

**APPENDIX D**

**CONSULTATION LETTERS**

**AGENCY CORRESPONDENCE**

## **CONSULTATION LETTERS**

**CONSULTATION LETTER RECIPIENTS**

<b>NAME</b>	<b>TITLE</b>	<b>COMPANY</b>	<b>ADDRESS 1</b>	<b>CITY, STATE ZIP</b>
Kyle C. Wanner	Director	North Dakota Aeronautics Commission	PO Box 5020	Bismarck, ND 58502
Wayne Stenehjem	ND Attorney General	State Capitol	600 East Boulevard Avenue, Dept 125	Bismarck, ND 58505
Mr. Doug Goehring	Agriculture Commissioner	North Dakota Department of Agriculture	600 E. Boulevard Avenue, Dept 602	Bismarck, ND 58505
Mr. David Glatt		North Dakota Department of Health	918 Divide Avenue, 4th Floor	Bismarck, ND 58501
Maggie D. Anderson	Executive Director	North Dakota Department of Human Services	600 East Boulevard Avenue, Dept 325	Bismarck, ND 58505-0250
Troy T. Seibel	Commissioner of Labor	North Dakota Department of Labor	600 East Boulevard Avenue, Dept 406	Bismarck, ND 58505-0340
Wayne Kutzer	State Director and Executive Officer	North Dakota Department of Career and Technical Education	600 East Boulevard Avenue, Dept. 270	Bismarck, ND 58505-0610
Al Anderson	Commissioner	North Dakota Department of Commerce	1600 E. Century Ave., Suite 2	Bismarck, ND 58503
Gerry Fisher	Director	North Dakota Energy Infrastructure and Impact Office	1707 North 9th Street	Bismarck, ND 58506-5523
Mr. Greg Link		North Dakota Game & Fish Department, Conservation and Communication Division	100 N. Bismarck Expressway	Bismarck, ND 58501
Lynn Helms	Director	NDIC Oil and Gas Division	600 East Boulevard Avenue, Dept 405	Bismarck, ND 58505-0840
Jack Dalrymple	Governor	State Capitol 14th Floor	600 East Boulevard Avenue, Dept 405	Bismarck, ND 58505-0840
Grant Levi	Director	North Dakota Department of Transportation	608 East Boulevard Avenue	Bismarck, ND 58505-0700
Ms. Claudia J. Berg	Director	State Historical Society of North Dakota, North Dakota Heritage Center	612 East Boulevard Avenue	Bismarck, ND 58505-0830
Scott Davis	Executive Director	North Dakota Indian Affairs Commission	600 East Boulevard Avenue	Bismarck, ND 58505-0300
Cheri Giesen,	Executive Director	Job Service North Dakota	PO Box 5507	Bismarck, ND 58506-5507
Mr. Keith Bayley		North Dakota Department of Trust Lands	1707 North 9th Street	Bismarck, ND 58506-5523
Ms. Kathy Duttenhefner		North Dakota Parks and Recreation Department	1600 East Century Avenue, Suite 3	Bismarck, ND 58503
Mr. Scott Hochhalter	State Soil Specialist	NDSU Extension Service, North Dakota State Soil Conservation Committee	2718 Gateway Avenue, Suite 104	Bismarck, ND 58503
Mr. Jeff Klein		North Dakota State Water Commission	900 East Boulevard Avenue	Bismarck, ND 58505
U.S. Department of Defense		U.S. Department of Defense Grand Forks AFB	Steen Blvd. Front Gate/Visitors Center 319 FSS	Grand Forks AFB, ND 58205
Mr. Kevin Shelley	N. Dakota State Supervisor	U.S. Fish and Wildlife Service	3425 Miriam Avenue	Bismarck, ND 58501
U.S. Army Corps of Engineers		U.S. Army Corps of Engineers North Dakota Regulatory Office	1513 South 12th Street	Bismarck, ND 58504
Laurie Suttmeier	Manager, Bismark Airports District Office (ADO)	U.S Federal Aviation Administration	2301 University Drive	Bismarck, ND 58504
Michael Montplaisir	County Auditor	Cass County Board of County Commissioners	P.O. Box 2806	Fargo, ND 58108-2806
Sandi Tabor	Director	North Dakota Transmission Authority	600 E Boulevard Ave. Dept. 405	Bismarck, ND 58505-0840
Justin Kringstad		North Dakota Pipeline Authority	600 E. Boulevard Ave. Dept. 405	Bismarck, ND 58505-0840
Mr. Mark Brodshaug	Chairman	Cass County Joint Water Resources District	4140 4th Avenue South #1324	Fargo, ND 58103
Mr. Stan Wolf	Weed Control Officer	Cass County Weed Control	1201 West Main Avenue	West Fargo, ND 58078
Hali Durand		Cass County Floodplain Administrator	211 9th Street South	Fargo, ND 58103
Dane Larson		Raymond Township Floodplain Administrator	16354 30th Street SE	Harwood, ND 58042
Mr. Nick Chevance	Environmental Planner	U.S. National Park Service	601 Riverfront Drive	Omaha, NE 68102
Mr. Kelly McPhillips		U.S. Bureau of Reclamation, Great Plains Region	P.O. Box 1017	Bismarck, ND 58502



