

APPENDIX G
AGENCY CORRESPONDENCE

ADDRESSEE	DATE LETTER SENT	DATE RESPONSE RECEIVED
Federal Aviation Administration	10/30/2019	Not yet received
Job Service of North Dakota	10/31/2019	Not yet received
Mountrail County Commission	10/31/2019	Not yet received
North Dakota Aeronautics Commission	10/30/2019	Not yet received
North Dakota Attorney General	10/30/2019	Not yet received
North Dakota Department of Agriculture	10/30/2019	Not yet received
North Dakota Department of Career and Technical Education	10/30/2019	Not yet received
North Dakota Department of Commerce	10/30/2019	Not yet received
North Dakota Department of Environmental Quality	10/30/2019	11/20/2019
North Dakota Department of Health	10/30/2019	Not yet received
North Dakota Department of Human Services	10/30/2019	Not yet received
North Dakota Department of Transportation	10/30/2019	Not yet received
North Dakota Department of Trust Lands	10/30/2019	11/15/2019
North Dakota Energy Development Impact office	10/30/2019	Not yet received
North Dakota Game & Fish Department	10/30/2019	11/18/2019
North Dakota Indian Affairs Commission	10/30/2019	Not yet received
North Dakota Industrial Commission	10/30/2019	Not yet received
North Dakota Labor Department	10/30/2019	Not yet received
North Dakota Parks and Recreation Department	10/30/2019	11/15/2019
North Dakota Pipeline Authority	10/30/2019	Not yet received
North Dakota Soil Conservation Committee	10/30/2019	Not yet received
North Dakota State Water Commission	10/30/2019	11/25/2019
North Dakota Transmission Authority	10/31/2019	Not yet received
Office of Governor	10/30/2019	Not yet received
US Army Corps of Engineers	10/31/2019	Not yet received
US Department of Defense	10/30/2019	Not yet received
US Fish and Wildlife Service	10/31/2019	12/4/2019
Williams County Commission	10/31/2019	Not yet received

LETTERS SENT TO AGENCIES



October 30, 2019

Federal Aviation Administration
FAA Logistics Center
6500 S. MacArthur Boulevard
Bldg 2 (LSF), Mail Stop AML030
Oklahoma City, OK 73169

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

To Whom it May Concern,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

On behalf of LMS, Kleinfelder is seeking comments regarding the referenced project in compliance with the North Dakota Energy Conversion and Transmission Facility Siting Act. We request comments be submitted by November 28, 2019. Please call me at 303-297-5791 if you have any questions.

Sincerely,

KLEINFELDER

A handwritten signature in blue ink, appearing to read "Nan Elzinga", with a long horizontal flourish extending to the right.

Nan Elzinga, PE
Project Manager III

1801 California Street, Suite 1100
Denver, CO 80202
d|303.297.5791
o| 303.237.6601
m| 303.909.7359



October 30, 2019

Job Service North Dakota
PO Box 5507
Bismarck, ND 58506-5507

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

To Whom it May Concern,

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Nan Elzinga, PE
Project Manager III

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Denver, CO 80202
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October 30, 2019

Mountrail County Commission
Planning & Zoning Department
PO Box 248
Stanley, ND 58784-0248

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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Project Manager III

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Denver, CO 80202
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October 30, 2019

North Dakota Aeronautics Commission
2301 University Drive #22
Bismarck, ND 58504

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

Wayne Stenehjem
North Dakota Attorney General
Office of the Attorney General
600 East Boulevard Avenue, Department 125
Bismarck, ND 58505-0040

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

Dear Mr. Stenehjem,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

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Project Manager III

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October 30, 2019

North Dakota Department of Agriculture
600 E Boulevard Ave Dept 602
Bismarck, ND 58505-0020

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota Department of Career and Technical Education
600 E Boulevard Ave #15
Bismarck, ND 58505

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota Department of Health
600 E Boulevard Ave
Bismarck, ND 58505

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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Project Manager III

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October 30, 2019

North Dakota Department of Human Services
600 E. Boulevard Ave Dept. 325
Bismarck, ND 58505

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota Department of Transportation
608 E Boulevard Ave
Bismarck, ND 58505-0700

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota Energy Development Impact Office
1707 N 9th Street
Bismarck, ND 58501

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota Game and Fish
100 N E Bismarck Expressway
Bismarck, ND 58501

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota Indian Affairs Commission
600 East Boulevard Avenue #316
Bismarck, ND 58505

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

Karlene Fine
North Dakota Industrial Commission
State Capitol 14th Floor
600 E Boulevard Ave. Dept. 405
Bismarck, ND 58505-0840

