

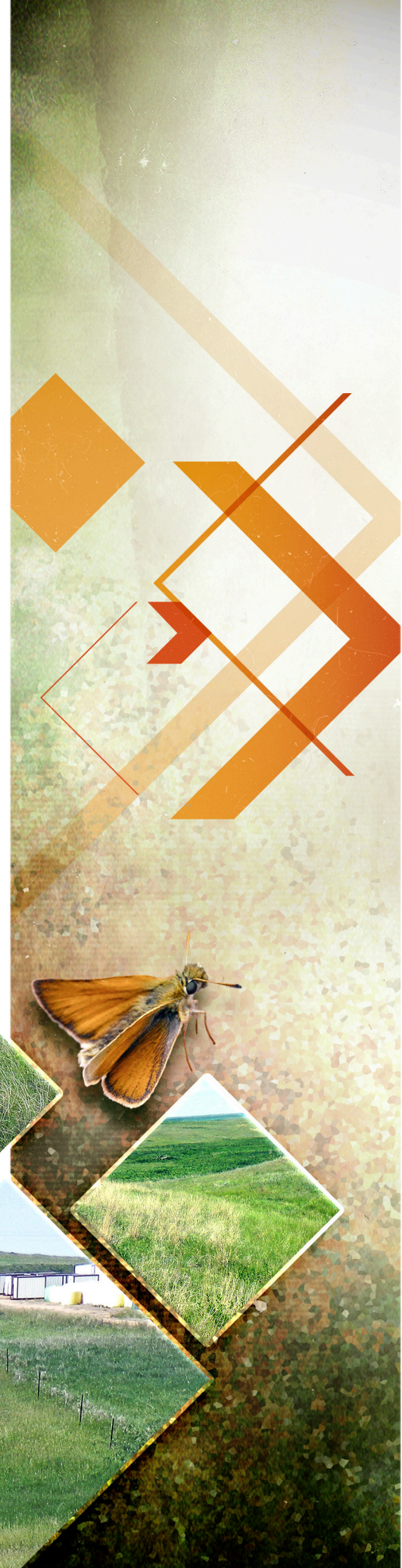
Cenex Pipeline LLC
Refined Fuels Pipeline
Sidney to Minot
(North Dakota Segment Only)
Williams, Mountrail & Ward Counties,
North Dakota

Dakota Skipper Avoidance Strategy Report *Addendum*

Prepared for:
Cenex Pipeline LLC

Prepared by:
KLJ
Bismarck, North Dakota

June 2019



CONTENTS

I.	Introduction	1
II.	Location	1
III.	Existing Conditions	3
	A. Avoidance Methods.....	3
IV.	Conclusion	5
	Figure 1, Location Map.....	2

Appendix A, Dakota Skipper Habitat Avoidance Maps



I. INTRODUCTION

KLJ was contracted by Cenex Pipeline LLC (Cenex) to conduct Dakota skipper habitat surveys for the construction of a 149.7-mile (North Dakota portion) 10-inch pipeline containing refined crude oil (i.e. gas and diesel) in Williams, Mountrail & Ward Counties. The project falls under the North Dakota Public Service Commission (PSC) siting regulations for a Transmission Facility project, therefore, the PSC must grant a Certificate of Corridor Compatibility and Route Permit approving project development. A PSC Public Hearing was held for the proposed project on July 24 and 25, 2017. During the hearing, the PSC commission requested a Dakota Skipper Avoidance Strategy Plan be developed by Cenex to ensure the project minimizes disturbance to the species.

The Dakota Skipper Avoidance Strategy Report was submitted as late file Exhibit No 24 to the PSC on October 9, 2017. The avoidance strategy was accepted by the PSC and is outlined in the Findings of Fact, Conclusion of Law and Order issued March 14, 2018.

A field visit with the construction contractor to the Dakota skipper habitat locations identified constructability constraints. Slight modifications to several of the proposed routes that were outlined in late filed Exhibit No 24 are being requested. This addendum outlines route modifications to Locations 2, 3, 4, 5, 6, 7, and 8 and details how the proposed routes would adhere to the requirements outlined in the PSC's Findings of Fact, Conclusion of Law and Order.

