

March 24, 2020

*Via Electronic Mail & U.S. Mail*

Mr. Steve Kahl  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480  
[ndpsc@nd.gov](mailto:ndpsc@nd.gov)

In re: Whiting Oil and Gas Corporation  
Robinson Lake Oil Conditioning Facility Expansion Project  
Mountrail County  
Case No. PU-19-369  
Our File No. 095574-001483

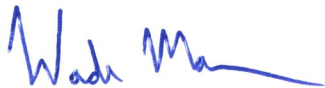
Dear Mr. Kahl:

Enclosed for filing in the captioned matter please find eight copies of each of the following:

- 1) Updated Agency Consultation Table;
- 2) US Department of Agriculture Agency Correspondence; and
- 3) North Dakota Game and Fish Department Agency Correspondence.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Wade C. Mann

WCM/lh  
enc.

cc: Phil Archer (via email)  
Clay Taylor (via email)  
Katie Schmidt (via email)  
William McCarthy (via email)

**28** **PU-19-369** Filed: 3/24/2020 Pages: 7  
**Updated Agency Consultation Table and Agency Correspondence**

| Agency   | Mailing Date | Date of Delivery | Agency Response Rcvd. | Comments  |
|--|--------------|------------------|-----------------------|---|
| U.S.Fish and Wildlife Service<br>North Dakota Field Office<br>Attn: Scott Larson   | 10/15/2019   | 10/21/2019       | 11/7/2019             | Letter response received stating that the Project as planned does not involve any federally listed threatened or endangered species or their habitats.  |
| USACE-Regulatory Office<br>State Program Manager<br>Attn: Patricia McQueary  | 10/15/2019   | 10/22/2019       | 10/28/2019            | Letter response received; no concerns or permitting requirements identified.  |
| U.S. Department of Agriculture<br>Natural Resources<br>Conservation Service-Bismarck<br>State Office<br>Attn: Wade D. Bott, State Soil Scientist | 10/15/2019   | 10/18/2019       | 10/24/2019            | Letter response received, no concerns identified as no impacts to wetlands will occur.  |
| USDA Farm Service Agency<br>North Dakota Farm Service<br>Agency<br>Brad Thykeson, State Executive<br>Director                                    | 10/15/2019   | 10/17/2019       | 1/24/2020             | 1/14/2020: Project notification follow up letter mailed.<br><br>1/24/2020: K. Schmidt received a phone call from Kimberly Paulson with the agency acknowledging receipt of the follow up agency notification letter distributed on 1/14/2020. Schmidt supplied copy of the original Project Notification letter to Paulson via email per her request. Paulson acknowledged receipt of the email; no further correspondence has been received. |
| U.S. Department of Defense-<br>Cable Affairs<br>Attn: Cy Munos, Chief  | 10/15/2019   | 10/18/2019       | 10/22/2019            | Email received from Mr. Munos stating that the Minot AFG has no assets near the project area.   |
| North Dakota Game and Fish<br>Department<br>Conservation & Communication<br>Division<br>Attn: Greg Link, Chief                                   | 10/15/2019   | 10/18/2019       | 1/21/2020             | 1/14/2020: Project notification follow up letter mailed.<br>1/21/2020: Response received via email from J.D. Schumacher; the agency does not have any concerns.   |

| Agency   | Mailing Date | Date of Delivery | Agency Response Rcvd. | Comments  |
|--|--------------|------------------|-----------------------|---|
| North Dakota Department of Parks and Recreation<br>Attn: Kathy Duttenhefner                                | 10/15/2019   | 10/18/2019       | 1/21/2020             | 1/14/2020: Project notification follow up letter mailed.<br><br>1/21/2020: Kathy Duttenhefner responded via email providing a copy of the agency response letter dated 11/8/2019 which was previously not received by K. Schmidt. The response states that the agency doesn't have any concerns with the project as designed.   |
| North Dakota State Historic Preservation Office<br>Attn: Susan Quinnell, Review and Compliance Coordinator | 10/15/2019   | 10/17/2019       | 10/23/2019            | Concurrence of "No Historic Properties Affected" letter received.   |
| North Dakota Geological Survey<br>Attn: Fred Anderson, Geologist   | 10/15/2019   | 10/18/2019       | 10/21/2019            | A letter response was provided documenting that there are no landslide areas or areas of concern related to slope stability are noted near or at the project location. Additionally no earthquakes have been reported or recorded in the area and no economically mineable coal deposits have been mapped.                      |
| North Dakota Department of Health<br>Environmental Health Section<br>Attn: L. David Glatt, PE, Chief       | 10/15/2019   | 10/18/2019       | 11/01/2019            | A letter response was received stating that the department believes the impacts from the proposed construction will be minor and can be controlled by proper construction methods. The letter details seven comments from the Agency identifying regulatory programs and best management practices to minimize project impacts. |
| North Dakota State Water Commission<br>Attn: John Paczkowski   | 10/15/2019   | 10/18/2019       | 11/13/2019            | A letter response was received documenting that the Project will not affect floodplains. The letter also states that if surface water or ground water will be diverted for construction or operation a permit may be required. Finally it documents the agency's request that if observation wells are                          |