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116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
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www.swca.com

October 27, 2015

Kyle C. Wanner, Director  
ND Aeronautics Commission  
PO Box 5020  
Bismarck, ND 58502

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Aeronautics Commission**

Dear Kyle Wanner:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Aeronautics Commission of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

A handwritten signature in blue ink that reads "James W. Dawson". The signature is fluid and cursive.

James W. Dawson  
Enclosures: Attachment



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October 27, 2015

Wayne Stenehjem, ND Attorney General  
State Capitol  
600 East Boulevard Avenue, Dept 125  
Bismarck, ND 58505

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, State Capitol**

Dear Wayne Stenehjem:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

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SWCA Environmental Consultants is notifying the State Capitol of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

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Jim Dawson, Senior Project Manager  
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Enclosures: Attachment 1



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October 27, 2015

Mr. Doug Goehring, Agriculture Commissioner  
ND Department of Agriculture  
600 E. Boulevard Avenue, Dept 602  
Bismarck, ND 58505

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Department of Agriculture**

Dear Doug Goehring:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Department of Agriculture of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

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SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
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October 27, 2015

Mr. David Glatt  
ND Department of Health  
918 Divide Avenue, 4th Floor  
Bismarck, ND 58501

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Department of Health**

Dear David Glatt:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Department of Health of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

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SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
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October 27, 2015

Maggie D. Anderson, Exec. Director  
ND Department of Human Services  
600 East Boulevard Avenue, Dept 325  
Bismarck, ND 58505-0250

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Department of Human Services**

Dear Maggie Anderson:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Department of Human Services of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

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SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
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October 27, 2015

Troy T. Seibel, Commissioner of Labor  
ND Department of Labor  
600 East Boulevard Avenue, Dept 406  
Bismarck, ND 58505-0340

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Department of Labor**

Dear Troy Seibel:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

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SWCA Environmental Consultants is notifying the ND Department of Labor of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

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SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
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October 27, 2015

Wayne Kutzer, State Director & Executive Officer  
ND Dept. of Career & Tech. Education  
600 East Boulevard Avenue, Dept. 270  
Bismarck, ND 58505-0610

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Dept. of Career & Technical Education**

Dear Wayne Kutzer:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Dept. of Career & Technical Education of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
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James W. Dawson

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October 27, 2015

Al Anderson, Commissioner  
ND Department of Commerce  
1600 E. Century Ave., Suite 2  
Bismarck, ND 58503

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Department of Commerce**

Dear Al Anderson:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

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SWCA Environmental Consultants is notifying the ND Department of Commerce of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

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October 27, 2015

Gerry Fisher, Director  
ND Energy Infrastructure & Impact Office  
1707 North 9th Street  
Bismarck, ND 58506-5523

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Energy Infrastructure & Impact Office**

Dear Gerry Fisher:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

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SWCA Environmental Consultants is notifying the ND Energy Infrastructure & Impact Office of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
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October 27, 2015

Mr. Greg Link  
ND Game & Fish Dept, Conservation & Communication Division  
100 N. Bismarck Expressway  
Bismarck, ND 58501

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Game & Fish Dept, Conservation & Communication Division**

Dear Greg Link:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Game & Fish Dept, Conservation & Communication Division of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

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October 27, 2015

Lynn Helms, Director  
NDIC Oil and Gas Division  
600 East Boulevard Avenue, Dept 405  
Bismarck, ND 58505-0840

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, NDIC Oil and Gas Division**

Dear Lynn Helms:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

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SWCA Environmental Consultants is notifying the NDIC Oil and Gas Division of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

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October 27, 2015

Jack Dalrymple, Governor  
State Capitol 14th Floor  
600 East Boulevard Avenue, Dept 405  
Bismarck, ND 58505-0840

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, State Capitol 14th Floor**

Dear Jack Dalrymple:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

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SWCA Environmental Consultants is notifying the State Capitol 14th Floor of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

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October 27, 2015

Grant Levi, Director  
ND Department of Transportation  
608 East Boulevard Avenue  
Bismarck, ND 58505-0700

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Department of Transportation**

Dear Grant Levi:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Department of Transportation of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

A handwritten signature in blue ink that reads "James W. Dawson". The signature is fluid and cursive, written over a light blue horizontal line.