II. LOCATION

The proposed project begins approximately three miles southeast of Sidney, Montana; however, for this report only Dakota skipper habitat within the listed counties in North Dakota have been analyzed. The North Dakota portion of the project begins at the North Dakota/Montana border approximately 5.8 miles north of Fort Buford in Williams County in Section 22, Township 153 North, Range 104 West and terminates approximately one mile west of Minot, North Dakota at a Cenex facility in Section 20, Township 155 North, Range 83 West. Please see **Figure 1, Location Map**.



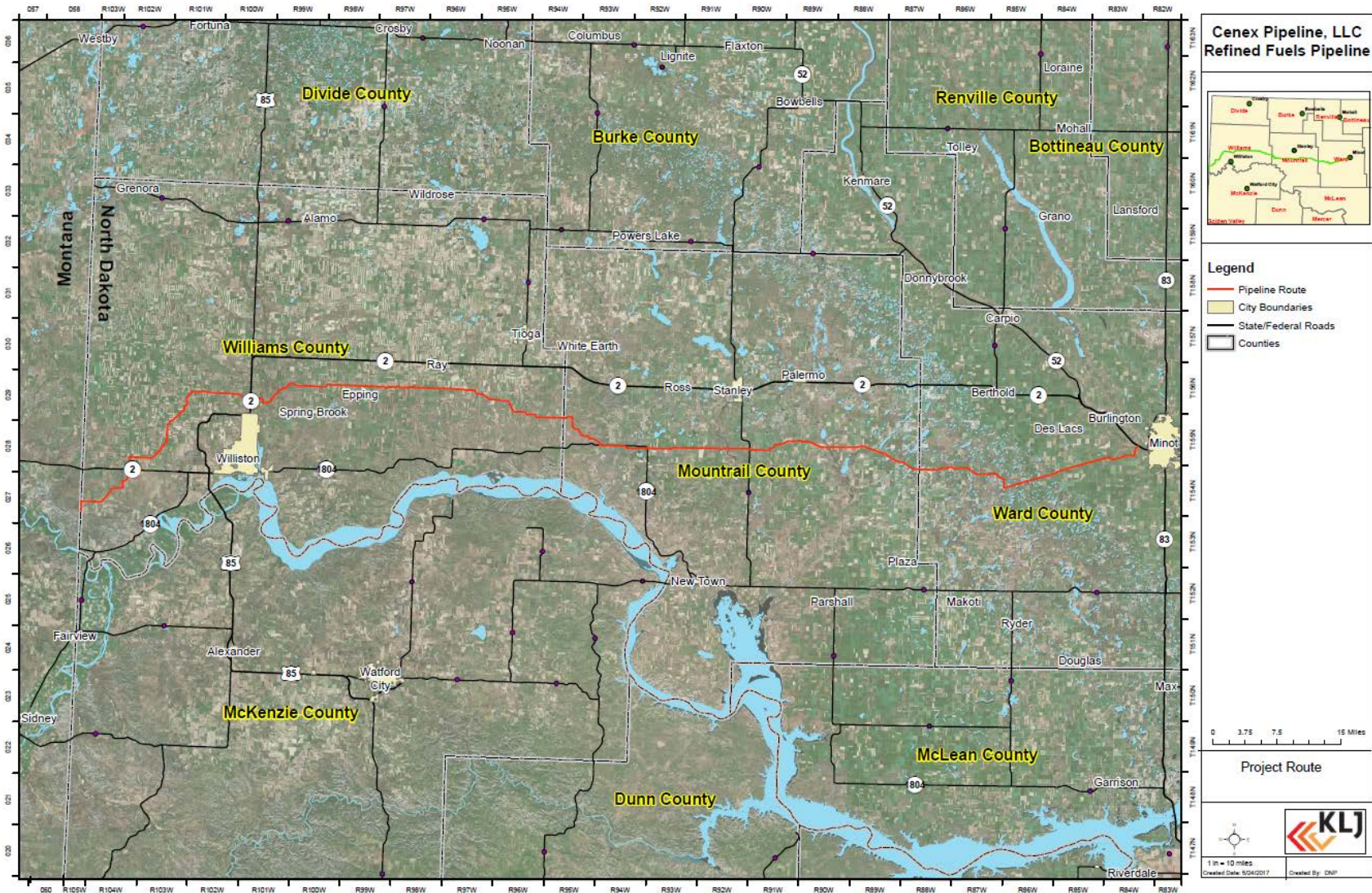


Figure 1, Location Map



III. EXISTING CONDITIONS

A. Avoidance Methods

Seventeen areas of potential Dakota skipper habitat were delineated within the study area. Cenex committed to installing a fence providing a 10-foot buffer around all identified potential Dakota skipper habitat within the Right-of-Way (ROW). In addition, Cenex has agreed to place a 50-foot buffer on all proposed habitat for ground clearing activities. In those areas where the 50-foot buffer does not allow sufficient ROW for construction, Cenex will Horizontally Directionally Drilled (HDD) the pipeline and pass machinery through the ROW until on the other side where ground clearing activities can resume. If it is determined in the field that the constructability of the proposed open trench method is not feasible, the pipeline may HDD the buffers along the current alignment. The descriptions below provide information specific to the avoidance plans that have been set in place for each location. Reroutes from those depicted in Exhibit No 24 are being requested for locations 2 through 8. For a spatial representation of the delineated potential Dakota skipper habitat sites and for planned construction methods, please refer to **Appendix A, Dakota Skipper Habitat Avoidance Maps**.

a) *Location 1 (Section 17, T155N, R94W)*

Three areas of potential habitat were delineated within Section 17, T155N, R94W. No ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. The pipeline will be open trenched outside of the 50-foot buffer to the west of the potential Dakota skipper habitat sites, and no equipment will need to pass within the 50-foot buffer.

b) *Location 2 (Section 17, T155N, R94W)*

Three areas of potential habitat were delineated within Section 17, T155N, R94W. The southernmost potential Dakota skipper habitat will be protected by a 10-foot buffer of protective fencing within the ROW. In addition, no ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. The pipeline will be open trenched in a necked down right-of way in an open space between the two northernmost sites, no equipment will need to pass within the 50-foot buffers. If it is determined that the open trench method will not be suitable in the field, the pipeline will HDD under the 50-foot buffer. The pipeline will HDD under the 50-foot buffer of the southernmost potential Dakota skipper habitat site. Equipment would pass the site utilizing a temporary ROW to the west of the buffer, no equipment will need to pass within the 50-foot buffer.