**SUBJECT: Proposed Alliance Sale Line Project
Liberty Midstream Solutions, LLC**

Dear Ms. Fine,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

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Nan Elzinga, PE
Project Manager III

1801 California Street, Suite 1100
Denver, CO 80202
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m| 303.909.7359



October 30, 2019

North Dakota Labor Department
600 E Boulevard Ave Ste 406
Bismarck, ND 58505

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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Project Manager III

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October 30, 2019

North Dakota Parks & Recreation
1600 E Century Ave Ste 3
Bismarck, ND 58503

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota Pipeline Authority
600 E Boulevard Ave Dept. 405
Bismarck, ND 58505-0840

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota State Soil Conservation
NDSU Extension
2718 Gateway Avenue Ste 304
Bismarck, ND 58503

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

North Dakota State Water Commission
900 E Boulevard Ave
Bismarck, ND 58505

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

John Weeda
North Dakota Transmission Authority
1016 E Owens
PO Box 2277
Bismarck, ND 58502-2277

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

Dear Mr. Weeda,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

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October 30, 2019

North Dakota Department of Trust Lands
1701 N 9th Street
Bismarck, ND 58501

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

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October 30, 2019

Doug Burgum
North Dakota Governor
Office of the Governor
600 East Boulevard Avenue
Bismarck, ND 58505-0001

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

Dear Governor Burgum,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

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October 31, 2019

US Army Corps of Engineers
1513 South 12th Street
Bismarck, ND 58504

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

To Whom it May Concern,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project (Project) on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

SWCA was contracted to conduct natural resources field surveys for the Project. SWCA conducted field surveys of a 200-foot-wide pipeline survey corridor (100-foot-wide right-of-way [ROW]) on October 2, 2018, to determine the potential presence and extent of wetlands and waterbodies that are within the survey and project area, not just those that are likely jurisdictional waters of the U.S. according to the U.S. Army Corps of Engineers (USACE) regulatory program. Concurrently with the wetland determinations, SWCA conducted a cursory threatened and endangered species survey and habitat assessment; a tree, sapling, and shrub enumeration survey; and a noxious weed survey.

Below is a description of temporary impacts expected for wetlands and waterbodies in the Project Area.

Wetlands and Waterbodies

SWCA recorded three palustrine emergent (PEM) wetlands within the 200-foot-wide survey corridor, totaling approximately 1.08 acres. WET01 and WET02 are seasonal wetlands. WET03 is a semi-permanent wetland in an agricultural field. SWCA's preliminary determination is that WET01, WET02, and WET03 are isolated and likely non-jurisdictional; however, the USACE has the final authority to determine jurisdictional status. Proposed impacts to WET01, WET02, and WET03 would be temporary, not resulting in loss.

SWCA did not identify any non-wetland waterbodies (streams, rivers, lakes, etc.) in the survey area. Additionally, no Waters of the State are present in the survey area.

At this time, we anticipate that construction will occur in compliance with the requirements of Nationwide Permit 12, and no permit application will be submitted for the proposed pipeline. If

changes to the route and/or construction procedures occur, we will notify your office for permitting instructions.

On behalf of LMS, Kleinfelder is seeking comments regarding the referenced project in compliance with the North Dakota Energy Conversion and Transmission Facility Siting Act. We request comments be submitted by November 28, 2019. Please call me at 303-297-5791 if you have any questions.

Sincerely,

KLEINFELDER



Nan Elzinga, PE
Project Manager III

1801 California Street, Suite 1100
Denver, CO 80202
d|303.297.5791
o| 303.237.6601
m| 303.909.7359



October 30, 2019

US Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

To Whom it May Concern,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

On behalf of LMS, Kleinfelder is seeking comments regarding the referenced project in compliance with the North Dakota Energy Conversion and Transmission Facility Siting Act. We request comments be submitted by November 28, 2019. Please call me at 303-297-5791 if you have any questions.

Sincerely,

KLEINFELDER

A handwritten signature in blue ink, appearing to read "Nan Elzinga", with a long horizontal flourish extending to the right.

Nan Elzinga, PE
Project Manager III

1801 California Street, Suite 1100
Denver, CO 80202
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m| 303.909.7359



October 31, 2019

US Fish & Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

To Whom it May Concern,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project (Project) on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

SWCA was contracted to conduct natural resources field surveys. SWCA conducted field surveys of a 200-foot-wide pipeline survey corridor (100-foot-wide right-of-way [ROW]) on October 2, 2018, to determine the potential presence and extent of wetlands and waterbodies that are within the survey and project area, not just those that are likely jurisdictional waters of the U.S. according to the U.S. Army Corps of Engineers (USACE) regulatory program. Concurrently with the wetland determinations, SWCA conducted a cursory threatened and endangered species survey and habitat assessment; a tree, sapling, and shrub enumeration survey; and a noxious weed survey.

