

Shayna Wiege

From: Sheldon Smith
Sent: Wednesday, July 26, 2017 8:21 AM
To: Shayna Wiege
Subject: FW: FW: Strobeck
Attachments: 4775_001 markup1.pdf

Sheldon A. Smith



122 East Broadway
Box 460
Bismarck ND 58502
Office 701.258.0630
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From: Sheldon Smith
Sent: Tuesday, July 25, 2017 10:11 AM
To: tjdawson@nd.gov
Subject: Fwd: FW: Strobeck

Sent from my Verizon 4G LTE Droid

----- Forwarded message -----

From: Sheldon Smith <[SSmith@smithporsborg.com](mailto:ssmith@smithporsborg.com)>
Date: 25 Jul 2017 9:14 am
Subject: FW: Strobeck

78 PU-17-97 Filed: 7/25/2017 Pages: 5
Late filed Exhibit C - 4-21-2017 Email from Nikki Meyer to Attorney for Strombeck - boring proposal

Cenex Pipeline, LLC



To: Sheldon Smith <SSmith@smithporsborg.com>
Cc: Rachel DeRung <RDeRung@smithporsborg.com>

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From: Nici Meyer [<mailto:nici.meyer@kljeng.com>]
Sent: Friday, April 21, 2017 10:34 AM
To: Sheldon Smith <SSmith@smithporsborg.com>
Subject: RE: Strobeck

Sheldon,

That was my question yes. Sorry, I missed the email last week.

I did talk to Cenex about the requested re-route and options to address your clients concerns about the construction on the native grass areas, and posed the requested re-route or the option of boring the length of the native grass area on the along the original route. As stated the re-route option impacts a significant amount of native grass, as well as adds additional wetland impacts that we are trying to reduce and avoid and this route is simply not a feasible re-route.

In regards to boring the distance of native grass that is disturbed, this would create a depth issue in the event that maintenance is needed on the line. The depth would be such that in the event that the pipeline needed maintenance, a significant area would need to be excavated in order to reach the pipe and maintain OSHA standard and it may simply be un-accessible, which is something that Cenex is striving to reduce.

In order to meet your clients concerns, we reviewed different construction procedures in order to find a compromise. The blue line in the attached exhibit would be our suggested route in order to minimize the disturbance to the wetland and drainage areas as well as minimizing the effects to native grass areas. With this route we are avoiding the grass to the west that was on our initial route and now avoided at the request of your clients.

The following is a proposed construction stipulation that we would commit to in order to preserve and protect the native grass and enhance re-growth of the native plant materials.

Limit grading and avoid soil rutting and sod disturbance in native prairies grasslands to the maximum extent practical.

Strip topsoil from over the trench line, to a maximum width of 15', in native prairies and grasslands to preserve roots, rhizomes, bulbs, corms, and rootstocks. The intent would be to remove as little of topsoil as possible over the trench line to reduce the impact to the rootstocks in the area.

Replace topsoil to its original horizon during backfilling. The grass seed mixture used, during reclamation would be a native prairie mix approved by the local NRCS office to help aid in the restoration of the native prairie.

Nici

Nici Meyer



701-250-5951 Direct
701-206-0618 Cell
4585 Coleman Street
Bismarck, ND 58503-0431
kljeng.com

From: Sheldon Smith [<mailto:SSmith@smithporsborg.com>]
Sent: Wednesday, April 12, 2017 3:33 PM
To: Nici Meyer <nici.meyer@kljeng.com>
Subject: Strobeck

Is this what you were thinking

Sheldon A. Smith


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From: SBPSA Law Office [<mailto:copier@smithporsborg.com>]