c) *Location 3 (Section 20, T155N, R94W)*

Three areas of potential habitat were delineated within Section 20, T155N, R94W. The habitat will be protected by a 10-foot buffer of protective fencing within the ROW. In addition, no ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. The pipeline will HDD under the 50-foot buffer between all three of



the potential Dakota skipper habitat sites. No equipment will need to pass within the 50-foot buffer.

d) Location 4 (Section 21, T155N, R94W)

Three areas of potential habitat were delineated within Section 21, T155N, R94W. The habitat will be surrounded by a 10-foot buffer of protective fencing within the ROW. In addition, no ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. The pipeline will HDD to the north of the eastern and central identified sites. Due to terrain conditions and constraints, a small portion of the 50-foot buffer of the eastern most site would have matting placed in it during construction for the passage of vehicular traffic; however, no ground disturbance will occur within the 50-foot buffer and the potential Dakota skipper habitat within the fence will not be impacted.

e) Location 5 (Section 27, T155N, R94W)

One area of potential habitat was delineated within Section 27, T155N, R94W. The habitat will be protected by a 10-foot buffer of protective fencing within the ROW. In addition, no ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. The pipeline will HDD to the northeast of the potential Dakota skipper habitat site and no equipment will need to pass within the 50-foot buffer.

f) Location 6 (Section 32, T155N, R93W)

Two areas of potential habitat were delineated within Section 32, T155N, R93W. The habitat will be protected by a 10-foot buffer of protective fencing within the ROW. In addition, no ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. Equipment will cross a small portion of the 50-foot buffer in between both sites during construction; however, no ground disturbance will occur within the 50-foot buffer and the potential Dakota skipper habitat within the fence will not be impacted. The pipeline will be HDD under the 50-foot buffer between the two sites. No impacts are anticipated within any of the buffers.

g) Location 7 (Section 26, T155N, R92W)

One area of potential habitat was delineated within Section 26, T155N, R92W. The habitat will be protected by a 10-foot buffer of protective fencing within the ROW. In addition, no ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. The pipeline will HDD to the south of the potential Dakota skipper habitat site. Equipment will utilize the southern portion of the ROW to the best of their ability, however, some equipment may need to pass within the southernmost portion of the 50-foot buffer.



h) Location 8 (Section 30, T155N, R89W)

One area of potential habitat was delineated within Section 30, T155N, R89W. No ground disturbance will be allowed within a 50-foot buffer surrounding the potential habitat. The pipeline will be open trenched to the north of the potential Dakota skipper habitat site and no equipment will need to pass within the 50-foot buffer.