James W. Dawson  
Enclosures: Attachment 1



ENVIRONMENTAL CONSULTANTS

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Bismarck Office  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
Tel 701.258.6622 Fax 701.258.5957  
www.swca.com

October 27, 2015

Ms. Claudia J. Berg, Director  
State Historical Society of ND, ND Heritage Center  
612 East Boulevard Avenue  
Bismarck, ND 58505-0830

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, State Historical Society of ND, ND Heritage Center**

Dear Claudia Berg:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the State Historical Society of ND, ND Heritage Center of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
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[jdawson@swca.com](mailto:jdawson@swca.com)

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James W. Dawson  
Enclosures: Attachment 1



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October 27, 2015

Scott Davis, Executive Director  
ND Indian Affairs Commission  
600 East Boulevard Avenue  
Bismarck, ND 58505-0300

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Indian Affairs Commission**

Dear Scott Davis:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Indian Affairs Commission of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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Bismarck, North Dakota 58501  
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October 27, 2015

Cheri Giesen, Executive Director  
Job Service ND  
PO Box 5507  
Bismarck, ND 58506-5507

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, Job Service ND**

Dear Cheri Giesen:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Job Service ND of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

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SWCA Environmental Consultants  
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James W. Dawson  
Enclosures: Attachment 1



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www.swca.com

October 27, 2015

Mr. Keith Bayley  
ND Department of Trust Lands  
1707 North 9th Street  
Bismarck, ND 58506-5523

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Department of Trust Lands**

Dear Keith Bayley:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Department of Trust Lands of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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www.swca.com

October 27, 2015

Ms. Kathy Duttenhefner  
ND Parks and Recreation Department  
1600 East Century Avenue, Suite 3  
Bismarck, ND 58503

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Parks and Recreation Department**

Dear Kathy Duttenhefner:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Parks and Recreation Department of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

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James W. Dawson  
Enclosures: Attachment 1



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October 27, 2015

Scott Hochhalter, State Soil Specialist  
NDSU Extension Service, ND State Soil Conservation Committee  
2718 Gateway Avenue, Suite 104  
Bismarck, ND 58503

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, NDSU Extension Service, ND State Soil Conservation Committee**

Dear Scott Hochhalter:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the NDSU Extension Service, ND State Soil Conservation Committee of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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www.swca.com

October 27, 2015

Mr. Jeff Klein  
ND State Water Commission  
900 East Boulevard Avenue  
Bismarck, ND 58505

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND State Water Commission**

Dear Jeff Klein:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND State Water Commission of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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October 27, 2015

U.S. Department of Defense Grand Forks AFB  
Steen Blvd. Front Gate/Visitors Center 319 FSS  
Grand Forks AFB, ND 58205

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County, North Dakota,  
U.S. Department of Defense Grand Forks AFB**

Dear Sir or Madam:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Grand Forks AFB of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson

Enclosures: Attachment 1



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116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
Tel 701.258.6622 Fax 701.258.5957  
www.swca.com

October 27, 2015

Mr. Kevin Shelley, ND State Supervisor  
U.S. Fish and Wildlife Service  
3425 Miriam Avenue  
Bismarck, ND 58501

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, U.S. Fish and Wildlife Service**

Dear Kevin Shelley:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the U.S. Fish and Wildlife Service of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
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Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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www.swca.com

October 27, 2015

U.S. Army Corps of Engineers  
ND Regulatory Office  
1513 South 12th Street  
Bismarck, ND 58504

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County, North Dakota  
U.S. Army Corps of Engineers ND Regulatory Office**

Dear Sir or Madam:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the U.S. Army Corps of Engineers ND Regulatory Office of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
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[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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www.swca.com

October 27, 2015

Laurie Suttmeier, Manager, Bismarck Airports District Office (ADO)  
U.S Federal Aviation Administration  
2301 University Drive  
Bismarck, ND 58504

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, U.S Federal Aviation Administration**

Dear Laurie Suttmeier:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the U.S Federal Aviation Administration of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
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[jdawson@swca.com](mailto:jdawson@swca.com)

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James W. Dawson

Enclosures: Attachment 1



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October 27, 2015

Michael Montplaisir, County Auditor  
Cass County Board of County Commissioners  
P.O. Box 2806  
Fargo, ND 58108-2806

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, Cass County Board of County Commissioners**

