

Federal Wildlife Officer

U.S. Fish and Wildlife Service
[Lostwood Wetland Management District](#)
42000 520th Street NW
Kenmare, ND 58746
Office: 701-385-4046 x224
Cell: 701-339-1822

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Shea Magstadt
Wildlife Refuge Specialist

Federal Wildlife Officer

U.S. Fish and Wildlife Service
[Lostwood Wetland Management District](#)
42000 520th Street NW
Kenmare, ND 58746
Office: 701-385-4046 x224
Cell: 701-339-1822

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Shea Magstadt
Wildlife Refuge Specialist

Federal Wildlife Officer

U.S. Fish and Wildlife Service
[Lostwood Wetland Management District](#)
42000 520th Street NW
Kenmare, ND 58746
Office: 701-385-4046 x224
Cell: 701-339-1822

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Shea Magstadt
Wildlife Refuge Specialist
Federal Wildlife Officer

U.S. Fish and Wildlife Service
[Lostwood Wetland Management District](#)
42000 520th Street NW
Kenmare, ND 58746
Office: 701-385-4046 x224
Cell: 701-339-1822

T. 156 N., R. 90 W., Section 18
Mountrail County, 181X



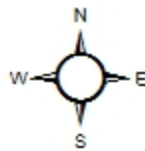
1 inch = 0.14 miles

1 inch = 732.93 feet

Aerial Photography: 2012
Map Prepared: 6/9/15

Legend

- 581_1068_V05_CL_K2
- Wetland



FWS Easements

- Grassland Easement
- Wetland Easement
- Wetland & Grassland Easement

Disclaimer:

The USFWS makes no claim as to the accuracy or completeness of the displayed information. Shaded areas depicting the location of USFWS WPA fee lands and limited interest easements are for illustrative purposes only and do not represent legal boundaries or in the case of easements, the acreage of wetland or grassland resources included in the easement contract. For more detailed information, please contact one of the USFWS Realty Offices located in Bismarck and Minot, North Dakota.

T. 156 N., R. 91 W., Section 36
Mountrail County, 178X



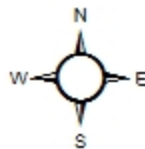
1 inch = 0.14 miles

1 inch = 732.93 feet

Aerial Photography: 2012
Map Prepared: 6/9/15

Legend

- 581_1068_V05_CL_K2
- ★ Wetland



FWS Easements

- Grassland Easement
- Wetland Easement
- Wetland & Grassland Easement

Disclaimer:

The USFWS makes no claim as to the accuracy or completeness of the displayed information. Shaded areas depicting the location of USFWS WPA fee lands and limited interest easements are for illustrative purposes only and do not represent legal boundaries or in the case of easements, the acreage of wetland or grassland resources included in the easement contract. For more detailed information, please contact one of the USFWS Realty Offices located in Bismarck and Minot, North Dakota.

Minot Air Force Base – Cable Affairs

Heather Patch

From: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK <cy.munos@us.af.mil>
Sent: Tuesday, August 18, 2015 2:09 PM
To: Heather Patch
Subject: RE: Palermo to Enbridge Crude Oil Pipeline
Attachments: Palermo to Enbridge.jpg

Heather,

Thanks for the shape files. **This looks great, just one cable crossing.**

Thanks.

Cy Munos
Cable Affairs Officer
91 MMXS/MMXSFK
Minot AFB, ND
W. 701-723-6053
C. 701-720-8274

-----Original Message-----

From: Heather Patch [mailto:hpatch@keitu.com]
Sent: Friday, August 14, 2015 9:15 AM
To: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Good Morning,

I have attached the final centerline for the Palermo to Enbridge Pipeline for your review. We have rerouted in the area that crosses the USAF cable. Please let me know if there are any issues with this reroute.

Thank you,

Heather Patch
Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
(701) 667-1800

-----Original Message-----

From: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
[mailto:cy.munos@us.af.mil]
Sent: Wednesday, July 08, 2015 8:48 AM
To: Heather Patch <hpatch@keitu.com>
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Heather,

Please see attached map, The line will cross us 3 times but other than that everything looks fine. The pipe is approximately 120ft off our cable in section 19. Thanks.

Cy Munos
91 MMXS/Cable Affairs
Minot AFB, ND
W. 701-723-6053
C. 701-720-8274

-----Original Message-----

From: Heather Patch [mailto:hpatch@keitu.com]
Sent: Wednesday, July 08, 2015 8:36 AM
To: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Sorry about that. I have reattached the files.

Thanks,

Heather Patch

-----Original Message-----

From: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
[mailto:cy.munos@us.af.mil]
Sent: Wednesday, July 08, 2015 7:52 AM
To: Heather Patch
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Heather, I'm having problems projecting the files you sent, we might be missing the prj. file.

Cy

-----Original Message-----

From: Heather Patch [mailto:hpatch@keitu.com]
Sent: Tuesday, July 07, 2015 11:44 AM
To: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Good Morning,

I have attached the latest version of the centerline for the Palermo to Enbridge Crude Oil Pipeline for your review.

Let me know if you have any questions or require any additional information.

Thank you,

Heather Patch
Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
(701) 667-1808 ext. 113

-----Original Message-----

From: Heather Patch [mailto:hpatch@keitu.com]
Sent: Thursday, June 11, 2015 12:59 PM
To: 'MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK'
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Thank you for review and for the information you provided. We are still in the planning stages so we will use this information to make adjustments to the centerline. I will send you the Shapefiles for further review when we have them.

Thanks again,

Heather Patch
Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
(701) 667-1808 ext 113

-----Original Message-----

From: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
[mailto:cy.munos@us.af.mil]
Sent: Wednesday, June 10, 2015 2:07 PM
To: Heather Patch
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Heather,

Please see attached map for the location in question. The green line would be the original and purple version 5 routes. The original route suited the UASF perfectly with just 1 crossing at a 90 degree angle. Version 5 route has one 90 degree crossing and an area of concern where the pipeline parallels our buried missile cable easement for approximately 1900ft.