IV. CONCLUSION

Seventeen potential Dakota skipper habitat sites were delineated within the study area. All sites occurring within the ROW will be have protective fence providing a 10-foot buffer within the ROW and a 50-foot no ground clearing activities buffer will be incorporated into project plans to minimize potential for construction impacts. Construction of the proposed project is not anticipated to have any negative impacts on the species due to the commitment made by Cenex at the PSC Public Hearing to avoid impacts to habitat, and through the use of HDD as an additional avoidance mechanism.



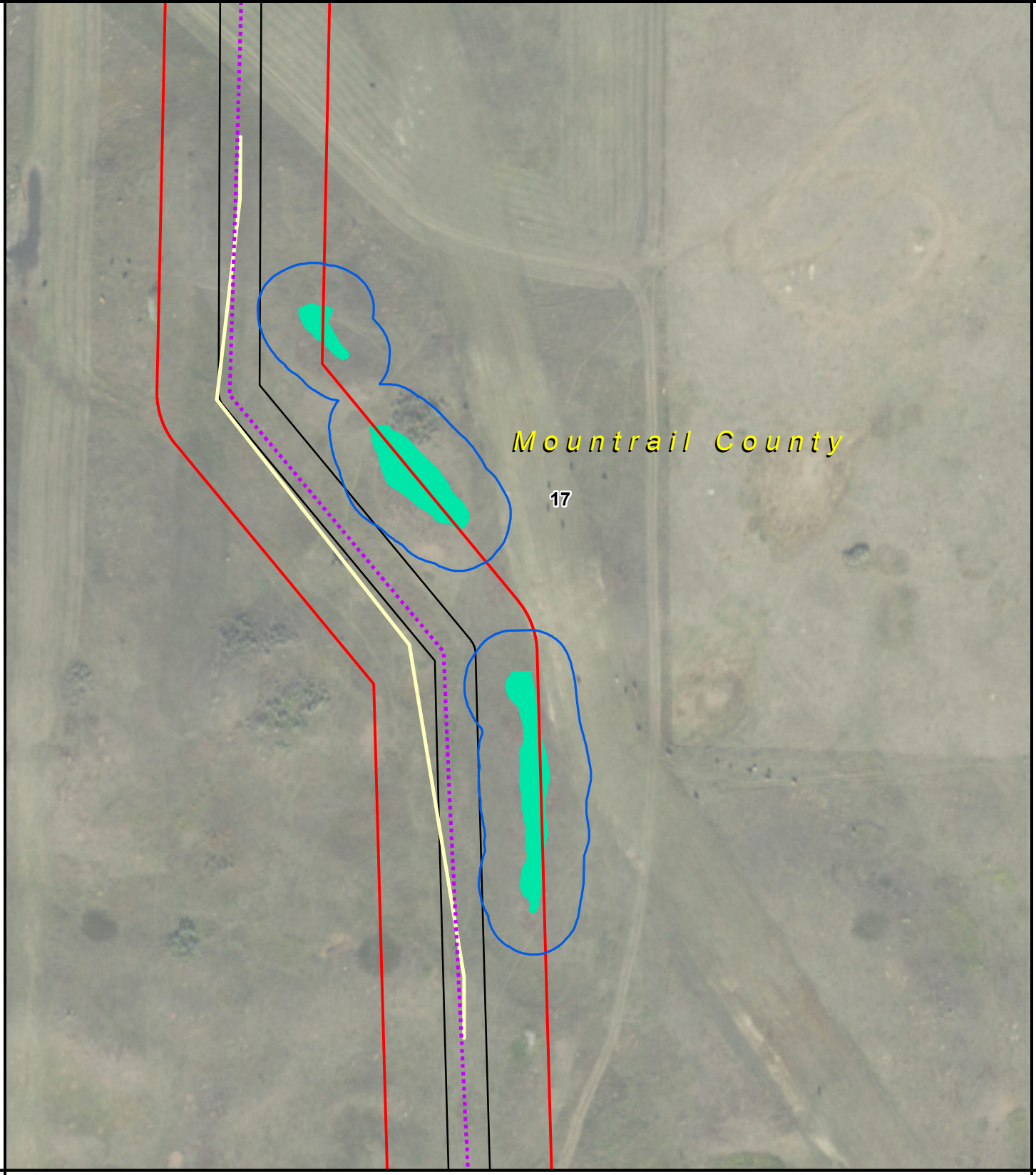


Appendix A

Dakota Skipper Habitat

Avoidance Maps



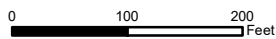
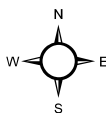


Mountrail County

17









Dakota Skipper Avoidance Strategy Location 1



1:2,000

Key

-  No Ground Clearing Activities
-  Proposed Open Trench Pipeline
-  50ft ROW
-  Study Corridor
-  Potential Dakota Skipper Habitat
-  Original PSC Route

KLJ Project Number: 1716101
 Date Created: 6/26/2019 Created By: AAJ

R94W

T155N

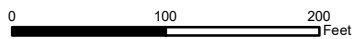
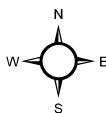
T155N