Below is a description of temporary impacts expected for wetlands and waterbodies, migratory birds and raptors, and habitats associated with federally threatened and endangered species in the Project Area.

Wetlands and Waterbodies

A survey was conducted, and three wetlands were identified within the project area. All three are characterized as palustrine emergent (PEM) wetlands, covering a total of approximately 1.08 acres. They are isolated and were determined to be non-jurisdictional. No other non-wetland waterbodies (streams, rivers, lakes, etc.) were identified within the project area. Additionally, no Waters of the State are present in the Project Area.

Migratory Birds and Raptors

A 0.5-mile line-of-sight binocular survey for raptor nests was conducted. Due to the lack of occupied bald and golden eagle nests in the Study Area and lack of suitable habitat within the Corridor, bald and golden eagles are not expected to be impacted by the proposed Project. The proposed Project construction timeline will also fall outside of MBTA nesting season (February 1 – July 15).

Threatened and Endangered Species

Assessments for federally listed threatened and endangered species were conducted by evaluating historic and present occurrences and by determining if potential habitat exists within the Project Area. A determination was made concerning direct and cumulative effects of the proposed activities on each species and habitat. Determinations made for federally listed species are:

- No effect
- May affect, but is not likely to adversely affect
- May affect, and is likely to adversely affect
- Is likely to jeopardize a proposed species or adversely modify critical habitat
- Is not likely to jeopardize a proposed species or adversely modify critical habitat

Threatened and endangered species that may occur in Williams and Mountrail Counties are listed in the table below. Determinations concerning direct and cumulative effects of the proposed activities on each species and their habitat are presented in the following paragraphs.

Species	County Status		Project Effects Determination
	Williams	Mountrail	
Gray Wolf (<i>Canis lupus</i>)	Endangered	Endangered	No Effect
Interior Least Tern (<i>Sterna antillarum</i>)	Endangered	Endangered	May affect, is not likely to adversely affect
Pallid Sturgeon (<i>Scaphirvynchus albus</i>)	Endangered	Endangered	No Effect
Piping Plover (<i>Charadrius melodus</i>)	Threatened	Threatened	No Effect
Whooping Crane (<i>Grus americana</i>)	Endangered	Endangered	May affect, is not likely to adversely affect
Dakota Skipper (<i>Hesperia dacotae</i>)	Threatened	Threatened	No Effect
Northern Long-Eared Bat (<i>Myotis septentrionalis</i>)	Threatened	Threatened	May affect, is not likely to adversely affect
Rufa Red knot (<i>Calidris canuta rufa</i>)	Threatened	Threatened	No Effect

Gray Wolf

The gray wolf, listed as endangered in the United States in 1978, was believed extirpated from North Dakota in the 1920s and 1930s, with only sporadic reports from the 1930s to the present (Licht and Huffman 1996; USFWS 1978). The presence of wolves in most of North Dakota consists of occasional dispersing animals from Minnesota and Manitoba (Licht and Fritts 1994; Licht and Huffman 1996). Most documented gray wolf sightings within western North Dakota are believed to be young males seeking to establish territory (Hagen et al. 2005). The Turtle Mountain region of north-central North Dakota provides marginal habitat that may be able to support a very small population of wolves. The closest known pack of wolves is the Minnesota population located approximately 17 miles from the northeast corner of North Dakota. The gray wolf uses a variety of habitats that support a large prey base, including montane and low-elevation forests, grasslands, and desert scrub (USFWS 2018c).

Due to a lack of forested habitat and the distance from Minnesota and Manitoba populations, as well as the troubled relationship between humans and wolves and their vulnerability to being shot in open habitats (Licht and Huffman 1996), the reestablishment of gray wolf populations in North Dakota is unlikely. Additionally, habitat fragmentation may further act as a barrier against wolf recolonization in western North Dakota. The gray wolf is not expected to be impacted by the proposed project.

Interior Least Tern

The interior population of the least tern is listed as endangered by the USFWS (1985a). This bird is the smallest member of the gull and tern family, measuring approximately 9 inches in length. Terns remain near flowing water, where they feed by hovering over and diving into standing or flowing water to catch small fish (USFWS 2013b).

The interior population of least terns breeds in isolated areas along the Missouri, Mississippi, Ohio, Red, and Rio Grande river systems, where they nest in small colonies. From late April to August, terns nest in a shallow hole scraped in an open sandy area, gravel patch, or exposed flat; and in bare sandbars along rivers, sand and gravel pits, or lake and reservoir shorelines. The adults continue to care for chicks after they hatch. Least terns in North Dakota often will be found sharing sandbars with the piping plover, a threatened species (USFWS 2013b).