Dear Sir or Madam,:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Cass County Board of County Commissioners of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
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Enclosures: Attachment 1



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October 27, 2015

Sandi Tabor, Director  
ND Transmission Authority  
600 E Boulevard Ave. Dept. 405  
Bismarck, ND 58505-0840

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Transmission Authority**

Dear Sandi Tabor:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Transmission Authority of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
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James W. Dawson  
Enclosures: Attachment 1



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October 27, 2015

Justin Kringstad  
ND Pipeline Authority  
600 E. Boulevard Ave. Dept. 405  
Bismarck, ND 58505-0840

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, ND Pipeline Authority**

Dear Justin Kringstad:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the ND Pipeline Authority of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

A handwritten signature in blue ink that reads "James W. Dawson". The signature is fluid and cursive, written over a light blue horizontal line.

James W. Dawson  
Enclosures: Attachment 1



ENVIRONMENTAL CONSULTANTS

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Bismarck Office  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
Tel 701.258.6622 Fax 701.258.5957  
www.swca.com

October 27, 2015

Mr. Mark Brodshaug, Chairman  
Cass County Joint Water Resources District  
4140 4th Avenue South #1324  
Fargo, ND 58103

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, Cass County Joint Water Resources District**

Dear Mark Brodshaug:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Cass County Joint Water Resources District of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

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www.swca.com

October 27, 2015

Mr. Stan Wolf, Weed Control Officer  
Cass County Weed Control  
1201 West Main Avenue  
West Fargo, ND 58078

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, Cass County Weed Control**

Dear Stan Wolf:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Cass County Weed Control of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

A handwritten signature in blue ink that reads "James W. Dawson". The signature is written in a cursive style.

James W. Dawson  
Enclosures: Attachment 1



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116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
Tel 701.258.6622 Fax 701.258.5957  
www.swca.com

October 27, 2015

Hali Durand  
Cass County Floodplain Administrator  
211 9th Street South  
Fargo, ND 58103

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, Cass County Floodplain Administrator**

Dear Hali Durand:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Cass County Floodplain Administrator of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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Tel 701.258.6622 Fax 701.258.5957  
www.swca.com

October 27, 2015

Dane Larson  
Raymond Township Floodplain Administrator  
16354 30th Street SE  
Harwood, ND 58042

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, Raymond Township Floodplain Administrator**

Dear Dane Larson:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Raymond Township Floodplain Administrator of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

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James W. Dawson  
Enclosures: Attachment 1



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116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
Tel 701.258.6622 Fax 701.258.5957  
www.swca.com

October 27, 2015

Mr. Nick Chevance, Environmental Planner  
U.S. National Park Service  
601 Riverfront Drive  
Omaha, NE 68102

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, U.S. National Park Service**

Dear Nick Chevance:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the U.S. National Park Service of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

A handwritten signature in blue ink that reads "James W. Dawson". The signature is fluid and cursive.

James W. Dawson

Enclosures: Attachment 1



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October 27, 2015

Mr. Kelly McPhillips  
U.S. Bureau of Reclamation, Great Plains Region  
P.O. Box 1017  
Bismarck, ND 58502

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, U.S. Bureau of Reclamation, Great Plains Region**

Dear Kelly McPhillips:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the U.S. Bureau of Reclamation, Great Plains Region of the proposed project offering the opportunity for comments. The information received from the Bureau of Reclamation will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

A handwritten signature in blue ink that reads "James W. Dawson". The signature is fluid and cursive.

James W. Dawson  
Enclosures: Attachment 1



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116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
Tel 701.258.6622 Fax 701.258.5957  
www.swca.com

November 10, 2015

Dane Larson  
Raymond Township Floodplain Administrator  
16354 30R Street SE  
Harwood, North Dakota 58042

**RE: Cenex Pipeline, LLC – Prosper Terminal, Cass County,  
North Dakota, Raymond Township Floodplain**

Dear Mr. Larson:

Cenex Pipeline, LLC (Cenex) is proposing the Prosper Terminal project, a storage facility comprised of up to six 145,000 barrel storage tanks for receipt and/or delivery of either gasoline or distillates, one 10,000 barrel tank to receive product from the Cenex mainline pressure relief valve in case of a pipeline upset condition, and metering manifolds and pump stations, with a valve manifold and pump station for the Laurel Interconnect Pipeline that will be operated by NuStar Pipeline Operating Partnership L.P. The project is located approximately 1.25 miles southeast of Prosper, North Dakota (Attachment 1). The Cenex Prosper Terminal analysis area (1/2 mile buffer) encompasses portions of the following legal locations in Cass County, North Dakota:

Sections 8, 9, 10, 15, and 16 Township 140 North, Range 50 West

The project is scheduled to begin construction in the spring of 2016.