Here are our regulations on pipelines crossing our easement:

-USAF easement 16.5' wide

-Pipelines shall have a minimum of 12" of separation -Minimum crossing angle of 30 degrees (preferably 90 degrees) -No crossing within 50ft of buried

splices (red dots with numbers on map) -USAF Representative on site when any dirt is being moved on USAF easement

Thanks,

Cy Munos
91 MMXS/Cable Affairs
Minot AFB, ND
W. 701-723-6053
C. 701-720-8274

-----Original Message-----

From: Heather Patch [mailto:hpatch@keitu.com]
Sent: Wednesday, June 10, 2015 7:49 AM
To: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Good morning,

I have reattached the Shapefiles in an unzipped format. Version 5 is the latest working centerline with reroutes. I have also included the original which was on the map you received. Let me know if you have any questions.

Thanks,

Heather Patch
Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
(701) 667-1808 ext 113

-----Original Message-----

From: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
[mailto:cy.munos@us.af.mil]
Sent: Wednesday, June 10, 2015 7:40 AM
To: Heather Patch
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Heather,

Could you please resend the shape files? Our network blocked the files. We typically receive the files when its unzipped. Thanks.

Cy Munos
91 MMXS/Cable Affairs
Minot AFB, ND
W. 701-723-6053
C. 701-720-8274

-----Original Message-----

From: Heather Patch [mailto:hpatch@keitu.com]
Sent: Tuesday, June 09, 2015 9:22 AM
To: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
Subject: RE: Palermo to Enbridge Crude Oil Pipeline

Good morning.

I have attached the Shapefiles for the line as requested. Please note that we are looking at reroutes in the area you referred to so I have attached the reroutes for your review as well as the original for your reference. Please let me know of any conflicts this Project (and potential line adjustments) may have with USAF cable in the area.

Thank you for taking the time to review this project.

Heather Patch
Staff Engineer - Chemical
Keitu Engineers & Consultants, Inc.
(701) 667-1808 ext 113

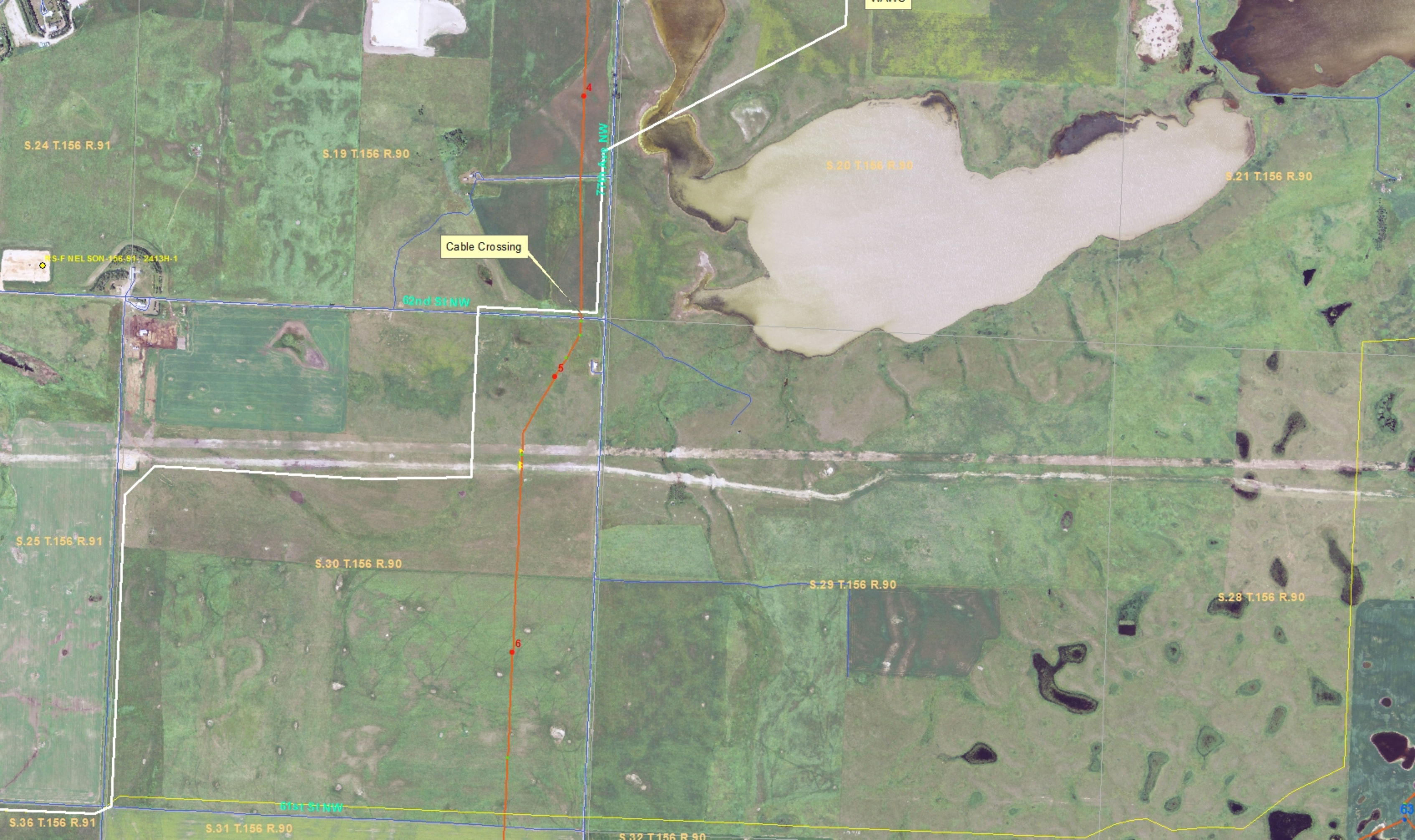
-----Original Message-----

From: MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK
[mailto:cy.munos@us.af.mil]
Sent: Friday, June 05, 2015 3:56 PM
To: hpatch@keitu.com
Subject: Palermo to Enbridge Crude Oil Pipeline

Heather,

I received your pipeline plans via mail. After going over the proposed route, this pipeline will cross a USAF cable in the NE quarter of section 19, Township 156N, Range 90W. Could you please send me a electronic file or shape file of the project if possible. Thanks.

