



4585 Coleman Street
Bismarck, ND 58503-0431
701 355 8400
KLJENG.COM

Memorandum

Date: 5/18/2018
To: Darrell Nitschke – ND PSC
Copy to: Mike Stahly, Cenex Pipeline, LLC
From: Grady Wolf - KLJ
Cenex Pipeline, LLC. Liquid Petroleum Pipeline
RE: Addendum to Certificate of Corridor Compatibility and Route Permit
Case No. PU-17-97

Remarks

INTRODUCTION:

The project is to construct a new ten-inch (10") pipeline from Sidney, MT to Minot, ND for the purpose of replacing a portion of an existing eight-inch (8") pipeline system, while adding throughput capacity. Cenex currently operates a pipeline that transports refined fuels from Laurel, MT to Fargo, ND. The Cenex pipeline was originally constructed in 1954 to transport petroleum fuels (including gasoline and diesel fuel) from the oil refinery in Laurel, MT to a distribution terminal in Glendive, MT. The refinery, which commenced production in 1930, was purchased by Cenex in 1943. In 1960, the pipeline was extended from Glendive to a terminal located in Minot, ND. Then in 1991, the pipeline was again extended from Minot to Fargo, ND, where it connects with other pipelines.

Cenex submitted a consolidated application for a Certificate of Corridor Compatibility and a Route Permit to the ND Public Service Commission (PSC) in March 2017 for the 149.7 miles of pipeline that would occur in ND. The ND PSC issued a Findings of Fact, Conclusions of Law and Order (Order) for the project (Case No. PU-17-97) on March 14, 2018.

Upon issuance of the March 2018 Order, Cenex moved to finalize the right-of-way (ROW) agreements. During final negotiation, Cenex agreed to one minor modification to the proposed route at landowner request. In addition, two reroutes were required to satisfy section line buffers, two reroutes were required for additional ROW associated with horizontal directional drilling (HDD) and one was required to further avoid a sensitive environmental site. This memo takes into account six proposed reroutes that occur entirely within the previously approved 200-foot corridor.

ANALYSIS:

The purpose of this analysis is to document changes to potential impacts of avoidance and exclusion areas and additional resources that may be impacted by the proposed pipeline reroutes not previously contained within the PSC applications. Six reroutes are proposed to occur within the previously approved 200-foot wide corridor (environmental study area). Exclusion and avoidance areas have been identified, along with other potential environmental concerns that should be avoided, minimized, or mitigated.



The PSC regulations include the following criteria as exclusion areas for transmission facility corridors and route criteria:

- Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas;
- Designated or registered state: parks; historic sites; monuments; historical markers; archeological sites; and nature preserves.
- County parks and recreation areas; municipal parks; and parks owned or administered by other governmental subdivisions.
- Areas critical to the life stages of threatened & endangered animal or plant species.
- Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged.
- Areas within 1,200 feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility.
- Areas within 30 feet on each side of a direct line between intercontinental ballistic missile (ICBM) launch or launch control facilities to avoid microwave interference.

The PSC regulations include the following criteria as avoidance areas for transmission facility corridors and route criteria:

- Designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands.
- Designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands.
- Historical resources which are not specifically designated as exclusion or avoidance areas.
- Areas which are geologically unstable.
- Within five hundred feet (152.4 meters) of a residence, school, or place of business. This criterion shall not apply to a water pipeline transmission facility.
- Reservoirs and municipal water supplies.
- Water sources for organized rural water districts.
- Irrigated land. This criterion shall not apply to an underground transmission facility.
- Areas of recreational significance which are not designated as exclusion areas.

Avoidance and exclusion areas were identified through available data via coordination with resource agencies and through state and agency Geographical Information System (GIS) data hubs. Several resource agencies provided confidential information used to identify potential avoidance and exclusion areas as part of this project. The purpose of the confidentiality of certain data is to protect the integrity of sensitive areas from intentional disturbance. Due to the confidential nature of this information, specific details regarding the nature and locations of these sensitive areas have been excluded from public



documents. In addition to GIS digital and agency provided data, environmental staff from KLJ completed additional field inspections of the proposed project areas during the 2016-2017 field season.