SWCA Environmental Consultants is notifying the Raymond Township Floodplain Administrator of the proposed project offering the opportunity for comments. The information received from the Floodplain Administrator will be used in a North Dakota Public Service Commission application being prepared for the Cenex Prosper Terminal project.

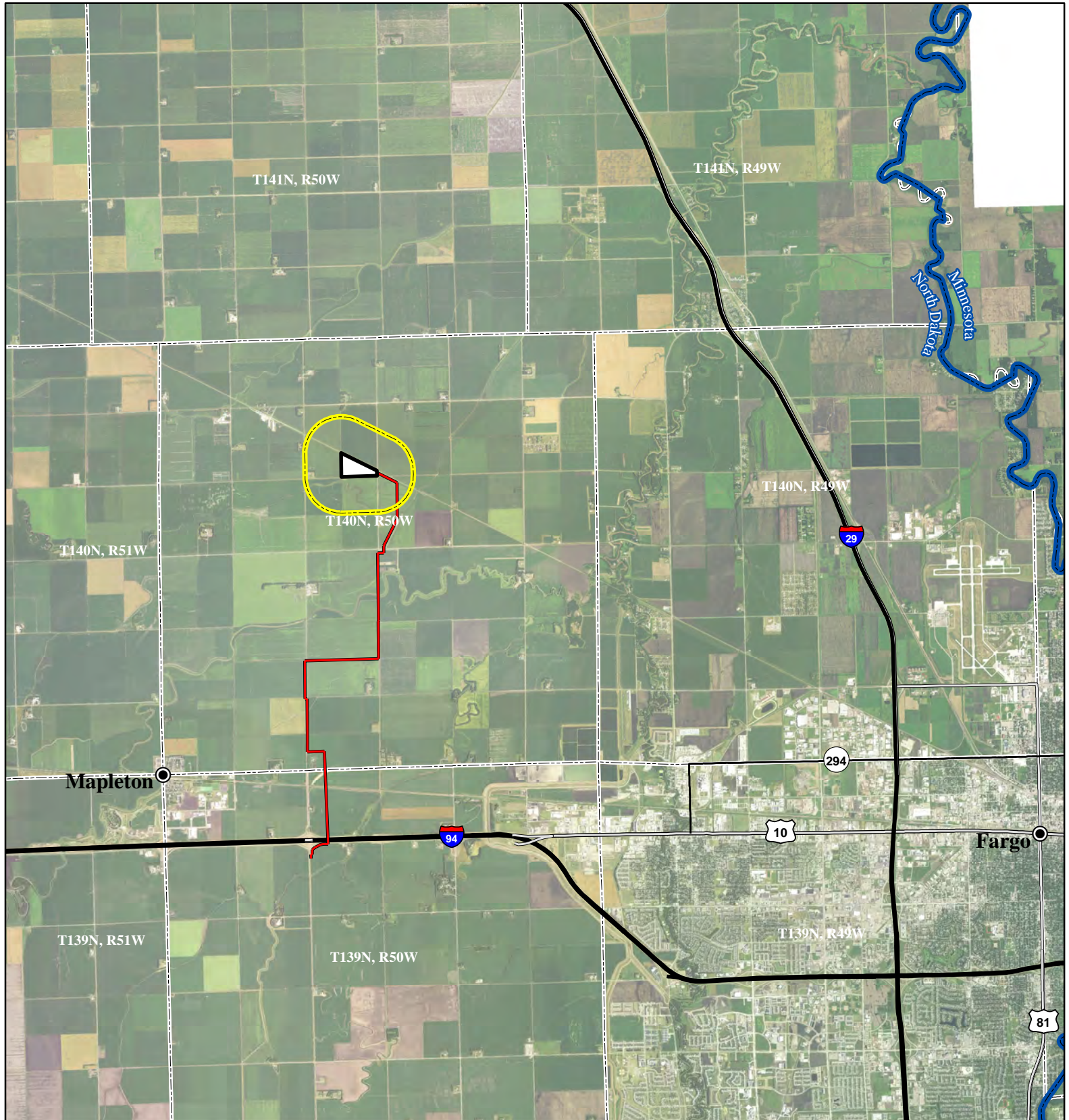
Please send your replies and requests for additional project information to:

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4th Street, Suite 200  
Bismarck, North Dakota 58501  
(701) 258-6622  
[jdawson@swca.com](mailto:jdawson@swca.com)

Sincerely,

A handwritten signature in blue ink that reads "James W. Dawson". The signature is fluid and cursive, written over a light blue circular stamp.

