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March 25, 2019

Via Hand Delivery and E-mail

*E-mail: ndpsc@nd.gov
arenfandt@nd.gov*

Mr. Adam Renfandt
Analyst Public Utilities Division
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Belle Fourche Pipeline Company
6-inch Skunk Hill-DPR Pipeline Conversion
Siting Application - Case No. PU-18-405
Our File No. 013084-000014**

Dear Mr. Renfandt:

On behalf of Belle Fourche Pipeline Company ("Belle Fourche"), eleven copies of the following documents are enclosed for filing in the above-referenced matter:

1. Aerial Map Book;
2. Topographic Map Book;
3. Agency Correspondence Chart;
4. Agency Consultation Correspondence;
5. Updated Agency Correspondence;
6. Landowner Waivers;
7. 10-year Spill History Report;
8. Unanticipated Discoveries Plan; and,
9. Spill Response Plan Certification and Information.

A CD containing Project GIS is also enclosed for filing. Additionally, Belle Fourche provides the following information in response to your January 14, 2019 request letter (Docket No. 4).

47 PU-18-405 Filed 06/10/2019 Pages: 64
Exhibit 2 - Responses to PSC Staff Information Request of January 14, 2019
Belle Fourche Pipeline Company

I. 01/14/2019 INFORMATION REQUEST – PARAGRAPH I

Request No. 1. Updated corporate papers.

Response. On January 30, 2019, updated corporate papers were filed in Case No. PU-07-753.

Request 2. An updated Exhibit B.5 black and white map for publication.

Response. On January 17, 2019, an updated black and white map for publication was filed in Case No. PU-18-405 (Docket No. 8).

Request 3. GIS map layers showing all exclusion, avoidance, and selection criteria in the survey area.

Response. A CD containing Project GIS is enclosed.

Request 4. A response of whether any Wellhead Protection and Source Water Protection Areas, an Avoidance Area, are located in the survey area. If yes, please provide the name, location, mitigation plans, update the maps, and provide the GIS layer.

Response. No Wellhead Protection and Source Water Protection Areas are located in the survey area.

Request 5. Updated hardcopies of any map set that changed.

Response. Copies of updated Aerial Project Map Books and Topographic Map Books are enclosed for filing.

II. 01/14/2019 INFORMATION REQUEST – PARAGRAPH II

Request 1. Copies of all agency correspondence.

Response. *See* enclosed filings.

Request 2. A table listing all permits required for the Project.

Response. No permits are needed for the Project. Billings, Dunn, and Stark Counties do not require conditional use permits or road permits for the Project. *See* enclosed Updated Agency Correspondence Chart.

Request 3. Clarification on agency correspondence from the North Dakota Department of Health (“NDDOH”).

Response. A response from the NDDOH was received on July 6, 2017. Belle Fourche does not anticipate receiving any additional correspondence from the NDDOH. All

correspondence received from the NDDOH has been provided to the Commission. *See* enclosed filing.

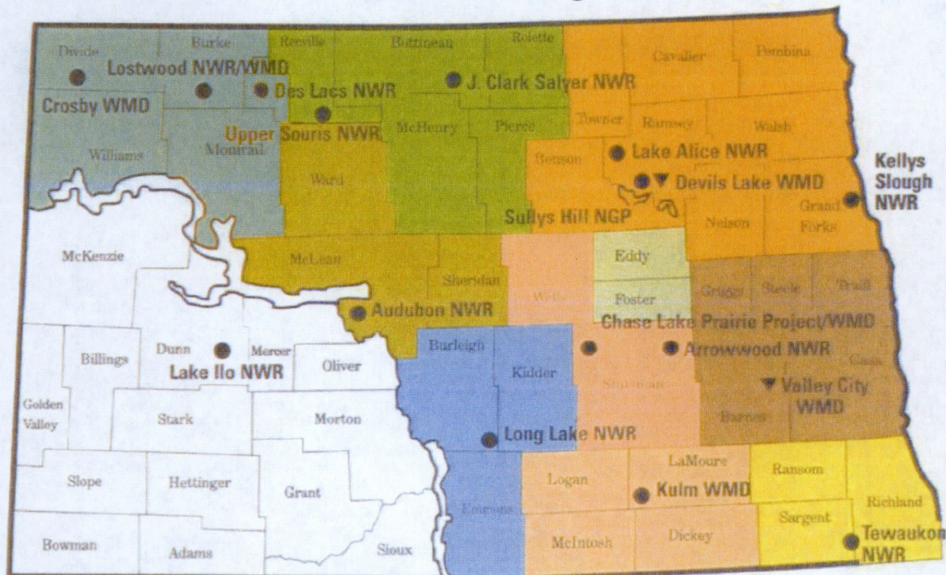
Request 4. Copies of signed waivers and status of any outstanding waivers and discussion of any ongoing issues or objections.