Mountrail County

17



Dakota Skipper Avoidance Strategy Location 2

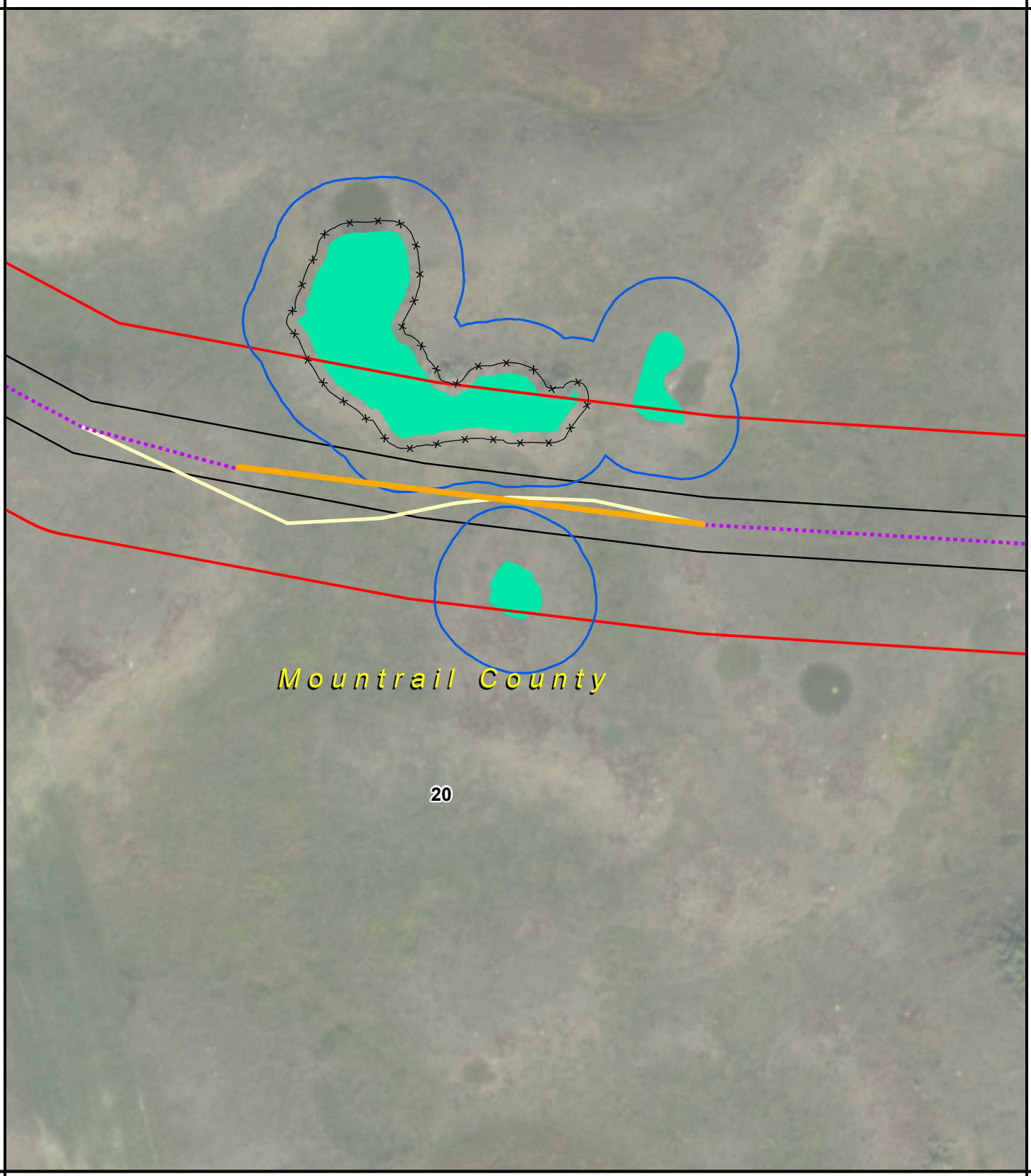


1:1,500

Key

- No Ground Clearing Activities
- Protective Fencing
- Proposed Open Trench Pipeline
- 50ft ROW
- Study Corridor
- Potential Dakota Skipper Habitat
- Proposed Bore
- Original PSC Route

KLJ Project Number: 1716101
 Date Created: 6/26/2019 Created By: AAJ

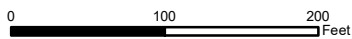
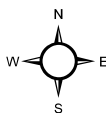


Mountrail County

20



Dakota Skipper Avoidance Strategy Location 3



1:1,500

Key

- No Ground Clearing Activities
- Protective Fencing
- Proposed Open Trench Pipeline
- 50ft ROW
- Study Corridor
- Potential Dakota Skipper Habitat
- Proposed Bore
- Original PSC Route