Cy Munos
91 MMXS/Cable Affairs
Minot AFB, ND
W. 701-723-6053
C. 701-720-8274



S.24 T.156 R.91

S.19 T.156 R.90

S.20 T.156 R.90

S.21 T.156 R.90

Cable Crossing

62nd St NW

62nd St NW

S.25 T.156 R.91

S.30 T.156 R.90

S.29 T.156 R.90

S.28 T.156 R.90

61st St NW

S.36 T.156 R.91

S.31 T.156 R.90

S.32 T.156 R.90

S-F NELSON-156-91-2413H-1

4

5

6

63

North Dakota Department of Health



August 26, 2015

Ms. Heather Patch, Staff Engineer
Keitu Engineers & Consultants, Inc.
P.O. Box 98
Mandan, ND 58554-0098

Re: Palermo to Enbridge Crude Oil Pipeline
Mountrail County

Dear Ms. Patch:

This department has reviewed the information concerning the above-referenced project submitted under date of August 11, 2015, with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
3. Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701.328.5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local storm water management considerations are addressed.
4. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is

equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.

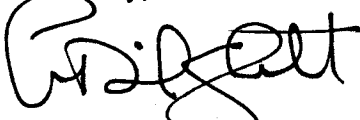
5. Projects that involve construction of pipelines should select locations that minimize the potential for environmental damage during construction and in the event of a spill, restrict fluids from reaching surface waters. Environmental damage can be reduced by developing a spill response plan that emphasizes rapid deployment of prepositioned assets necessary to contain spills and subsequent cleanup. Proper surveillance and monitoring of pipelines is necessary for the early detection of leaks.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Chief
Environmental Health Section

LDG:cc
Attach.



Construction and Environmental Disturbance Requirements

These represent the minimum requirements of the North Dakota Department of Health. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect the waters of the State of North Dakota. All projects will be designed and implemented to restrict the losses or disturbances of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion of exposed soil surfaces and trapping sediments being transported. Examples include, but are not restricted to, sediment dams or berms, diversion dikes, hay bales as erosion checks, riprap, mesh or burlap blankets to hold soil during construction, and immediately establishing vegetative cover on disturbed areas after construction is completed. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, or land resources will be protected against compaction, vegetation loss, and unnecessary damage.

Surface Waters

All construction which directly or indirectly impacts aquatic systems will be managed to minimize impacts. All attempts will be made to prevent the contamination of water at construction sites from fuel spillage, lubricants, and chemicals, by following safe storage and handling procedures. Stream bank and stream bed disturbances will be controlled to minimize and/or prevent silt movement, nutrient upsurges, plant dislocation, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near these systems is forbidden without approval from this Department.

Fill Material

Any fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds (in toxic concentrations). This includes, but is not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill materials. All temporary fills must be removed. Debris and solid wastes will be removed from the site and the impacted areas restored as nearly as possible to the original condition.



June 3, 2015

Ms. Heather Patch, Staff Engineer
Keitu Engineers & Consultants, Inc.
P.O. Box 98
Mandan, ND 58554-0098

Re: Proposed Palermo to Enbridge Crude Oil Pipeline, Mountrail County

Dear Ms. Patch:

This department has reviewed the information concerning the above-referenced project submitted under date of May 26, 2015, with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
3. Oil and gas related construction activities disturbing one or more acres that have the ability to discharge sediment laden storm water to waters of the state are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701.328.5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local storm water management considerations are addressed.

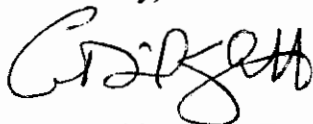
4. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.
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The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Chief
Environmental Health Section

LDG:cc
Attach.



Construction and Environmental Disturbance Requirements

These represent the minimum requirements of the North Dakota Department of Health. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect the waters of the State of North Dakota. All projects will be designed and implemented to restrict the losses or disturbances of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion of exposed soil surfaces and trapping sediments being transported. Examples include, but are not restricted to, sediment dams or berms, diversion dikes, hay bales as erosion checks, riprap, mesh or burlap blankets to hold soil during construction, and immediately establishing vegetative cover on disturbed areas after construction is completed. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, or land resources will be protected against compaction, vegetation loss, and unnecessary damage.

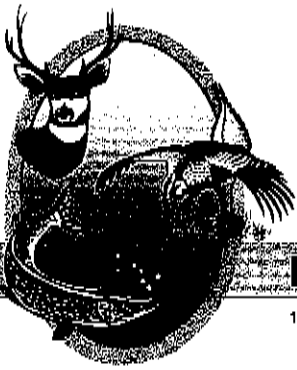
Surface Waters

All construction which directly or indirectly impacts aquatic systems will be managed to minimize impacts. All attempts will be made to prevent the contamination of water at construction sites from fuel spillage, lubricants, and chemicals, by following safe storage and handling procedures. Stream bank and stream bed disturbances will be controlled to minimize and/or prevent silt movement, nutrient upsurges, plant dislocation, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near these systems is forbidden without approval from this Department.

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Any fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds (in toxic concentrations). This includes, but is not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill materials. All temporary fills must be removed. Debris and solid wastes will be removed from the site and the impacted areas restored as nearly as possible to the original condition.