CONCLUSION:

The following resources were analyzed as part of the reroutes.

- Demography and Economy
- Land Use
- Public Services – Electrical and Local Services, Roads and Traffic, Telephone, Radio, Antenna, Communication, and Microwave Structures, and Water Supply
- Human Health and Safety – Hazardous Materials/Hazardous Waste, Security, and Noise
- Aesthetics
- Wetlands
- Cultural and Archaeological Resources
- Recreational Resources
- Agriculture and Farmland
- Soils
- Geologic and Groundwater Resources
- Wildlife
- Rare and Unique Natural Resources

Analysis of the reroutes did not identify any significant changes when compared to the analysis discussion included in the February 2017 Consolidated Application for a Certificate of Corridor Compatibility and Route Permit applications. No additional exclusion or avoidance areas were identified along the six proposed reroutes, and therefore the route adjustments are not anticipated to result in any additional impacts.



**Cenex Pipeline, LLC
Refined Fuels Pipeline**

**Re-Route Changes
Within Corridor**

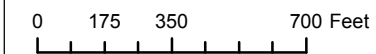


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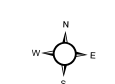
- Schools - 500' Avoidance
- Missile Site - 1200ft Exclusion
- Residential/Commercial Building - 500' Avoidance
- Potential Dakota Skipper Habitat
- Historic Landslide Areas
- PSC Corridor - June 2017
- PSC Route - June 2017
- Proposed Re-Routes - as of April 2018 -