KLJ Project Number: 1716101
 Date Created: 6/26/2019 | Created By: AAJ

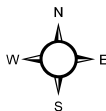
21

28

Mountrail County



Dakota Skipper Avoidance Strategy Location 4



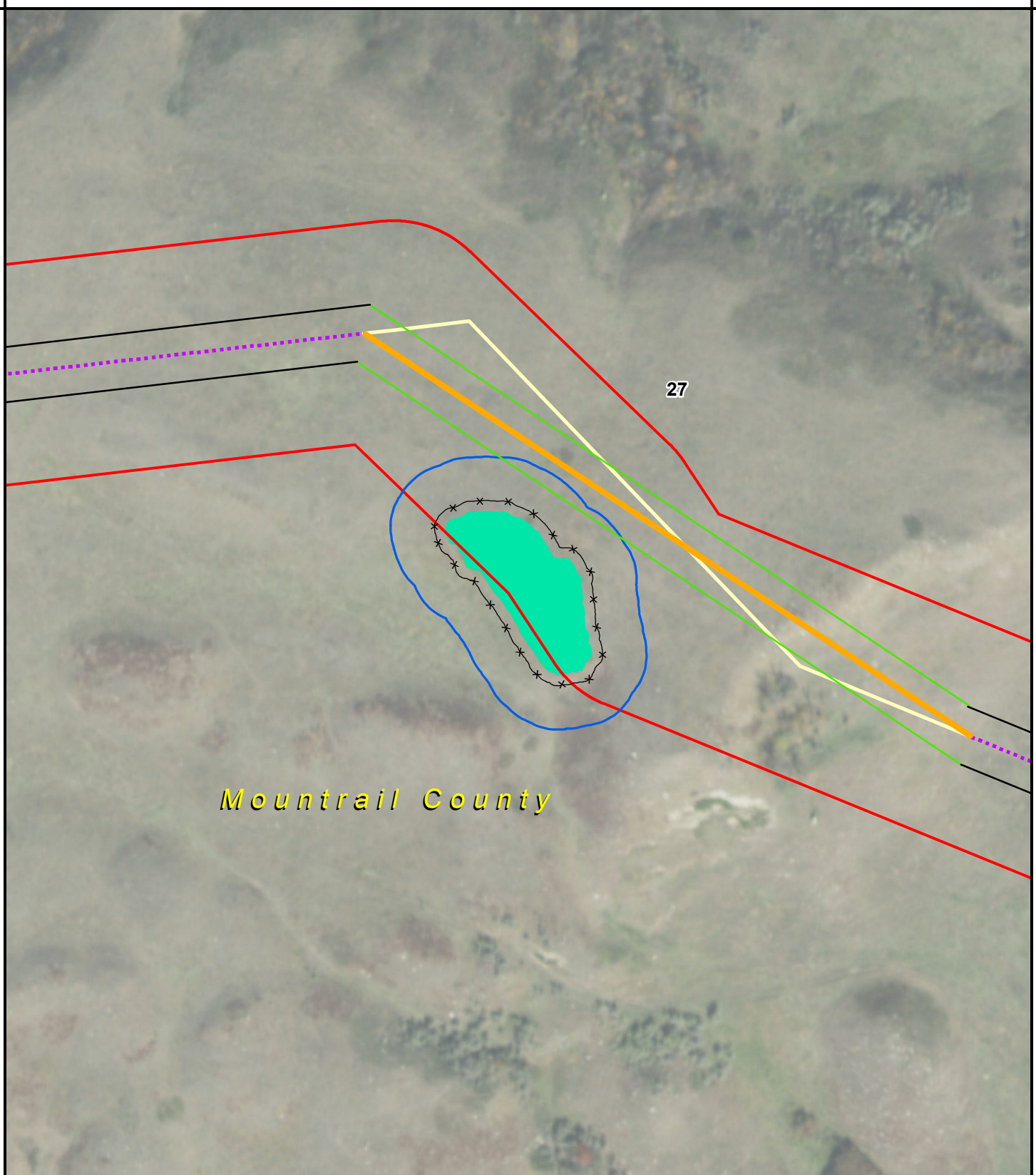
0 100 200 Feet

1:4,000

Key

- No Ground Clearing Activities
- Protective Fencing
- Proposed Open Trench Pipeline
- 50ft ROW
- Proposed 50ft ROW
- Study Corridor
- Potential Dakota Skipper Habitat
- Section Line
- Proposed Bore
- Original PSC Route

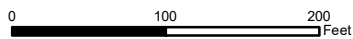
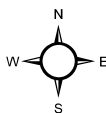
KLJ Project Number: 1716101
Date Created: 6/26/2019 Created By: AAJ



Mountrail County



Dakota Skipper Avoidance Strategy Location 5



1:1,500

Key

- No Ground Clearing Activities
- x Protective Fencing
- Proposed Open Trench Pipeline
- 50ft ROW
- Proposed 50ft ROW
- Study Corridor
- Potential Dakota Skipper Habitat
- Proposed Bore
- Original PSC Route

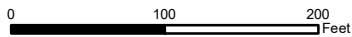
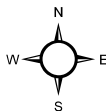
KLJ Project Number: 1716101
 Date Created: 6/26/2019 Created By: AAJ

32

Mountrail County



Dakota Skipper Avoidance Strategy Location 6



1:1,500

Key

- No Ground Clearing Activities
- Protective Fencing
- Proposed Open Trench Pipeline
- 50ft ROW
- Study Corridor
- Potential Dakota Skipper Habitat
- Proposed Bore
- Original PSC Route

KLJ Project Number: 1716101
 Date Created: 6/26/2019 | Created By: AAJ

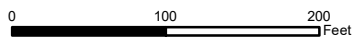
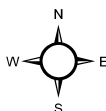
26