North Dakota Game and Fish Department



"VARIETY IN HUNTING AND FISHING"

NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

June 22, 2015

Heather Patch
Staff Engineer
Keitu Engineers & Consultants, Inc.
PO Box 98
Mandan, ND 58554-0098

Dear Ms. Patch:

RE: Palermo to Enbridge Crude Oil Pipeline Project

Sacagawea Pipeline Company, LLC is proposing to construct an approximately 8-mile crude oil pipeline originating from the Palermo Rail Facility owned by Phillips 66 Partners Terminal, LLC and terminating at the Enbridge Crude Oil Terminal located in Stanley, North Dakota.

The National Wetland Inventory indicates various wetlands within the proposed project corridor. Steps should be taken to protect any wetlands that cannot be avoided, no alterations should be made to existing drainage patterns, and above-ground appurtenances should not be placed in wetland areas. Unavoidable destruction or degradation of wetland acres should be mitigated in kind.

We do not believe this project will have any significant adverse effects on wildlife or wildlife habitat, including species of concern, provided these recommendations are implemented where appropriate and disturbed areas are reclaimed to pre-project conditions.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Dink".

Greg Dink
Chief

Conservation & Communication Division

js

North Dakota Parks and Recreation



Jack Dalrymple, Governor
Mark A. Zimmerman, Director

1600 East Century Avenue, Suite 3
Bismarck, ND 58503-0649
Phone 701-328-5357
Fax 701-328-5363
E-mail parkrec@nd.gov
www.parkrec.nd.gov

September 1, 2015

Heather Patch
Keitu Engineers & Consultants, Inc.
1403 27th Street NW
Mandan, ND 58554-0098

Re: Palermo to Enbridge Crude Oil Pipeline-Mountrail County-Project Update

Dear Ms. Patch:

The North Dakota Parks and Recreation Department (the Department) has reviewed the above referenced proposed Palermo to Enbridge Crude Oil Pipeline project in Mountrail County.

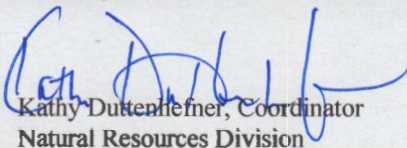
Our agency scope of authority and expertise covers recreation and biological resources (in particular rare plants and ecological communities). The project as defined does not affect state park lands that we manage or Land and Water Conservation Fund recreation projects that we coordinate.

The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, there are several documented occurrences in our database adjacent to project area. Because this information is not based on a comprehensive inventory, there may be species of concern or otherwise significant ecological communities in the area that are not represented in the database. The lack of data for any project area cannot be construed to mean that no significant features are present. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

The Department recommends that the project be accomplished with minimal impacts and that all efforts be made to ensure that critical habitats not be disturbed in the project area to help secure rare species conservation in North Dakota. Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

We appreciate your commitment to rare plant, animal and ecological community conservation, management and inter-agency cooperation to date. For additional information please contact me at (701-328-5370 or kgduttonhefner@nd.gov). Thank you for the opportunity to comment on this proposed project.