Response. A total of six occupied residences or places of business are located within 500 feet of the Project route. Belle Fourche has obtained four landowner waivers, copies of these waivers are enclosed for filing. Belle Fourche is in the process of obtaining the two remaining landowner waivers. To Belle Fourche's knowledge, no objections have been raised by the remaining landowners. Belle Fourche will file the remaining landowner waivers once they are obtained.

Request 5. Concerns or rationale that led you to send a letter to the Lake Ilo National Wildlife Refuge. Table 7 indicates a letter was sent on 06/22/2017. Does the Project corridor pass through this refuge?

Response. The Project corridor does not pass through the Lake Ilo National Wildlife Refuge ("NWR"). Belle Fourche submitted a letter for comment to the Lake Ilo NWR because this office manages the most up-to-date information for conservation easements for counties in southwestern North Dakota (see below). NWR's will sometimes provide information and comments related to PSC projects; however, to date, no formal response has been received from the Lake Ilo NWR.

North Dakota USFWS Wetland Management Districts



Request 6. The following Project control documents, and for those not complete, provide the status and completion date(s):

- a. **Emergency procedures plan.** Response. The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration has approved Belle Fourche's Operated Systems Oil Response Plan. *See* enclosed Spill Response Plan Certification and Information.
- b. **10-year spill history report.** Response. *See* enclosed filing.
- c. **Wetlands delineation report.** Response. Belle Fourche, through its consultants, conducted a desktop survey using aerial photographs, USGS topographic maps, and the United States Fish & Wildlife Service National Wetland Inventory identifying wetlands along the pipeline route. Keitu Engineers & Consultants, Inc. followed standard United States Army Corps of Engineers (USACE) offsite inspections protocol for identifying wetlands and waterbodies as described in the Corps of Engineers Wetlands Delineation Manual (Part IV, Section D, Subsection 1). Wetlands and waterbodies identified during the desktop survey are listed in Application Section 5.1.

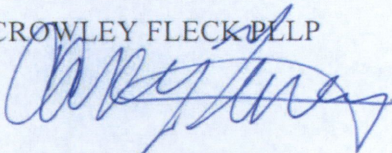
USACE permits were not needed for this project therefore, a field wetland delineation was not completed. Conversion of the Project will not result in the permanent drainage or filling of wetlands or waterbodies. If any project maintenance or construction is needed in the Project corridor, Belle Fourche will horizontally directionally drill any future wetlands or waterbodies and conduct field wetland delineations if required by the USACE.
- d. **Construction and environment program plan.** Response. The pipeline is constructed therefore, the request is not applicable.
- e. **Unanticipated discoveries plan.** Response. *See* enclosed filing.
- f. **Erosion control plan.** Response. The pipeline is constructed therefore, the request is not applicable.
- g. **Storm water pollution prevention plan.** Response. The pipeline is constructed therefore, the request is not applicable.
- h. **Migratory Bird Treaty Act plan** Response. The pipeline is constructed therefore, the request is not applicable. Additionally, no threatened or endangered species habitat exists within the project corridor or the survey corridor. Refer to Application Sections 5.3 & 5.4 for additional information regarding field surveys and review of species in the area.

- i. **Spill prevention and control plan.** Response. The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration has approved Belle Fourche's Operated Systems Oil Response Plan. *See* enclosed Spill Response Plan Certification and Information.
- j. **Horizontal directional drilling inadvertent release control and mitigation contingency plan.** Response. The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration has approved Belle Fourche's Operated Systems Oil Response Plan. *See* enclosed Spill Response Plan Certification and Information.
- k. **Revegetation plan.** Response. The pipeline is already constructed therefore, the request is not applicable. To the extent any trees or shrubs are subsequently removed, removal and replacement will occur pursuant to the Commission's Tree and Shrub Mitigation Specifications or an alternative plan approved by the Commission.
- l. **Weed management plan, and all county specific weed management plan(s).** Response. No county specific weed management plans are applicable to the Project.
- m. **Dust control plan.** Response. The pipeline is constructed therefore, no heavy traffic is anticipated, and the request is not applicable.
- n. **Environmental training plan.** Response. The pipeline is constructed therefore, the request is not applicable.
- o. **Baseline soil analysis used for determining topsoil depth along the Project.** Response. The pipeline is constructed, therefore this request is not applicable.

Feel free to contact me with any questions.

Respectfully,

CROWLEY FLECK PLLP



CASEY A. FUREY

cc: Wade C. Mann (via email)
Ken Dockweiler (via email)
Patrick Fahn (via email)
Mitchell Armstrong (via email)
Brian Schmidt (via email)
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Timothy J. Dawson (via email)