| Agency  | Mailing Date | Date of Delivery | Agency Response Rcvd. | Comments  |
|---|--------------|------------------|-----------------------|---|
|   |              |                  |                       | encountered that the Water Appropriations Division be contacted.  |
| North Dakota Department of Trust Lands-School Trust<br>Attn: Kayla-Spangelo, Land Management Specialist   | 10/15/2019   | 10/18/2019       | 10/22/2019            | Email response received stating that the North Dakota Department of Trust lands has no comments in regards to the consultation letter.                              |
| North Dakota Department of Trust Lands-Mineral Trust<br>Attn: Allisen Nagel, RPL                          | 10/15/2019   | 10/18/2019       | 10/21/2019            | Email response received stating that the NDDTL does have several mineral tracts within the 1-mile buffer; however none are located within the project area.         |
| Western Area Water Supply Authority<br>Attn: Mark Owan, Chair   | 10/15/2019   | 10/18/2019       | Pending               | 1/14/2020: Project notification follow up letter mailed.  |
| Mountrail County Planning & Zoning Department<br>Code Enforcements<br>Attn: Heidi Kory, Assistant Planner | 10/15/2019   | 10/21/2019       | 11/6/2019             | Email response received requesting contact information for the appropriate Whiting personnel who should be contacted to determine if a building permit is required. |
| Mountrail County Water Resources Board<br>Attn: Eric Enerson, Chairman                                    | 10/15/2019   | 10/21/19         | Pending               | 1/14/2020: Project notification follow up letter mailed.  |
| Mountrail County Weed Control Board<br>Attn: Jim Hennessy, Officer  | 10/15/2019   | 10/23/19         | Pending               | 1/14/2020: Project notification follow up letter mailed.  |

## Katie Schmidt

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**From:** Paulson, Kimberly - FSA, Fargo, ND <kimberly.paulson@usda.gov>  
**Sent:** Friday, January 24, 2020 4:29 PM  
**To:** Katie Schmidt  
**Cc:** Braton, Wanda - FSA, Fargo, ND  
**Subject:** RE: Whiting-Robinson Lake Oil Conditioning Expansion Facility-Project Notification Letter

Katie – I have received the documents. Once we have an opportunity to review the documents, we will provide a response.

Thank you for the prompt response! Have a great weekend.

Kim

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**From:** Katie Schmidt <KSchmidt@go2e3.com>  
**Sent:** Friday, January 24, 2020 4:24 PM  
**To:** Paulson, Kimberly - FSA, Fargo, ND <kimberly.paulson@usda.gov>  
**Subject:** Whiting-Robinson Lake Oil Conditioning Expansion Facility-Project Notification Letter

Kim,

Attached you will find the original Project Notification Letter that was distributed for the Whiting Oil and Gas Company's Robinson Lake Oil Conditioning Facility Expansion Project. Upon review should you have any questions or concerns please do not hesitate to contact me.

Regards-Katie

**Katie Schmidt, EIT**  
**Senior Consultant**  
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## Katie Schmidt

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**From:** Schumacher, John D. <jdschumacher@nd.gov>  
**Sent:** Tuesday, January 21, 2020 1:07 PM  
**To:** Katie Schmidt  
**Subject:** Whiting Oil & Gas - Robinson Lake Oil Conditioning Facility Expansion Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Katie,

The ND Game and Fish Department received and reviewed your October 15, 2019 project notification letter concerning this project. However, it did not appear it would have significant adverse effects on wildlife or wildlife habitat so we did not provide comments.

If you require anything else regarding this project, please let me know.  
John

[J.D. Schumacher](#)  
*Resource Biologist*

701.328.6321 • [jdschumacher@nd.gov](mailto:jdschumacher@nd.gov) • [gf.nd.gov](http://gf.nd.gov)