James W. Dawson  
Enclosures: Attachment 1



**Cenex Prosper Terminal Location Map**

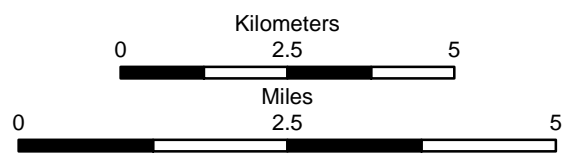
- City
- NuStar Laurel Pipeline
- Interstate Highway
- U.S. Highway
- State Highway
- ▭ 0.5-mile-wide Study Area
- ▭ Cenex Prosper Terminal
- ▭ Township/Range Boundary
- ▭ State Boundary



116 North 4th Street  
Suite 200  
Bismarck, ND 58501

Phone: 701.258.6622  
Fax: 701.258.5957

www.swca.com



Base Map: 2014 Aerial Imagery  
Source: USDA/FSA -  
Aerial Photography Field Office  
Quadrangle: West Fargo North (1976)  
Township/Range: T. 140N, R. 50W  
Cass County, North Dakota



Projection: NAD 1983 UTM Zone 14N

## **AGENCY CORRESPONDENCE**



November 23, 2015

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 North 4<sup>th</sup> Street, Suite 200  
Bismarck, ND 58501

Re: Cenex Pipeline, LLC – Prosper Terminal Project, Cass County

Dear Mr. Dawson:

This department has reviewed the information concerning the above-referenced project submitted under date of October 27, 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. The proposed project appears to have the potential to be a source of emissions to the air capable of causing or contributing to air pollution and may be required to have an Air Pollution Control Permit to Construct/Operate as required by Chapter 33-15-14 of the North Dakota Air Pollution Control Rules. The applicant should contact the Department's Air Pollution Control Program at 701.328.5188 prior to commencing construction.
6. 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.

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.



# North Dakota Department of Transportation

Grant Levi, P.E.  
*Director*

Jack Dalrymple  
*Governor*

November 20, 2015

James W. Dawson  
SWCA  
Bismarck Office  
116 N 4<sup>th</sup> Street, Suite 200  
Bismarck, ND 58501

PROPOSING A STORAGE FACILITY COMPRISED OF UP TO SIX 145,000 BARREL STORAGE TANKS FOR RECEIPT AND/ OR DELIVER OF EITHER GASOLINE OR DISTILLATES, CASS COUNTY, NORTH DAKOTA

We have reviewed your October 27, 2015, letter.

This project should have no adverse effect on the North Dakota Department of Transportation highways.

However, if because of this project any work needs to be done on highway right of way, appropriate permits and risk management documents will need to be obtained from the Department of Transportation District Engineer, Robert Walton at 701-239-8903.

A handwritten signature in blue ink that reads "Robert Fode".

ROBERT A. FODE, P.E., DIRECTOR – OFFICE OF PROJECT DEVELOPMENT

57/raf/js

c: Robert Walton, Fargo District Engineer

## Jim Dawson

---

**From:** Bement, Allisen C. <abement@nd.gov>  
**Sent:** Monday, November 16, 2015 4:32 PM  
**To:** Jim Dawson  
**Subject:** RE: Cenex Pipeline LLC

Mr. Dawson,

Thank you for the KMZ. We agree that the data provided fairly represents the approximate location of Prosper Terminal project as indicated by SWCA within the proximity of mineral interests managed by this office, for use in a filing with the PSC in the state of North Dakota.

Please let know if you have any questions.

*Allisen Bement, RL*

Land Professional  
ND Department of Trust Lands  
701.328.1952  
[abement@nd.gov](mailto:abement@nd.gov)

---

**From:** Jim Dawson [mailto:jdawson@swca.com]  
**Sent:** Monday, November 16, 2015 2:21 PM  
**To:** Bement, Allisen C. <abement@nd.gov>  
**Subject:** RE: Cenex Pipeline LLC

Hi Allisen,

Attached is the KMZ file for the proposed Cenex Prosper Terminal property. If you need anything else, please do not hesitate to contact me.

Jim

**Jim Dawson, RG, CHMM**

SWCA Environmental Consultants  
116 North 4<sup>th</sup> Street, Suite 200  
Bismarck, ND 58501  
P 701.258.6622 | F 701.258.5957 | C 701.595.2081

**SWCA**

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Find us on Facebook: <http://on.fb.me/SWCA-Environmental>

See us on LinkedIn: <http://www.linkedin.com/company/swca-environmental-consultants>

---

**From:** Bement, Allisen C. [mailto:abement@nd.gov]  
**Sent:** Friday, November 13, 2015 7:37 AM

**To:** Jim Dawson

**Subject:** Cenex Pipeline LLC

Mr. Dawson,

Our office received a letter regarding the Cenex Pipeline, LLC. Could you please send me the shapefile for this project for our offices review?