Sincerely,

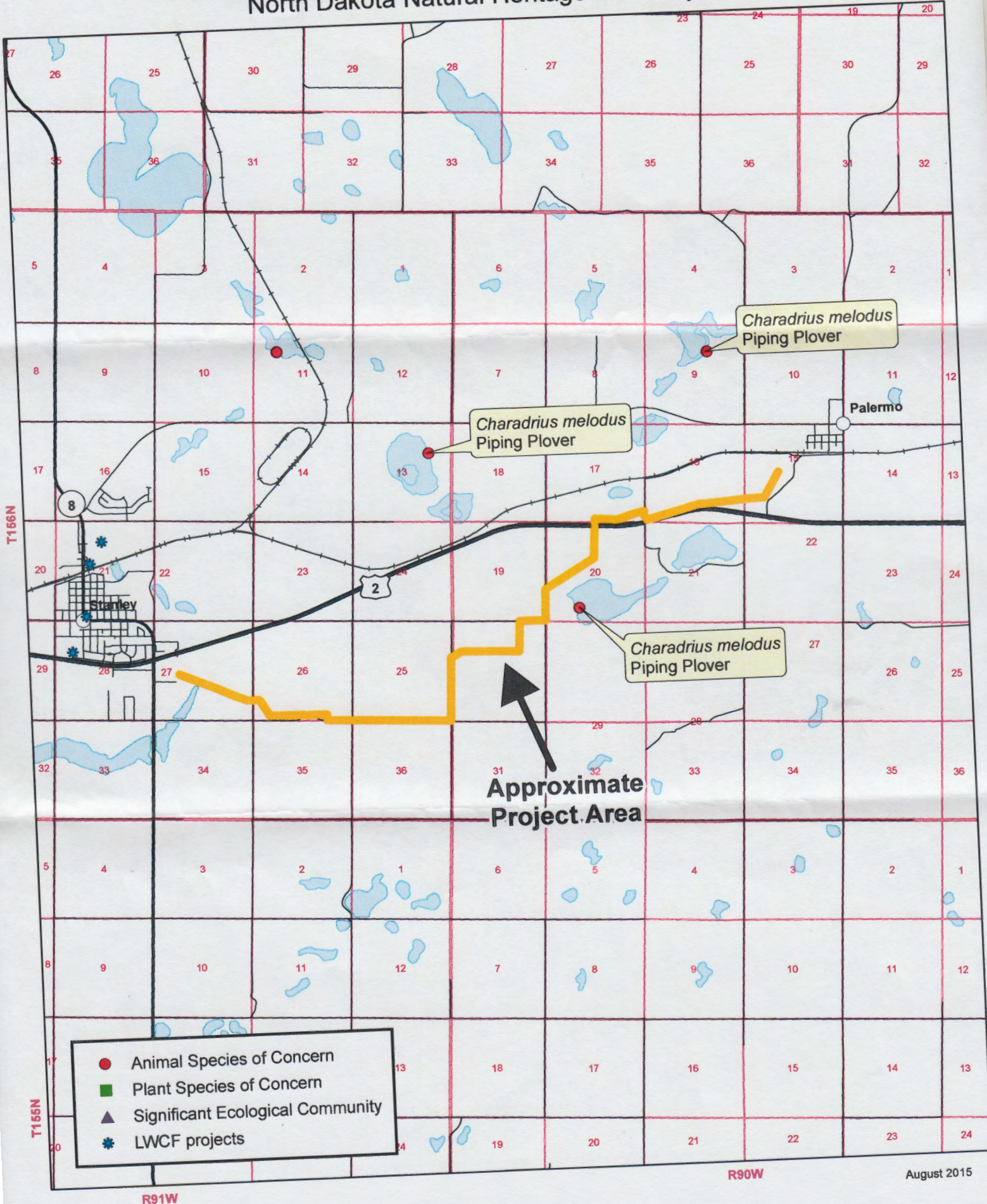


Kathy Duttonhefner, Coordinator
Natural Resources Division

R.USNDNHI*2015_081KD9.1.2015DL9.1.2015

.....
Play in our backyard!

North Dakota Parks and Recreation Department North Dakota Natural Heritage Inventory



- Animal Species of Concern
- Plant Species of Concern
- ▲ Significant Ecological Community
- ★ LWCF projects

R90W

August 2015

North Dakota Natural Heritage Inventory
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Charadrius melodus	Piping Plover	S1S2	G3	LE,LT	156N090W - 20	Mountrail	1996-06-10	Medium	S
Charadrius melodus	Piping Plover	S1S2	G3	LE,LT	156N090W - 09	Mountrail	1996-06-10	Medium	S
Charadrius melodus	Piping Plover	S1S2	G3	LE,LT	156N091W - 13	Mountrail	1996-06-10	Medium	S

North Dakota Natural Heritage Inventory Biological and Conservation Data Disclaimer

The quantity and quality of data collected by the North Dakota Natural Heritage Inventory are dependent on the research and observations of many individuals and organizations. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in North Dakota have never been thoroughly surveyed, and new species are still being discovered. For these reasons, the Natural Heritage Inventory cannot provide a definite statement on the presence, absence, or condition of biological elements in any part of North Dakota. Natural Heritage data summarize the existing information known at the time of the request. Our data are continually upgraded and information is continually being added to the database. This data should never be regarded as final statements on the elements or areas that are being considered, nor should they be substituted for on-site surveys.

Estimated Representation Accuracy

Value that indicates the approximate percentage of the Element Occurrence Representation (EO Rep) that was observed to be occupied by the species or community (versus buffer area added for locational uncertainty). Use of estimated representation accuracy provides a common index for the consistent comparison of EO reps, thus helping to ensure that aggregated data are correctly analyzed and interpreted.

Very high (>95%)

High (>80%, <= 95%)

Medium (>20%, <= 80%)

Low (>0%, <= 20%)

Unknown

(null) - Not assessed

Precision

A single-letter code for the precision used to map the Element Occurrence (EO) on a U.S. Geological Survey (USGS) 7.5' (or 15') topographic quadrangle map, based on the previous Heritage methodology in which EOs were located on paper maps using dots.

S - Seconds: accuracy of locality mappable within a three-second radius; 100 meters from the centerpoint

M - Minute: accuracy of locality mappable within a one-minute radius; 2 km from the centerpoint

G - General: accuracy of locality mappable to map or place name precision only; 8 km from centerpoint

U - Unmappable



Jack Dalrymple, Governor
Mark A. Zimmerman, Director

1600 East Century Avenue, Suite 3
Bismarck, ND 58503-0649
Phone 701-328-5357
Fax 701-328-5363
E-mail parkrec@nd.gov
www.parkrec.nd.gov

June 18, 2015

Heather Patch
Keitu Engineers & Consultants, Inc.
1403 27th Street NW
Mandan, ND 58554-0098

Re: Palermo to Enbridge Crude Oil Pipeline-Mountrail County

Dear Ms. Patch:

The North Dakota Parks and Recreation Department (the Department) has reviewed the above referenced proposed Palermo to Enbridge Crude Oil Pipeline project in Mountrail County.

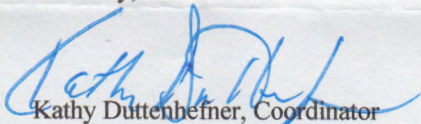
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The Department recommends that the project be accomplished with minimal impacts and that all efforts be made to ensure that critical habitats not be disturbed in the project area to help secure rare species conservation in North Dakota. Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

We appreciate your commitment to rare plant, animal and ecological community conservation, management and inter-agency cooperation to date. For additional information please contact me at (701-328-5370 or kgduttonhefner@nd.gov). Thank you for the opportunity to comment on this proposed project.