Re-Route Length: 2735 FT

Closet Distance to ROW: 24 FT

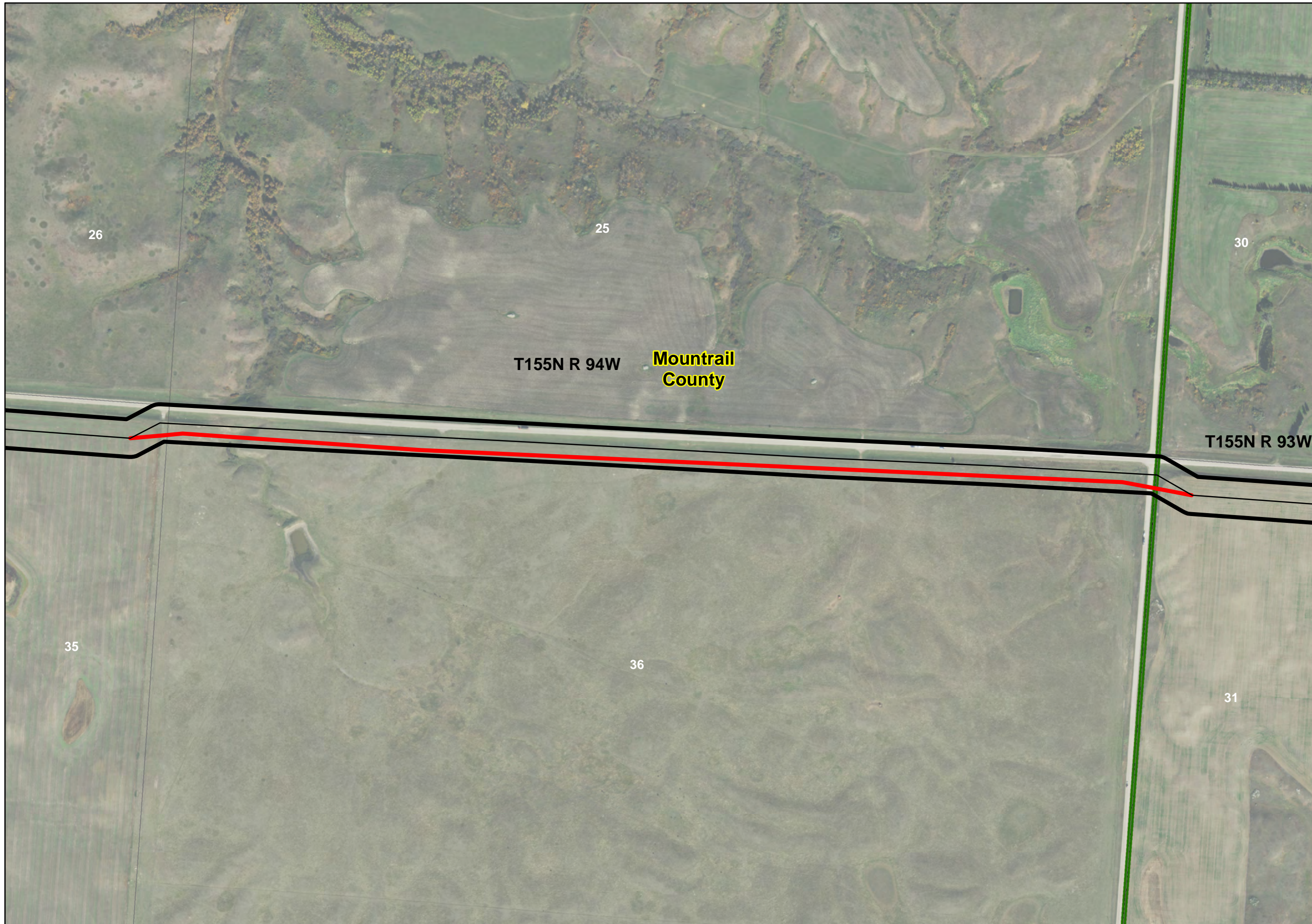


Exclusion & Avoidance



1 inch = 500 feet
Created Date: 5/17/2018

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**Re-Route Changes
Within Corridor**

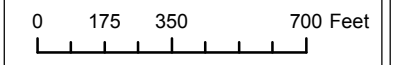


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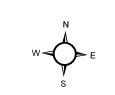
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Re-Route Length: 5690 FT

Closest Distance to ROW: 28 FT



Exclusion & Avoidance



1 inch = 500 feet
Created Date: 5/17/2018

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**Re-Route Changes
Within Corridor**