Census data indicate over 8,000 least terns in the interior population. In North Dakota, the least tern is found mainly on the Missouri River from Garrison Dam south to Lake Oahe, and on the Missouri and Yellowstone Rivers upstream of Lake Sakakawea (USFWS 1990, 2013b). Approximately 100 pairs breed in North Dakota (USFWS 2013b). Details of their migration are not known, but their winter range is reported to include the Gulf of Mexico and Caribbean Islands (USFWS 1990, 2013b).

Loss of suitable breeding and nesting habitat for terns has resulted from dam construction and river channelization on major rivers throughout the Mississippi, Missouri, and Rio Grande river systems. River and reservoir changes have led to reduced sandbar formation and other shoreline habitats for breeding, resulting in population declines. In addition, other human shoreline disturbances affect the species (USFWS 1990). Critical habitat has not been designated for the species (USFWS 2013b). Current conservation strategies include identification and avoidance of known nesting areas, public education, and limiting or preventing shoreline disturbances near nests and hatched chicks (USFWS 2013b).

Given the distance to suitable habitat, the likelihood of observing a tern in the project area is relatively low. The interior least tern is not expected to be impacted by the proposed project.

Pallid Sturgeon

The pallid sturgeon has no potential habitat within the proposed Project Area.

Piping Plover

The piping plover is a small shorebird that breeds only in three geographic regions of North America: the Atlantic Coast, the Northern Great Plains, and the Great Lakes. Piping plover populations were federally listed as threatened and endangered in 1985, with the Northern Great Plains and Atlantic Coast populations listed as threatened, and the Great Lakes population listed as endangered (USFWS 1985b).

Plovers in the Great Plains make their nests on open, sparsely vegetated sand or gravel beaches

adjacent to alkali wetlands and on beaches, sand bars, and dredged material islands of major river systems (USFWS 2002, 2018d). The shorelines of lakes of the Missouri River constitute significant nesting areas for the bird. Piping plover nest on the ground, making shallow scrapes in the sand, which they line with small pebbles or rocks (USFWS 1988). Anthropogenic alterations of the landscape along rivers and lakes where piping plover nest have increased the number and type of predators, subsequently decreasing nest success and chick survival (USFWS 2002, 2018d). The birds fly south by mid to late August to areas along the Texas coast and Mexico (USFWS 2002). The Northern Great Plains population has continued to decline despite federal listing, with population estimates of 1,500 breeding pairs in 1985 reduced to fewer than 1,100 in 1990. Low survival of adult birds has been identified as a factor (Root et al. 1992). Current conservation strategies include identification and preservation of known nesting sites, public education, and limiting or preventing shoreline disturbances near nests and hatched chicks (USFWS 1988, 2018d).

The lack of alkali wetlands, minimal disturbance to foraging wetlands, and distance to critical habitat deem the likelihood of a piping plover occurring as relatively low. The piping plover is not expected to be impacted by the proposed project.

Desktop analysis concluded that designated critical habitat for the threatened piping plover is not present in the pipeline ROW. The nearest designated critical habitat for piping plovers is approximately 10.18 miles south of the proposed pipeline. The proposed pipeline would not modify, alter, disturb, or affect the shoreline within ND Unit 11 or the alkaline lakes and wetlands within ND Units 1 through 10. Designated critical habitat of the piping plover is not expected to be impacted by the proposed project.

Whooping Crane

The whooping crane was listed as endangered in 1970 in the United States by the USFWS and in 1978 in Canada. Historically, population declines were caused by shooting and destruction of nesting habitat in the prairies from agricultural development. Current threats to the species include habitat destruction, especially suitable wetland habitats that support breeding and nesting, as well as feeding and roosting during their fall and spring migration (Canadian Wildlife Service and USFWS 2007).

The winter 2015–2016 total wild population of the Wood Buffalo-Aransas population was estimated at 329 birds (USFWS 2016a). There is only one self-sustaining wild population, the Aransas-Wood Buffalo National Park population, which nests in Wood Buffalo National Park and adjacent areas in Canada, where approximately 83% of the wild nesting sites occur (Canadian Wildlife Service and USFWS 2007; USFWS 2013a). Mountrail and Williams Counties, including the project area, are within the primary migratory flyway of whooping cranes.