Sincerely,

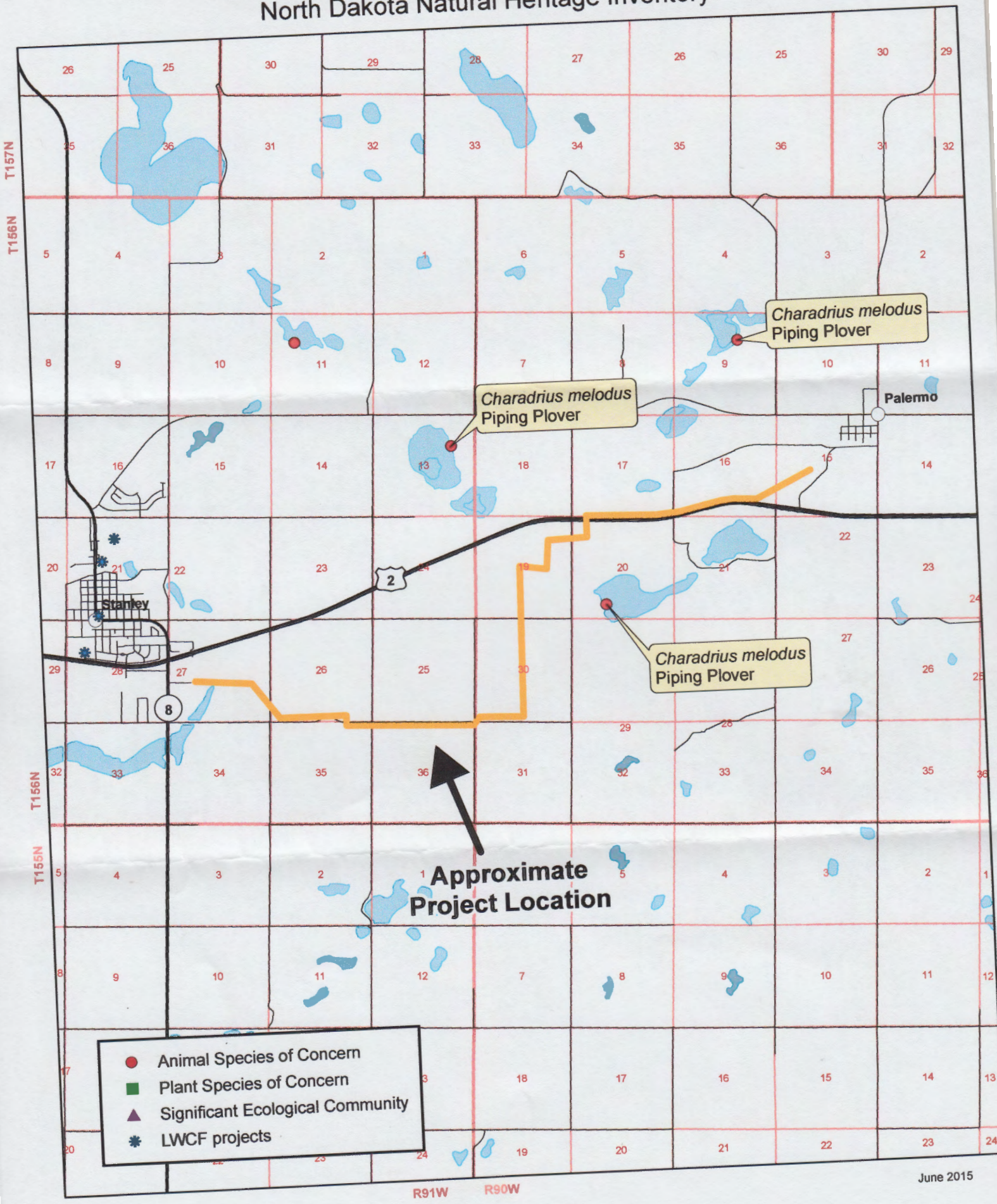


Kathy Duttonhefner, Coordinator
Natural Resources Division

R.USNDNHI*2015_042KD6/18/2015DL6/18/2015

.....
Play in our backyard!

North Dakota Parks and Recreation Department North Dakota Natural Heritage Inventory



North Dakota Natural Heritage Inventory
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
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North Dakota Natural Heritage Inventory Biological and Conservation Data Disclaimer

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U - Unmappable

North Dakota State Historic Preservation Office



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

Jack Dalrymple
Governor of North Dakota

August 21, 2015

North Dakota
State Historical Board

Ms. Brittany Brooks
Beaver Creek Archaeology Inc
1632 Capitol Way
Bismarck, ND 58501

Margaret Puetz
Bismarck - President

Gereld Gerntholz
Valley City - Vice President

ND SHPO Ref.: 15-1415 PSC "A Class III Cultural Resource Inventory of the Palermo to Enbridge Crude Oil Pipeline in Mountrail County, North Dakota"

Albert I. Berger
Grand Forks - Secretary

Calvin Grinnell
New Town

Dear Ms. Brooks,

Diane K. Larson
Bismarck

We reviewed ND SHPO Ref.: 15-1415 PSC "A Class III Cultural Resource Inventory of the Palermo to Enbridge Crude Oil Pipeline in Mountrail County, North Dakota," and find the report acceptable. We concur with a "No Significant Sites Affected" determination, provided the project remains as described and mapped in the report captioned above. As noted in the report, the sites to avoid are 32MN461, 32MN585, 32MN1148 and 32MN1338.

Chester E. Nelson, Jr.
Bismarck

A. Ruric Todd III
Jamestown

Sara Otte Coleman
*Director
Tourism Division*

Thank you for the opportunity to review this project. If you have any questions please contact Susan Quinnell, Review and Compliance Coordinator at (701) 328-3576, e-mail squinnell@nd.gov

Kelly Schmidt
State Treasurer

Alvin A. Jaeger
Secretary of State

Sincerely,

Mark Zimmerman
*Director
Parks and Recreation
Department*

Claudia J. Berg
State Historic Preservation Officer (North Dakota)

Grant Levi
*Director
Department of Transportation*

Claudia J. Berg
Director

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of Museums since 1986

North Dakota State Water Commission



North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850
701-328-2750 • TDD 701-328-2750 • FAX 701-328-3696 • INTERNET: <http://swc.nd.gov>

August 26, 2015

Heather Patch
KEITU Engineers & Consultants, Inc.
PO Box 98
Mandan, ND 58554-0098

Dear Ms. Patch:

This is in response to your request for review of environmental impacts associated with the Sacagawea Pipeline Company, LLC's proposed project Palermo to Enbridge Crude Oil Pipeline located in Mountrail County, ND.