Thank you,

*Allisen Bement, RL*

Land Professional

ND Department of Trust Lands

701.328.1952

[abement@nd.gov](mailto:abement@nd.gov)



**STATE  
HISTORICAL  
SOCIETY**  
OF NORTH DAKOTA

Jack Dalrymple  
*Governor of North Dakota*

North Dakota  
State Historical Board

Margaret Puetz  
*Bismarck - President*

Gereld Gerntholz  
*Valley City - Vice President*

Albert I. Berger  
*Grand Forks - Secretary*

Calvin Grinnell  
*New Town*

Diane K. Larson  
*Bismarck*

Chester E. Nelson, Jr.  
*Bismarck*

A. Ruric Todd III  
*Jamestown*

Sara Otte Coleman  
*Director  
Tourism Division*

Kelly Schmidt  
*State Treasurer*

Alvin A. Jaeger  
*Secretary of State*

Mark Zimmerman  
*Director  
Parks and Recreation  
Department*

Grant Levi  
*Director  
Department of Transportation*

Claudia J. Berg  
*Director*

*Accredited by the  
American Alliance  
of Museums since 1986*

November 2, 2015

Mr. James W. Dawson  
Senior Project Manager  
SWCA Environmental consultants  
116 North 4<sup>th</sup> Street, Suite 200  
Bismarck, ND 58501

**ND SHPO REF.: 16-0340 PSC Cenex Pipeline, LLC's Prosper terminal project, storage facility for gasoline or distillates, pump stations and associated infrastructure in portions of [T140N R50W Sections 8-10, 15-16] Cass County, North Dakota**

Dear Mr. Dawson:

We reviewed ND SHPO REF.: 16-0340 PSC Cenex Pipeline, LLC's Prosper terminal project, storage facility for gasoline or distillates, pump stations and associated infrastructure in portions of [T140N R50W Sections 8-10, 15-16] Cass County, North Dakota. We recommend a Class III (pedestrian) cultural resources survey of the project area.

Thank you for the opportunity to review the project to date. We look forward to review of the Class III report prior to any earth work. If you have questions, please contact Susan Quinnell at (701) 328-3576 or [squinnell@nd.gov](mailto:squinnell@nd.gov)

Sincerely,

Claudia J. Berg  
Director, State Historical Society of North Dakota

v  
j



# 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>

November 6, 2015

Jim Dawson, Senior Project Manager  
SWCA Environmental Consultants  
116 N 4<sup>th</sup> Street, STE 200  
Bismarck, ND 58501

Dear Mr. Dawson:

This is in response to your request for review of environmental impacts associated with the Cenex Pipeline, LLC – Prosper Terminal project located in Cass County, ND. The legal locations for the project are: Sections 8, 9, 10, 15, and 16, Township 140 North, Range 50 W.