Whooping cranes probe the soil subsurface with their bills for foods on the soil or vegetation substrate (Canadian Wildlife Service and USFWS 2007). Whooping cranes are omnivores, and foods typically include agricultural grains, as well as insects, frogs, rodents, small birds, minnows, berries, and plant tubers. The largest amount of time during migration is spent feeding in harvested grain fields (Canadian Wildlife Service and USFWS 2007). Studies indicate that whooping cranes use a variety of habitats during migration, in addition to cultivated croplands, and generally roost in small palustrine (marshy) wetlands within 0.62 mile of suitable feeding areas (Howe 1987, 1989). Whooping cranes have been recorded in riverine habitats during their migration, with eight sightings along the Missouri River in North Dakota (Canadian Wildlife Service and USFWS 2007:18). In these cases, they roost on submerged sandbars in wide, unobstructed channels that are isolated from human disturbance (Armbruster 1990).

It is well-documented that migrating whooping cranes use habitats in the vicinity of the project for roosting and feeding. The project area is located within the migratory corridor for the whooping crane, with the nearest sighting being approximately 4.7 miles west of the pipeline corridor (USFWS, M. Tacha, unpublished data). Suitable whooping crane foraging habitat (i.e., cultivated cropland) was observed within the survey area; however, high levels of disturbance near the project area from existing roads, agriculture production, oil and gas activity, etc., minimize the likelihood for cranes to use the area within or near the pipeline corridor. The whooping crane is not expected to be impacted by the proposed project.

Dakota Skipper

The Dakota skipper is a small butterfly with a 1-inch wingspan. The male wing ranges from a tawny-orange to brown, and the female wing is darker brown with tawny-orange spots and faint white spots (USFWS 2014). On October 24, 2014, the USFWS determined a threatened species status for the Dakota skipper, and the final rule became effective November 24, 2014 (USFWS 2014). One unit of designated critical habitat—Unit 12 is located on the Little Missouri National Grassland.

The primary cause for the decline of this species includes the loss of high-quality native prairie habitat due to overgrazing, conversion to agriculture, and disruption of natural prairie fire cycles (USFWS 2014). ‘Type A’ habitat is low wet-mesic prairie with little topographic relief occurring in near-shore glacial lake deposits (Royer and Marrone 1992). Three plants species dominate ‘Type A’ habitat: wood lily (*Lilium philadelphicum*), bluebell bellflower (*Campanula rotundifolia*), and mountain deathcamas (*Zigadenus elegans*) (McCabe 1981). ‘Type B’ habitat of the Dakota skipper occurs on rolling terrain over gravelly glacial moraine deposits and is dominated by big bluestem, little bluestem, and needlegrasses (*Stipa* spp.), and may include bluebell bellflower and wood lily (USFWS 2016c). Additionally, ‘Type B’ habitat supports extensive stands of blacksamson echinacea (*Echinacea angustifolia*), upright prairie coneflower (*Ratibida columnifera*), and blanketflower (*Gaillardia aristata*) (USFWS 2016c).

During the surveys, nonnative grasslands and cropland were dominant in the project area. Dominant species recorded during surveys included Kentucky bluegrass, smooth brome, intermediate wheatgrass (*Thinopyrum intermedium*), and western wheatgrass.

Dakota skippers are not known to occur in the project area. Adult Dakota skipper dispersal is limited due to a short adult life span of 3 weeks (Dana 1991) and one annual flight per year (USFWS 2016c). The Dakota skipper may disperse an average of 0.62 mile to an area that contains sufficient vegetative diversity and emigrants (Cochrane and Delpey 2002). Unless a site is within about 0.62 mile of an area that generates a enough emigrants, the species’ extirpation from the site is likely permanent.

Larval Dakota skipper habitat within dry-mesic habitat is associated with more gravelly glacial landscapes of relatively higher relief, more variable soil moisture, and somewhat higher soil temperatures (Royer et al. 2008). Soils in these habitats are classified predominantly as sandy loams and occasionally as loamy sands (Royer et al. 2008). Soil compaction and vegetation removal substantially alter soil water movement and evaporation, thereby altering near-surface humidity (Royer et al. 2008). Livestock grazing has been shown to increase bulk density and soil compaction, which are correlated with decreased soil water content and hydraulic conductivity (Royer et al. 2008). Dakota skippers will tolerate little to no grazing in mixed-grass prairie (Cochrane and Delpey 2002; McCabe 1981). Grazing pressure within the pastureland found in the project area is categorized as moderate to severe based on visual observance by

SWCA in the field.

The nearest designated USFWS critical habitat unit, Unit 11 in Mountrail County, is located 25.63 miles south of the project area. Additionally, Unit 12 in Williams County is located 25.98 miles south of the project area. Because of the lack of suitable habitat and the distance to the nearest known population, the Dakota skipper is not expected to be impacted by the proposed project.