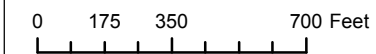


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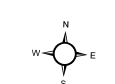
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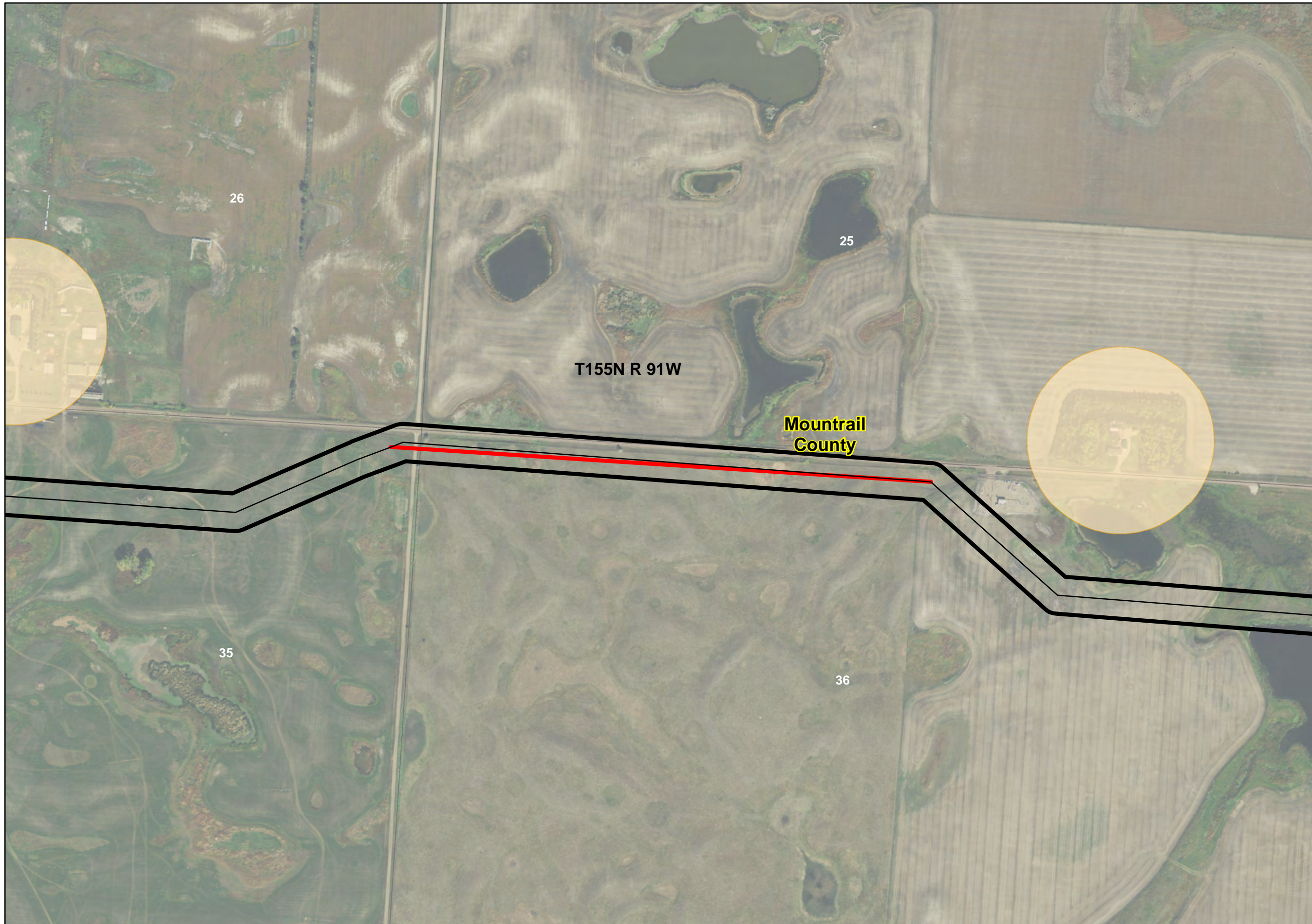
Re-Route Length: 316 FT

Closet Distance to ROW: 26 FT



Exclusion & Avoidance





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**Re-Route Changes
Within Corridor**

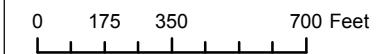


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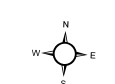
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Re-Route Length: 2894 FT