Mountrail County

35



Dakota Skipper Avoidance Strategy Location 7



1:1,500

Key

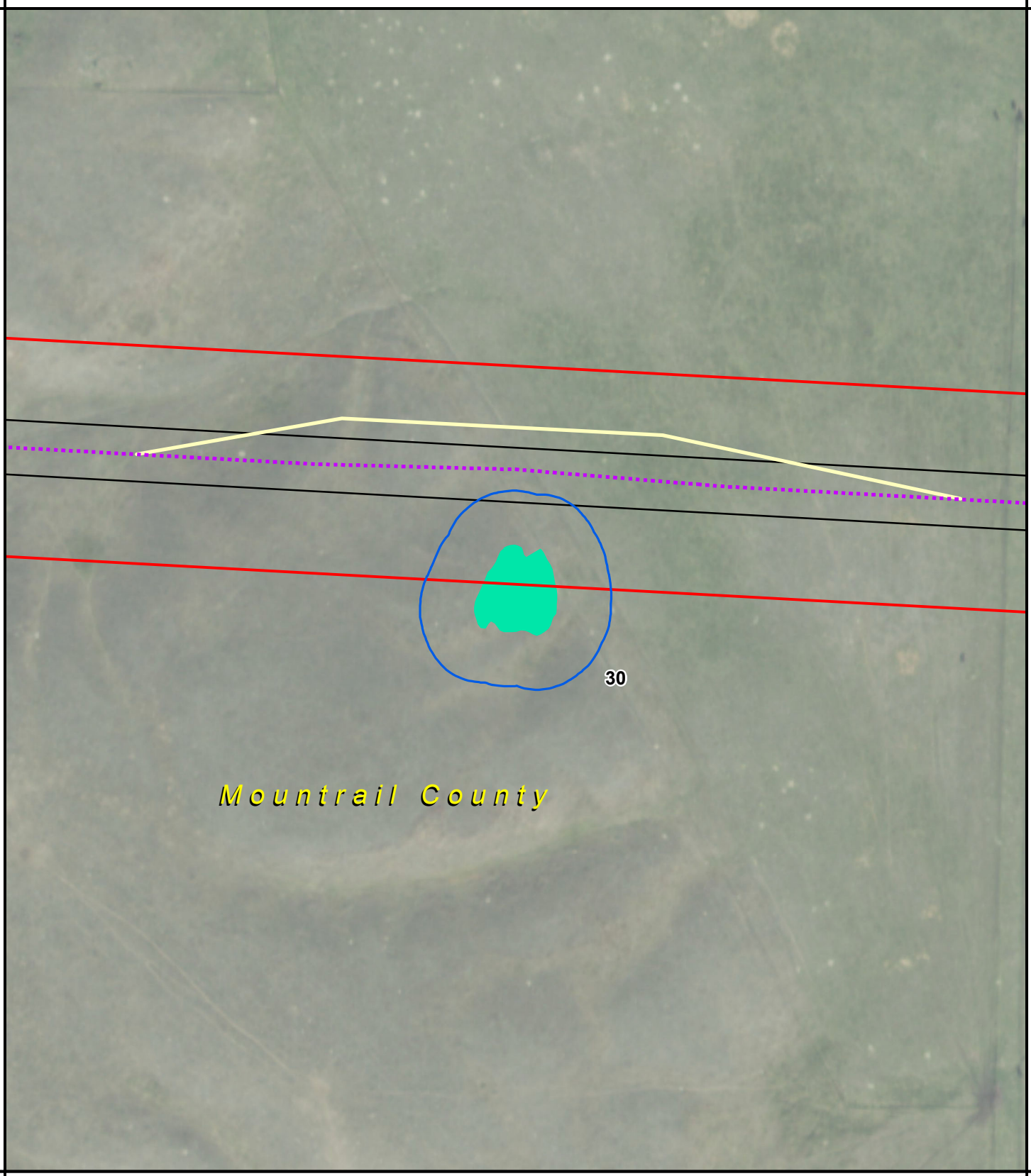
- Proposed Bore
- No Ground Clearing Activities
- Protective Fencing
- Proposed Open Trench Pipeline
- Original PSC Route
- 50ft ROW
- Study Corridor
- Potential Dakota Skipper Habitat
- Section Line

KLJ Project Number: 1716101
 Date Created: 6/26/2019 Created By: AAJ

R89W

T155N

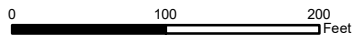
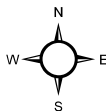
T155N



Mountrail County









Dakota Skipper Avoidance Strategy Location 8



1:1,500

Key

-  No Ground Clearing Activities
-  Proposed Open Trench Pipeline
-  50ft ROW
-  Study Corridor
-  Potential Dakota Skipper Habitat
-  Original PSC Route

KLJ Project Number: 1716101
 Date Created: 6/26/2019 Created By: AAJ