Northern Long-Eared Bat

On May 4, 2015, the USFWS listed the northern-long eared bat as threatened under the ESA (USFWS 2015b). The USFWS also issued an interim rule pursuant to Section 4(d) of the ESA in conjunction with the final rule (50 CFR Part 17). For areas within the species' range that are not affected by white-nose syndrome (i.e., areas outside the 150-mile white-nose syndrome buffer zone), including all of North Dakota, the interim 4(d) rule exempts incidental take from certain activities.

This medium-sized bat ranges across the eastern and north-central United States and all the Canadian provinces (USFWS 2015b). Throughout most of this species' range, populations are patchily distributed. They emerge at dusk to fly through the understory of forested hillsides and ridges, feeding on moths, flies, leafhoppers, caddisflies, and beetles.

Most records of northern long-eared bats are from winter hibernacula surveys, with more than 780 hibernacula identified within the United States. No known hibernacula are located in North Dakota, due to either no suitable hibernacula present or a lack of survey effort (USFWS 2013d). This bat species occupies a wide range of rocky and forested habitats. Suitable winter habitat includes large caves and mines (USFWS 2015b). Summer day roosts include abandoned buildings, bridges, hollow trees, stumps, under loose bark, and rock fissures (Jones and Choate 1978). The summer roosting period is from May through October. Removal of any potential roost trees may impact the northern long-eared bat.

Suitable winter habitat for northern long-eared bats does not occur in the pipeline ROW. Nearby trees, including quaking aspen trees recorded at sample point WV1 (Appendix A), and rocky outcrops can act as suitable summer day roosts. Suitable habitat in the project area is minimal, and the 4(d) rule exempts incidental take for the proposed project; therefore, the northern long-eared bat is not expected to be impacted by the proposed project.

Rufa Red Knot

The rufa red knot is a medium-sized shorebird approximately 9 to 11 inches in height with breeding plumage consisting of red around the face and a prominent stripe above the eye, breast, and upper belly, and non-breeding plumage a dusky gray and white (USFWS 2013c). The USFWS published a proposal to list the rufa red knot as threatened under the ESA in the Federal Register in September 2013 (78 Federal Register 60023). On December 11, 2014, the USFWS determined a threatened species status for the rufa red knot, and the final rule became effective January 12, 2015 (79 Federal Register 73705).

The primary reason for the decline of this species includes reduced food supplies in Delaware Bay due to commercial harvest of horseshoe crabs, but also includes areas of range loss due to rising sea levels, shorelines project, and development (USFWS 2013c). The rufa red knot breeds in the Canadian Arctic and migrates 19,000 miles to winter on the U.S. Gulf Coast and in South America. The species generally occurs along the ocean coasts during migration, but a small number have been reported across the interior United States.

Suitable habitat along Lake Sakakawea is approximately 20.17 miles northwest of the project area. The likelihood of the rufa red knot occurring in the proposed pipeline ROW is very low due to the distance to Lake Sakakawea. The rufa red knot is not expected to be impacted by the proposed project.

On behalf of LMS, Kleinfelder is seeking comments regarding the referenced project in compliance with the North Dakota Energy Conversion and Transmission Facility Siting Act. We request comments be submitted by November 28, 2019. Please call me at 303-297-5791 if you have any questions.

Sincerely,

KLEINFELDER



Nan Elzinga, PE
Project Manager III

1801 California Street, Suite 1100
Denver, CO 80202
d|303.297.5791
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October 30, 2019

Williams County Commission
Planning and Zoning Division
PO Box 2047
Williston, ND 58802-2047

**SUBJECT: Proposed Alliance Sales Line Project
Liberty Midstream Solutions, LLC**

To Whom it May Concern,

Liberty Midstream Solutions, LLC (LMS) is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline that will be known as the Alliance Sales Line Project on privately owned lands in Mountrail and Williams County, North Dakota (as shown on attached Figure 1). The proposed 8-inch pipeline will carry the residue gas from the existing Liberty County Line Gas Plant to an existing third-party transmission pipeline.

On behalf of LMS, Kleinfelder is seeking comments regarding the referenced project in compliance with the North Dakota Energy Conversion and Transmission Facility Siting Act. We request comments be submitted by November 28, 2019. Please call me at 303-297-5791 if you have any questions.

Sincerely,

KLEINFELDER

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Nan Elzinga, PE
Project Manager III

1801 California Street, Suite 1100
Denver, CO 80202
d|303.297.5791
o| 303.237.6601
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RESPONSES RECEIVED FROM AGENCIES

November 20, 2019

Nan Elzinga P.E.
Project Manager
Kleinfelder
1801 California Street, Suite 1100
Denver, CO 80202

Re: Liberty Midstream Solutions Alliance Sales Pipeline Project in Mountrail, Williams Counties

Dear Ms. Elzinga:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on November 01, 2019, with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. Development of the production facilities and any access roads, well pads or pipelines should have a minimal effect on air quality provided measures are taken to minimize fugitive dust. However, operation of the wells has the potential to release air contaminants capable of causing or contributing to air pollution. We encourage the development and operation of the wells in a manner that is consistent with good air pollution control practices for minimizing emissions. Emission control requirements are specified in 40 CFR 49.140 through 49.147 and other applicable Federal regulations.