Closet Distance to ROW: 72 FT



Exclusion & Avoidance

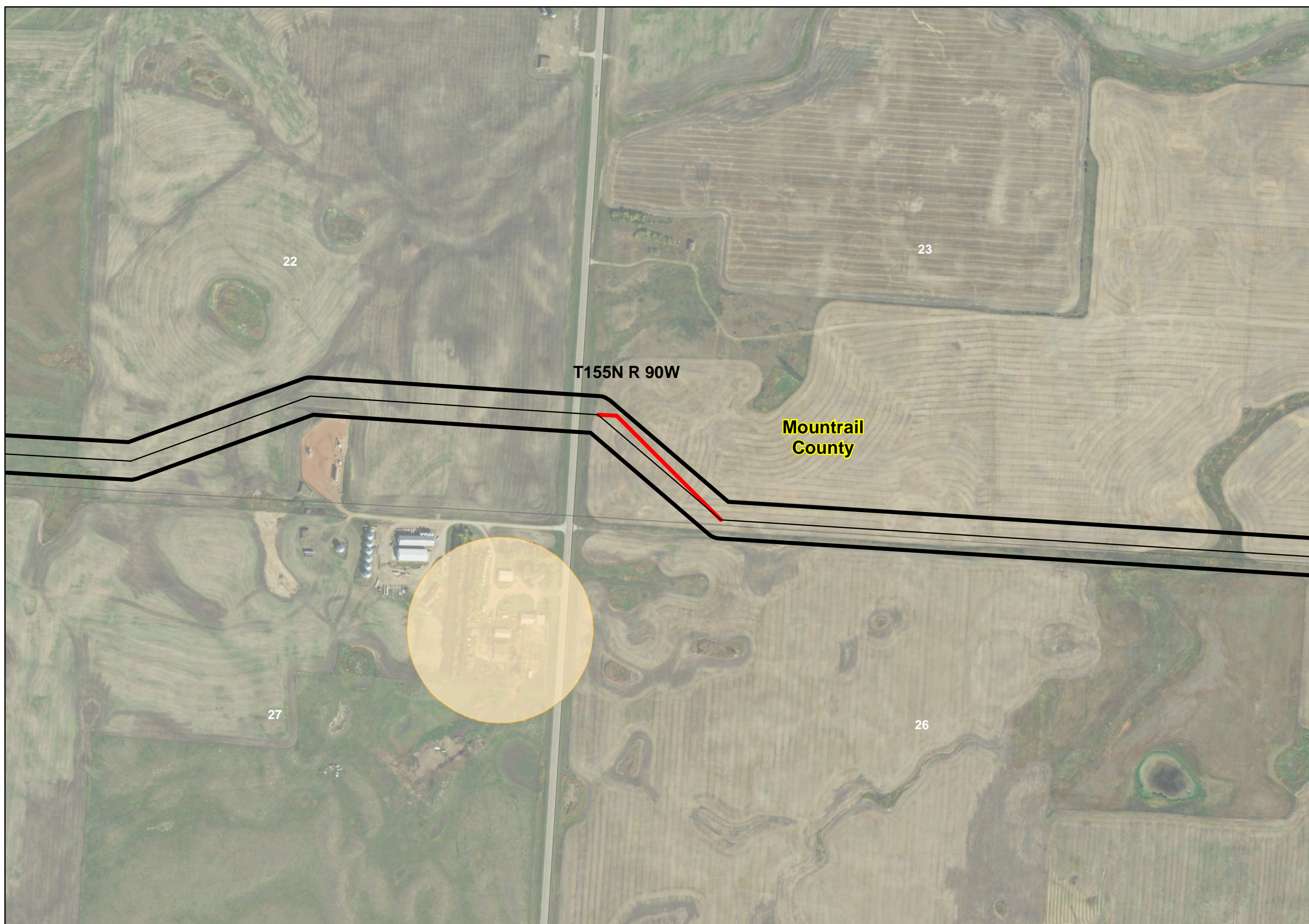


1 inch = 500 feet
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**Re-Route Changes
Within Corridor**

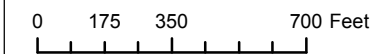


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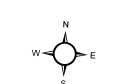
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Re-Route Length: 891 FT

