

**NORTH DAKOTA
MAPLETON TOWNSHIP
BOARD OF SUPERVISORS**

**NUSTAR PIPELINE OPERATING
PARTNERSHIP L.P.: APPLICATION FOR
PERMITS, APPROVALS, AND VARIANCES FOR
PETROLEUM PRODUCTS PIPELINE**

**FINDINGS AND RESOLUTION GRANTING
PERMITS, APPROVALS, AND VARIANCES**

INTRODUCTION

On November 10, 2015, NuStar Pipeline Operating Partnership L.P. (“NuStar”) submitted an application for any and all permits, approvals, and variances required (“Application”) for a proposed eight-inch petroleum products pipeline and associated facilities, a portion of which is to be located in Mapleton Township.

On November 24, 2015, the Mapleton Township Zoning Commission and the Mapleton Township Board of Supervisors met to consider the Application. The Mapleton Township Zoning Commission unanimously recommended approval of the Application.

Having heard, reviewed and considered the Application, all information presented regarding the Application, and the Zoning Commission’s recommendation, the Mapleton Township Board of Supervisors hereby makes the following:

FINDINGS OF FACT

1. NuStar proposes to construct an eight-inch petroleum products pipeline and associated facilities extending from the proposed Cenex Pipeline, LLC (“Cenex”) Fargo Terminal site, located southeast of Prosper, North Dakota in Raymond Township, to NuStar’s existing North System Pipeline, located southeast of Mapleton, North Dakota in Mapleton Township. The pipeline and associated facilities are referred to as the Laurel Interconnect Pipeline Project (“Laurel Project”).

2. The portion of the Laurel Project in Mapleton Township will consist of the pipeline, and above-ground facilities located on an approximately one-acre site at the southern end of the pipeline, referred to as the Mapleton Junction.

3. In the Application, NuStar provided maps and other documentation, including the following: the pipeline route and above-ground appurtenances; a preliminary plot plan and subdivision plat; names and addresses of owners within a one mile radius of Mapleton Junction; legal descriptions of the tracts to be crossed, including dimensions and shapes; the existing land uses of the subject tracts; the existing zoning classifications of the subject tracts; designs for the

pipeline crossings of township roads; and a typical cross section of the pipeline relative to natural ground. NuStar reserved the right to revise its plans based on completion of final design work.

4. NuStar also submitted in its Application a development/floodplain permit application, floodplain maps showing the pipeline route, and an Additional Information document.

5. NuStar representatives presented information on, and answered questions regarding, the Laurel Project at the November 24, 2015 Mapleton Township meeting.

6. All parcels in Mapleton Township that will be crossed by the Laurel Project are zoned agricultural.

7. In Mapleton Township, NuStar has acquired all easements necessary to construct the pipeline along the proposed route, and has acquired an option to purchase the one-acre site for the Mapleton Junction.

8. NuStar selected the pipeline route and the Mapleton Junction site as a result of a thorough site analysis, as well as coordination with landowners, local officials, agencies, Cenex, and existing infrastructure owners.

9. Based on the Application and information presented, Mapleton Township hereby makes and incorporates all the findings required by the Mapleton Township Zoning Ordinance, and finds NuStar has satisfied all the requirements of the Mapleton Township Zoning Ordinance necessary to grant: a Conditional Use Permit; a Floodplain Development Permit; variances and building permits associated with the Mapleton Junction facilities and site; and any township road-related approvals, such as township road and section line crossings.

10. NuStar has complied with all notice and hearing requirements, and paid all applicable permit fees required for consideration and approval of the Application.

Based on the above Findings of Fact, the Mapleton Township Board of Supervisors hereby adopts the following:

RESOLUTION

1. Mapleton Township hereby grants to NuStar the following permits, approvals, and variances for the Laurel Project: a Conditional Use Permit; a Floodplain Development Permit; variances and building permits associated with the Mapleton Junction facilities and site; and any township road-related approvals, such as township road and section line crossings; and

2. No other permits, certificates, notices, hearings, or approvals from Mapleton Township are required for NuStar to construct, operate, and maintain the Laurel Project.

APPROVED: _____


John Rutten, Chairman

ATTEST: Brian A. Bullock
Township Clerk

DATE: 11-24-15

The motion for the adoption of the foregoing resolution was made by Supervisor RUTTEN and duly seconded by Supervisor Folstad. On roll call vote, the following Supervisors voted aye:

Unanimous Approval
The following voted nay: —

The majority of the Board of Supervisors having voted aye, the motion carried and the resolution was duly adopted.