The proposed project has been reviewed by State Water Commission staff and the following comments are provided:

- There are no floodplains identified and/or mapped where this proposed project is to take place. The project takes place in an unmapped county. No floodplain permits are necessary from Mountrail County relative to the National Flood Insurance Program.
- The ND State Water Commission (Commission) maintains a network of observation/monitor water wells and the location of gaging stations throughout the state, and many are located close to public right-of-ways. The location information can be obtained from the Commission's website at: <http://swc.nd.gov>; then click on "Map and Data Resources"; and then click on "Map Services". Please inform the Water Appropriations Division of the Commission at 701-328-2754, if gaging stations or water wells may be affected by the project or accidentally damaged. A copy of the map is enclosed.
- There may be Western Area Water Supply (WAWS) infrastructure in the project area. Please contact the Western Area Water Supply Authority at 701-774-6605 to obtain the location of the WAWS infrastructure.
- It is the responsibility of the project sponsor to ensure that local, state and federal agencies are contacted for any required approvals, permits, and easements.
- All waste material associated with the project must be disposed of properly and not placed in identified floodway areas.
- No sole-source aquifers have been designated in ND.

Thank you for the opportunity to provide review comments. If you have any questions, please call me at 701-328-4967.

Sincerely,

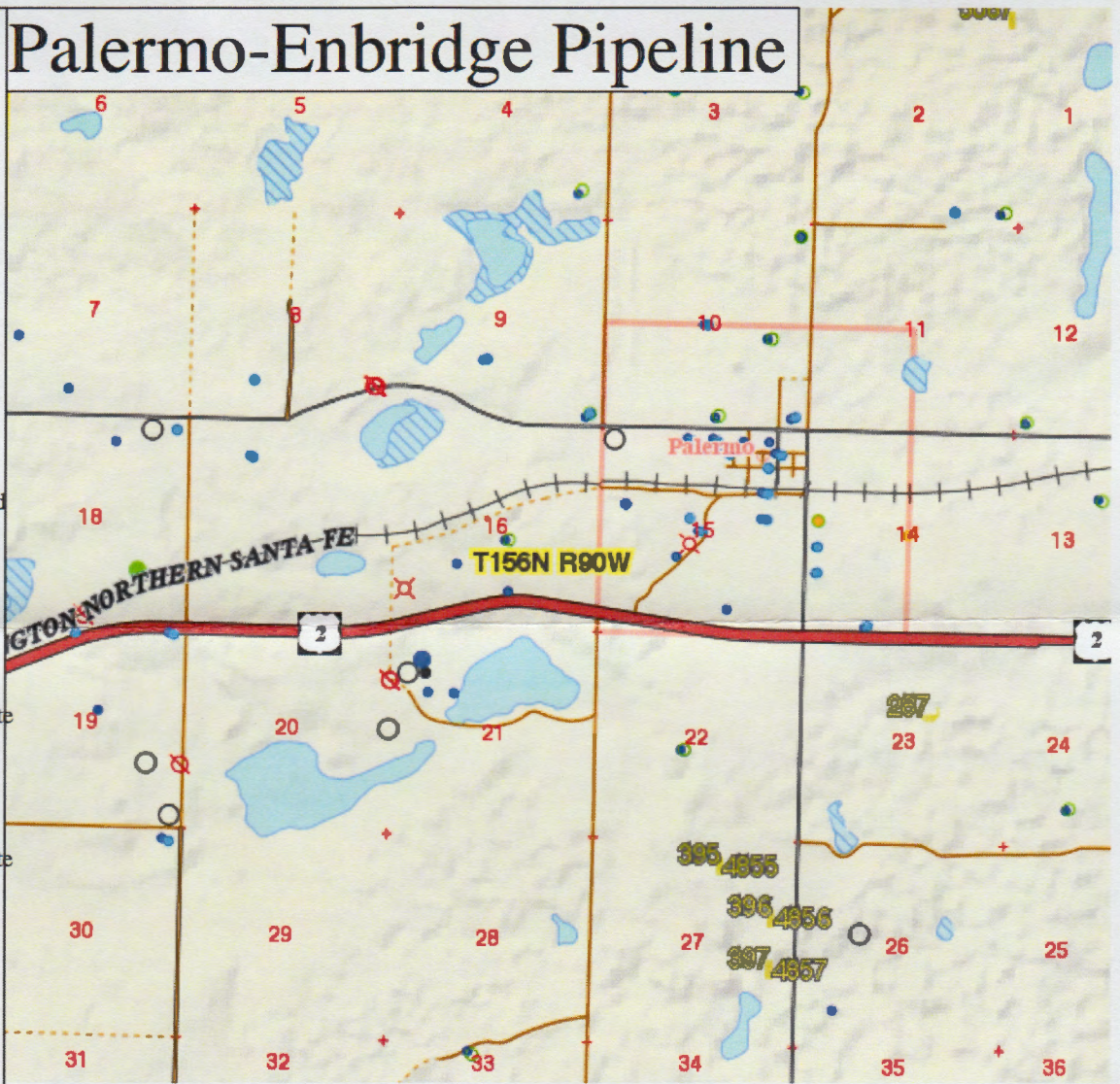
Linda Weispfenning
Water Resource Planner

LW:dm/1570

Encl.