Any questions about air pollution control or permitting requirements should be addressed to the U.S. Environmental Protection Agency, Region 8. They can be reached at (303) 312-6312 or r8eisc@epa.gov.

2. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. **Guidelines for minimizing degradation to waterways during construction are attached.**
3. Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the department's website or by calling the Division of Water Quality (701-328-5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local storm water management considerations are addressed.

918 East Divide Avenue | Bismarck ND 58501-1947 | Fax 701-328-5200 | deq.nd.gov

Director's Office
701-328-5150

Division of
Air Quality
701-328-5188

Division of
Municipal Facilities
701-328-5211

Division of
Waste Management
701-328-5166

Division of
Water Quality
701-328-5210

Division of Chemistry
701-328-6140
2635 East Main Ave
Bismarck ND 58501

4. The proposed construction project does not overlie a defined glacial drift aquifer; however, several domestic water supply wells are located in the vicinity of the southern portion of the project's intended route. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to this department and appropriate remedial actions performed.
5. Noise from construction activities may have adverse effects on persons who live near the construction area. Noise levels can be minimized by ensuring that construction equipment is equipped with a recommended muffler in good working order. Noise effects can also be minimized by ensuring that construction activities are not conducted during early morning or late evening hours.
6. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the department's Division of Waste Management at (701) 328-5166.
7. Projects that involve construction of pipelines should select locations that minimize the potential for impacts to human health and the environment during and after construction by avoiding, when possible, source water protection areas and sensitive surface and groundwater environments. Additionally, when possible, pipeline routes should select areas with natural barriers to both surface and ground waters. Human health and the environment should be further protected by developing a spill response plan that emphasizes rapid deployment of prepositioned assets necessary to contain spills and subsequent cleanup. Proper surveillance and monitoring for early detection of leaks should be required.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:dlp
Attach.

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality for projects that involve construction or environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion of soil and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be protected against compaction, vegetation loss, and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be controlled to minimize silt movement, nutrient upsurges, plant dislocations, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the department's pesticide application permit with notification to the department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds; including, but not limited to, asphalt, tires, treated lumber, and construction debris. The department may require testing of fill materials. All temporary fill must be removed. Debris and solid wastes must be properly disposed or recycled. Impacted areas must be restored to near original condition.



"VARIETY IN HUNTING AND FISHING"

NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

GOVERNOR, *Doug Burgum*

DIRECTOR, *Terry Steinwand*

DEPUTY, *Scott A. Peterson*

November 18, 2019

Nan Elzinga, PE
Project Manager III
Kleinfelder
1801 California Street, Suite 1100
Denver, CO 80202

Dear Ms. Elzinga:

RE: Proposed Alliance Sales Line Project

Liberty Midstream Solutions, LLC is proposing to construct and operate approximately 4.72 miles of 8-inch residue gas pipeline, originating from the existing Liberty County Line Gas Plant and terminating at an existing third-party transmission line, in Mountrail and Williams Counties, North Dakota.

A primary concern with pipeline projects is the possible disturbance of native prairie and wooded draws associated with construction of the pipeline and access roads. Avoidance of native prairie areas reduces impacts to several grassland species including many of the species of conservation priority. We ask that work within these areas be avoided to the extent possible, every effort be made to prevent destruction of woody vegetation, and disturbed areas be reclaimed to pre-project conditions.

The National Wetland Inventory indicates several wetlands within the proposed project corridor. Steps should be taken to protect any wetlands that cannot be avoided, no alterations should be made to existing drainage patterns, and above-ground appurtenances should not be placed in wetland areas. Unavoidable destruction or degradation of wetland acres should be mitigated in kind.

We do not believe this project will have significant adverse effects on wildlife or wildlife habitat provided these recommendations are implemented where appropriate during project construction.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Link", is written over the typed name.

Greg Link
Chief
Conservation & Communication Division

js

November 15, 2019

Nan Elzinga, PE
Kleinfelder
1801 California Street
Suite 1100
Denver, CO 80202

Re: Alliance Sales Line Project – Mountrail and Williams County

Dear Nan Elzinga,

The North Dakota Parks and Recreation Department has reviewed the above referenced proposed Alliance Sales Line project in Mountrail and Williams Counties, North Dakota.