Closest Distance to ROW: 39 FT



Exclusion & Avoidance

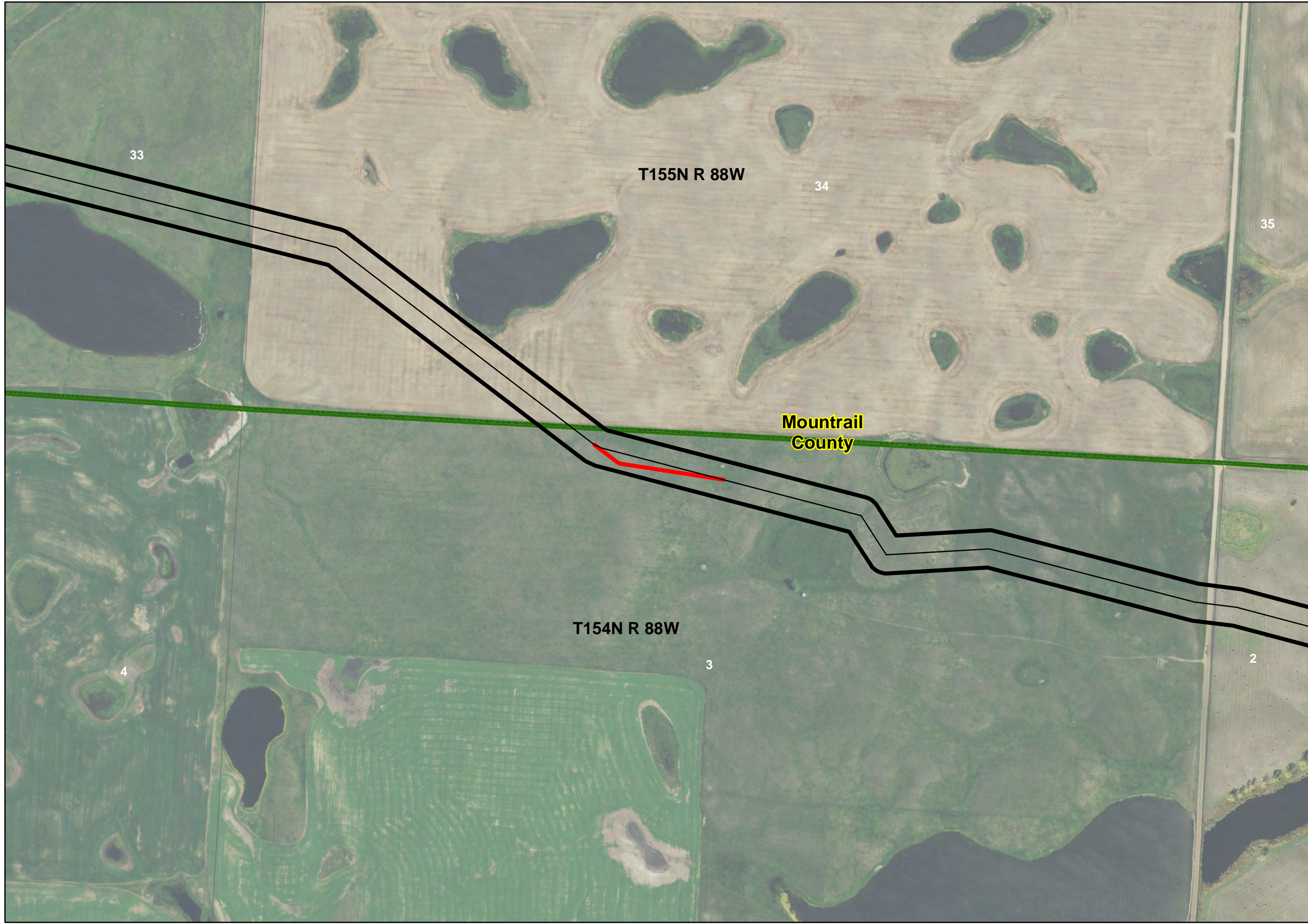


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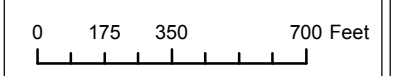
**Re-Route Changes
Within Corridor**



Legend

- Schools - 500' Avoidance
- Missile Site - 1200ft Exclusion
- Residential/Commercial Building - 500' Avoidance
- Potential Dakota Skipper Habitat
- Historic Landslide Areas
- PSC Corridor - June 2017
- PSC Route - June 2017
- Proposed Re-Routes - as of April 2018 -

Re-Route Length: 732 FT
Closet Distance to ROW: 44 FT



Exclusion & Avoidance