Palermo-Enbridge Pipeline

- ND Corporate Limits
- Tribal Lands
- + Section Corners
- ⌵ Townships_2
- ⌵ County Boundaries 1
- Driller Logs
- ⊕ usgs_gages
- Domestic Well
- Industrial Well
- Irrigation Well
- Multi-Well Sample
- Municipal Well
- ⊗ Observation Well
- ⊗ Observation Well - Destroyed
- ⊗ Observation Well - Plugged
- ⊗ Observation Well - Recorder
- Production Well
- Rural Water Well
- Stock Well
- Surface Water Monitoring Site
- Test Hole
- ⊕ Test Well
- ? Unknown
- Surface Water Monitoring Site
- Dams
- Approved
- Denied
- Hold
- Pending
- Withdrawn
- Permit Not Required
- dikes





North Dakota State Water Commission

900 EAST BOULEVARD AVENUE, DEPT 770 • BISMARCK, NORTH DAKOTA 58505-0850
701-328-2750 • TDD 701-328-2750 • FAX 701-328-3696 • INTERNET: <http://swc.nd.gov>

May 29, 2015

Heather Patch
KEITU Engineers & Consultants, Inc.
PO Box 98
Mandan, ND 58554-0098

Dear Ms. Patch:

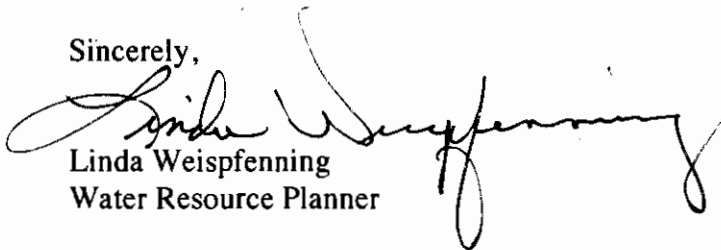
This is in response to your request for review of environmental impacts associated with the Palermo to Enbridge Crude Oil Pipeline project located in Mountrail County, ND. The legal descriptions of the project are: T156N R90W Sections 15, 16, 17, 19, 20, 30; and 31 and T156N R91W Section 26, 27, 35, and 36.

The proposed project has been reviewed by State Water Commission staff and the following comments are provided:

- There are no floodplains identified and/or mapped where this proposed project is to take place. The project takes place in an unmapped county. No floodplain permits are necessary from Mountrail County relative to the National Flood Insurance Program.
- Please contact the Western Area Water Supply Authority at 701-774-6605 regarding municipal, rural, and industrial water supply infrastructure in the project area.
- It is the responsibility of the project sponsor to ensure that local, state and federal agencies are contacted for any required approvals, permits, and easements.
- All waste material associated with the project must be disposed of properly and not placed in identified floodway areas.
- No sole-source aquifers have been designated in ND.

Thank you for the opportunity to provide review comments. If you have any questions, please call me at 701-328-4967.

Sincerely,



Linda Weispfenning
Water Resource Planner

LW:dm/1570

U.S. Army Corps of Engineers



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640

May 28, 2015

North Dakota Regulatory Office

Ms. Heather Patch
Keitu Engineers & Consultants
PO Box 98
Mandan, North Dakota 58554-0098

Dear Ms. Patch:

This is in response to your letter dated May 26, 2015, submitted in conjunction with Sacagawea Pipeline Company's proposed Palermo to Enbridge Crude oil pipeline located in Mountrail County, North Dakota.

U. S. Army Corps of Engineers Regulatory Offices administer Section 10 of the Rivers and Harbors Act (Section 10) and Section 404 of the Clean Water Act (Section 404). Section 10 regulates work impacting navigable waters. This includes work over, through, or under Section 10 waters. Section 10 waters in North Dakota are the Missouri River (including Lake Sakakawea and Lake Oahe), Yellowstone River, James River south of the railroad tracks in Jamestown, North Dakota, Bois de Sioux River, Red River of the North, and the Upper Des Lacs Lake. Section 404 regulates the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Should the project require a Section 10/404 permit, complete the enclosed application and submit it to the letterhead address.

If we can be of further assistance or should you have any questions regarding our program, please do not hesitate to contact this office by letter or phone at (701) 255-0015.

Sincerely,

Daniel E. Cimarosti
Regulatory Program Manager
North Dakota

Enclosure

**Instructions for Preparing a
Department of the Army Permit Application**

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the E-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant, if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project, e.g., Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center.

Block 13. Name of Waterbody. Please provide the name of any stream, lake, marsh, or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter it here.

Block 15. Location of Proposed Project. Enter the latitude and longitude of where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality that the site is located in.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide description of the proposed project location, such as lot numbers, tract numbers, or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wing walls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 18.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

Block 20. Reasons for Discharge. If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Block 21. Types of Material Being Discharged and the Amount of Each Type in Cubic Yards. Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Block 22. Surface Areas of Wetlands or Other Waters Filled. Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Description of Avoidance, Minimization, and Compensation. Provide a brief explanation describing how impacts to waters of the United States are being avoided and minimized on the project site. Also provide a brief description of how impacts to waters of the United States will be compensated for, or a brief statement explaining why compensatory mitigation should not be required for those impacts.

Block 24. Is Any Portion of the Work Already Complete? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, acres filled, if a wetland or other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identify the authorization, if possible.

Block 25. Names and Addresses of Adjoining Property Owners, Lessees, etc., Whose Property Adjoins the Project Site. List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that they may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked Block 24.

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

Block 26. Information about Approvals or Denials by Other Agencies. You may need the approval of other federal, state, or local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 27. Signature of Applicant or Agent. The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on 8½ x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). **While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.**

**U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
33 CFR 325. The proponent agency is CECW-CO-R.**

*Form Approved -
OMB No. 0710-0003
Expires: 31-AUGUST-2013*

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME First - Middle - Last - Company - E-mail Address -		8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - E-mail Address -	
6. APPLICANT'S ADDRESS: Address- City - State - Zip - Country -		9. AGENT'S ADDRESS: Address- City - State - Zip - Country -	
7. APPLICANT'S PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax		10. AGENTS PHONE NOs. w/AREA CODE a. Residence b. Business c. Fax	

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)	
13. NAME OF WATERBODY, IF KNOWN (if applicable)	14. PROJECT STREET ADDRESS (if applicable) Address
15. LOCATION OF PROJECT Latitude: °N Longitude: °W	City - State- Zip-
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Municipality Section - Township - Range -	

17. DIRECTIONS TO THE SITE

18. Nature of Activity (Description of project, include all features)

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type Amount in Cubic Yards	Type Amount in Cubic Yards	Type Amount in Cubic Yards
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22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres
or
Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

a. Address-

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.