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

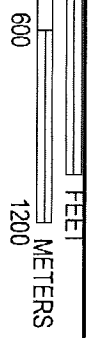
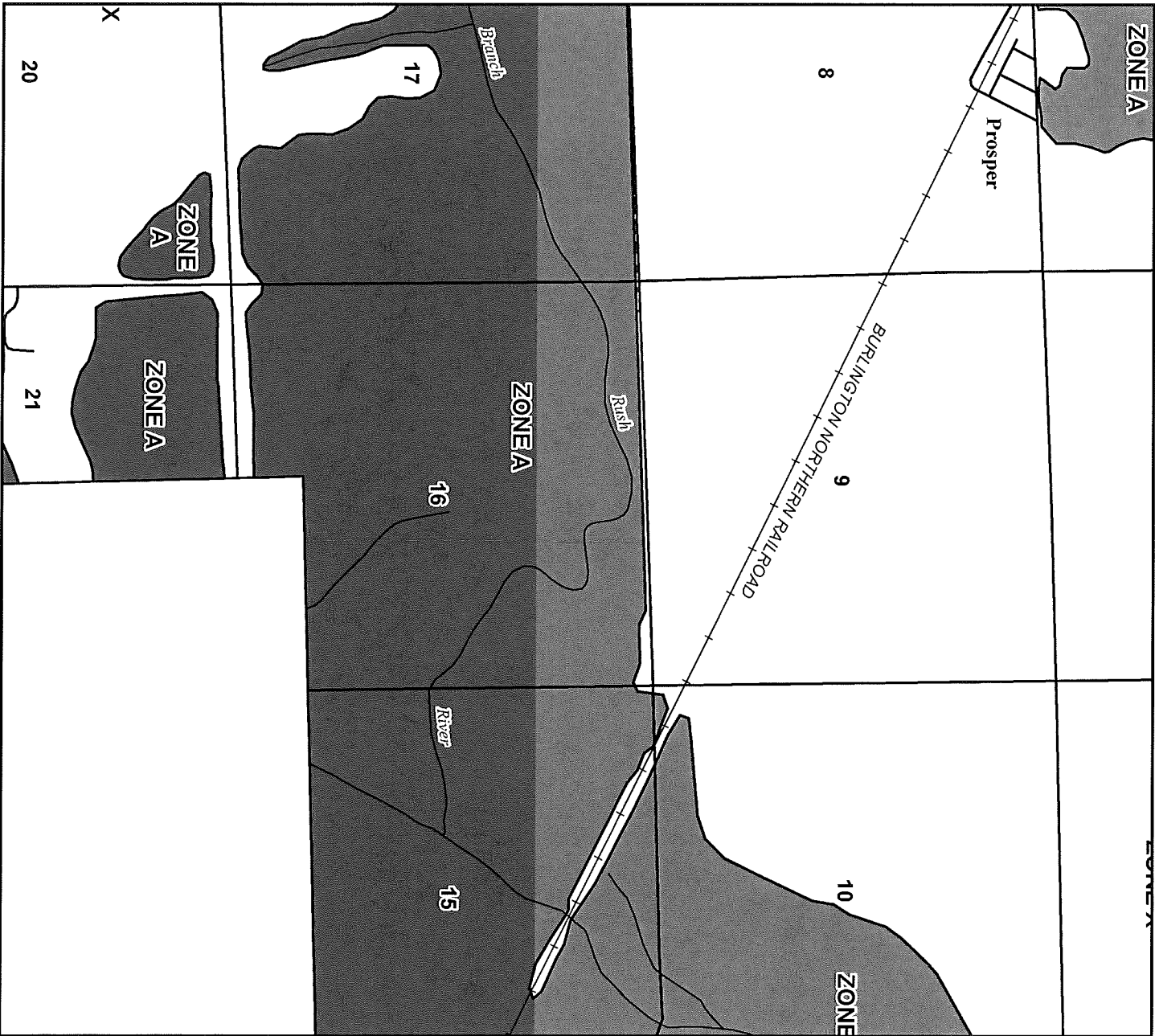
- There are floodplains identified where this proposed project is to take place. The areas are designated to be in Zone A. North Dakota has no formal "permitting" authority as a state entity in National Flood Insurance Program (NFIP) identified floodplain areas. The permitting is always done by the local entity, which has jurisdiction in the area in question. Please work closely with the Township Floodplain Administrator. The Floodplain Administrator is: Dane Larsen; 16354 30R Street SE, Harwood, ND 58042; 701-371-2457. The NFIP map used to make this determination is: Panel #3802610025D, Date 1/16/15. The NFIP map is enclosed.
- 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 Weisfenning  
Water Resource Planner

LW:dp/1570  
Encl.



PANEL 0025D

**INSURANCE RATE MAP**

TIP OF  
SOUTH  
DAKOTA  
COUNTY

NOT PRINTED

NUMBER PANEL SUFFIX  
380251 0025 D

Note: This Map Number shown below should be used on insurance applications for the subject

MAP NUMBER  
3802610025D  
MAP REVISED  
JANUARY 16, 2015

Emergency Management Agency



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



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

October 30, 2015

North Dakota Regulatory Office

Mr. James Dawson  
SWCA Environmental Consultants  
116 North 4<sup>th</sup> Street, Suite 200  
Bismarck, North Dakota 58501

Dear Mr. Dawson:

This is in response to your letter dated October 27, 2015, requesting comments on the proposed Cenex Pipeline, LLC – Prosper Terminal located in Section 9, Township 140 North, Range 50 West, Cass 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). A Section 10 permit would be required for work impacting navigable waters, which, based on your letter, does not apply. A Section 404 permit would be required for 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.

If an existing Nationwide Permit does not authorize the project, an Individual Permit would be processed. This would require issuance of a public notice with a maximum 30-day comment period. Only the practicable alternative which is least damaging to the aquatic ecosystem can be permitted by an Individual Permit.

Complete the enclosed application and mail it to the letterhead address if the project requires a Section 404 permit. Also, a wetland delineation and identification of other waters will be required; it would speed the process if that information was submitted with the application.

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	Type	Type
Amount in Cubic Yards	Amount in Cubic Yards	Amount in Cubic Yards

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.