Our agency scope of authority and expertise covers recreation and biological resources (in particular rare plants and ecological communities). The project as defined does not affect state park lands that we manage or affect Land and Water Conservation Fund recreation projects that we coordinate.

The North Dakota Natural Heritage biological conservation database has reviewed the project to determine if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, we have no rare species or significant ecological community documented within or adjacent to project site. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

We appreciate your commitment to rare plant, animal and ecological community conservation, management and inter-agency cooperation to date. For additional information, please contact me at (701-328-5370 or kgduttenehfer@nd.gov). Thank you for the opportunity to comment on this proposed project.

Sincerely,



Kathy Duttenehfer

Coordinator/Biologist II, Natural Resources Division

NORTH
Dakota | Water Commission
Be Legendary.™

November 25, 2019

Nan Elzinga
Kleinfelder
1801 California Street, STE 1100
Denver, CO 80202

Dear Mr. Elzinga:

This is in response to your request for a review of the environmental impacts associated with the proposed Alliance Sales Line Project located in Mountrail and Williams County, ND.

The proposed project has been reviewed by State Water Commission staff, and the following comments are provided:

- There are no floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the NFIP are required based on the current effective FIRM and State minimum standards.
- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Water Appropriations Division of the Office of the State Engineer if you have any questions at (701) 328-2754 or waterpermits@nd.gov.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or stevebest@nd.gov.

Sincerely,



Steven Best
Planner III

SB:dm/1570

November 15, 2019

NAN ELZINGA
KLEINFELDER
1801 CALIFORNIA STREET, SUITE 1100
DENVER, CO 80202

RE: PROPOSED ALLIANCE SALES LINE PROJECT – LIBERTY MIDSTREAM SOLUTIONS, LLC

To Whom It May Concern:

The North Dakota Department of Trust lands (NDDTL) received a letter dated October 30, 2019, from Kleinfelder regarding a request for comment on the proposed Alliance Sales Line Project in Mountrail and Williams County, North Dakota.

Below is a list of surface tracts managed by NDDTL on behalf of the Board of University and School Lands located near the proposed project boundary area(s) as depicted via the received letter and map.

NDDTL managed tracts near in the proposed project area			
County	Township	Range	Section
WIL	157	95	36

Any proposed projects crossing NDDTL managed property would need to apply for a Rights of Way and would be subject to review and approval by the Board of University and School Lands. NDDTL reviews the financial benefit to the trusts; availability of alternate encumbrance site or route; least environmentally damaging site or route regardless of property ownership; physical stability of the landscape; other potential future uses for the trust lands, including urban development; potential mineral and other material development including oil, gas, coal, construction aggregate, sodium sulfate, chemical substances, metallic ore, or uranium ore; feasibility for reclamation; maintenance of existing wetlands and water flows; any cultural, historical, archeological, and paleontological resources; habitat for federally listed threatened and endangered species; location of the proposed route or site in relation to section lines, quarter section lines and corridors; potential liability to the trusts; applicant's past encumbrances on trust lands; applicant's financial stability; and any other information relevant to the application which would assist in the determination.

If you have any questions, please contact the office at (701) 328-2800.

Sincerely,



Kayla Spangelo
Natural Resources Professional



United States Department of the Interior



FISH AND WILDLIFE SERVICE North Dakota Ecological Services

IN REPLY REFER TO:
2020-CPA-0043
Proposed Alliance
Sales Pipeline

3425 Miriam Avenue
Bismarck, North Dakota 58501
December 4, 2019

Ms. Nan Elzinga
Project Manager III
Kleinfelder
1801 California Street, Suite 1100
Denver, Colorado 80202

Dear Ms. Elzinga:

The U.S. Fish and Wildlife Service (Service) received a request dated October 31, 2019 from Kleinfelder on behalf of Liberty Midstream Solutions, LLC requesting comments for a North Dakota Public Service Commission (NDPSC) application. The application is for the proposed 4.72 mile Alliance Sales Line Project carrying residue gas in an 8-inch pipeline in Mountrail and Williams County, North Dakota. We appreciate the write-up and the desire to cooperate. We have reviewed the project and we have no objections to the project.

Thank you for the opportunity to comment on this project. If you require further information, please have your staff contact Jessica Johnson of my staff at (701) 355-8507 or you can contact me at (701) 355-8512.

Sincerely,

Deputy Field Supervisor
North and South Dakota Field Office

cc: Greg link, Division Chief, North Dakota Game and Fish Department
Brian Kroshus, Commissioner, NDPSC
Julie Fedorchak, Commissioner, NDPSC
Randy Christmann, Commissioner, NDPSC