Sent: Wednesday, April 12, 2017 3:25 PM

To: Sheldon Smith <SSmith@smithporsborg.com>

Subject: Attached Image

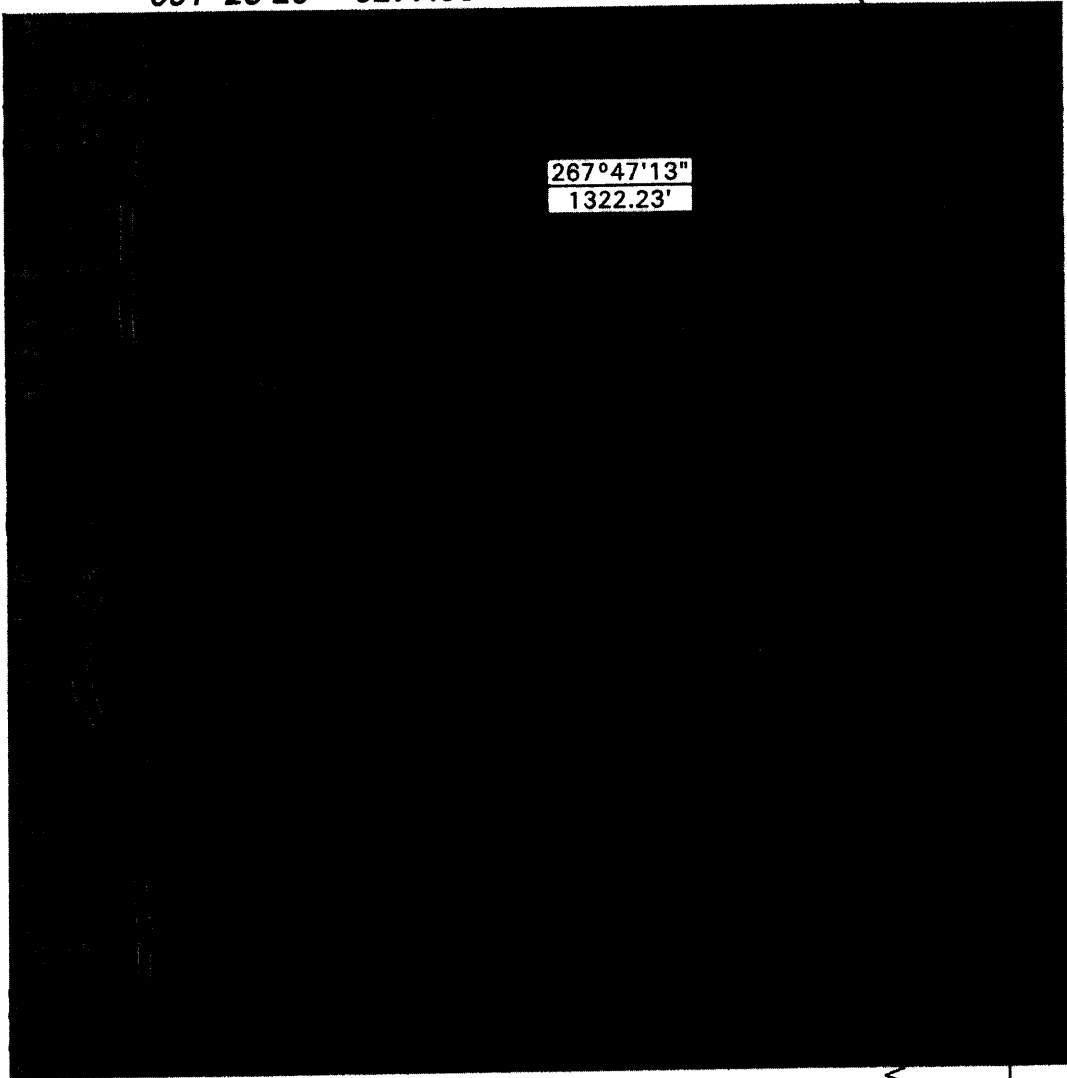
CENEX PIPELINE LLC

W1/2NE1/4 OF SEC. 35, T.155N, R.92W.

5TH PRINCIPAL MERIDIAN, MOUNTRAIL COUNTY, NORTH DAKOTA

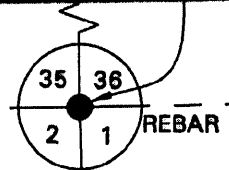
EXHIBIT "A"

091°28'20" - 5277.86'



267°47'13"
1322.23'

100
est



PI #	DIRECTION	DISTANCE
1/4 Line	090°39'41"	1319.61'
1/16 Line		