

June 25, 2020

HAND DELIVERED

Mr. Steve Kahl
Interim Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Case No. PU-20-247
OE2 North LLC
Bill Sanderson Residue Gas
and NGL Pipelines Project**

Dear Mr. Kahl:

Please find enclosed for filing in the above-referenced matter an original and five (5) copies of the following document:

1. Response to the request of additional information submitted by the North Dakota Public Service Commission in its letter dated June 11, 2020;

submitted on behalf of OE2 North LLC. A compact disc containing an electronic copy of the above listed document and this letter in PDF format is also enclosed herewith.

Should have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/kl
Enclosures

70356269.1

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10 PU-20-247 Filed 06/25/2020 Pages: 33
Response to 18 June request for information
OE2 North LLC

OE2 North, LLC
Bill Sanderson Residue and NGL Pipelines Project: Case No. PU-20-247
Response to ND PSC Staff's June 11, 2020 Information Request

<i>Item</i>	<i>Request for Information</i>	<i>Response</i>	<i>Attachment</i>
June 11, 2020 Information Request			
1	Page 25 indicates, "To supplement the desktop assessment, GMEC conducted a field assessment of the NGL Line and collocated portion of the Residue Line on March 6, 2020 and the remainder of the Residue Line on March 26, 2020. Due to the time of year, a full assessment of hydrophytic vegetation was not possible." Is OE2 North LLC committed to a full assessment of hydrophytic vegetation? Which sites was a full assessment not completed? Which wetlands and waterbodies were not been delineated as a result?	Although full assessment of hydrophytic vegetation was not conducted, GMEC was able to assess Ordinary High-Water Mark (OHWM) and bed and bank features as well as identify major vegetation along the identified drainages. This information was used to conservatively estimate the potential Waters of the U.S. that could be impacted by the pipeline construction. OE2 will use a conservative approach to avoid all potential Waters of the U.S. utilizing horizontal directional drilling (HDD) construction. Therefore, no further assessment of hydrophytic vegetation is necessary.	No
2	Confirm that all wetland and waterbody crossings will use the horizontal directional drilling technique. If some locations are not crossed by the technique, identify the method, and the location(s) on the Figure 1 Map from May 2020 of the OE2 North LLC: Residue Line Natural Resource Report.	OE2 confirms that all wetland and waterbody crossings will use the HDD technique.	No
3	When is the Class III survey and report expected to be completed, and when is concurrence anticipated from ND SHPO (ND State Historical Preservation Office)?	A Class I Inventory was conducted for the Project. Since the NGL and Residue Lines generally follow an existing pipeline ROW where previous cultural inventories have been completed, a Class III survey was not conducted. The Inventory was submitted to the State Historical Society of North Dakota (SHSND) and overlaps with multiple other inventories done on the existing infrastructure the Project parallels. GMEC's lead archeologist is coordinating with the SHSND regarding the Class I results. OE2 is committed to full avoidance of impacts to cultural resources through HDD or fencing enclosures around documented resources during construction.	No
4	When is the Unanticipated Discovery Plan expected to be approved?	The Unanticipated Discovery Plan was not submitted to SHPO since there is no requirement for review or approval.	No

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Item	Request for Information	Response	Attachment
5	Please submit ND SHPO Consultation and the Class I Cultural Resource Inventory as privileged under separate cover.	The ND SHPO Consultation Letter including a redacted version of the Class I Cultural Resource Inventory is included as an attachment to this Response.	Yes
6	How did the Landslide Area Maps in Appendix L inform construction design? Submit copies of any study that OE2 conducted on such areas, and any mitigation techniques employed at each site along the Project route to manage adverse impacts that resulted from such a study. Also, include any mitigation techniques to manage adverse impacts relating to the design and construction of the pipeline at the southern end of the Study Area where quaternary deposits have slide to the base of steeper slopes less than 500 feet west of the pipeline.	OE2 did not complete specific landside studies as it did not feel it necessary after internal field review. In the field review of the route, OE2 determined that the basic strategies to protect against landslides and slope instability along the pipeline corridor during construction only require the standard stabilization, ROW drainage improvement, and erosion and runoff control, all of which are described in more detail in Section 10 of the Application and the various documents referenced therein, including, without limitation, the SWPPP for the Project.	No
7	Please submit the Damage Prevention program plan, referenced on page 21 of the application.	OE2 does not have a consolidated Damage Prevention Plan in place. However, OE2 does maintain multiple Damage Prevention practices, including but not limited to: registry and response for the pipelines within the ND One-Call system, cathodic protection, periodic ROW inspections, periodic wall-thickness surveys, inspection and functional testing of all over-pressure protection devices, and operating procedures to include system monitoring.	No
8	Please send agency correspondence to the U.S. Department of Defense, the ND Transmission Authority, and the ND Department of Labor.	Correspondence was sent to the U.S. Department of Defense on June 17, 2020. Correspondence was previously submitted to the ND Industrial Commission (per the North Dakota State Government website: The North Dakota Industrial Commission is the North Dakota Transmission Authority) and the ND Department of Labor. Copies of those letters are attached.	Yes
9	What percentage of the pipelines are co-located with existing utility corridors?	The pipelines are 100% co-located with existing utility corridors.	No

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10	Why is the estimated acreage within the right-of-way showing “n/a” for WTL-004 on Table 3, page 7 of the Grouse Mountain Residue Line Natural Resource Field Assessment? Include sites WTL-005, WTL-008, WTL-009, and ISC-001 in the same table.	The estimated acreage with the right-of-way (ROW) for WTL-004 is 0.066085 acres. WTL-005, WTL-008, and WTL-009 were not included in Table 3 since they are outside of the Construction ROW. ISC-001 is within the ROW, but there were no features indicating this was a natural wetland nor any connection downstream. OE2 will avoid all potential Waters of the U.S. via the HDD crossing method.	No
11	Was a baseline soil analysis used for determining topsoil depth along the Project route performed? If yes, please file a copy with the Commission.	A baseline soil analysis has not been conducted. Topsoil depth will be estimated in the field using best practices as described in Section 10.1.2 of the application.	No
12	File copies of all agency responses with the Commission once received.	OE2 will file copies of all agency responses with the Commission once received. To date, responses have been received from ND Department of Environmental Quality, ND Parks and Recreation, ND Department of Trust Lands, and the US Army Corps of Engineers. Copies of those responses are attached.	Yes
13	Has OE2 North, LLC reached out to local emergency responders to inform them of OE2’s emergency response procedures, and has OE2 conducted tabletop exercises with them?	OE2 has notified local emergency responders of the Project. Prior to operation of the pipelines, OE2 will invite emergency responders to the Project location for a detailed review of emergency response procedures.	No
14	Are any other surveys incomplete? If yes, please indicate the status and the approximate completion date(s).	All surveys are complete.	No
Review of GIS Shapefiles: Information Request			
15	Can you please confirm that all the Soil Units in the legend above the main legend in the Soils map is complete? Same for the NLCD Landuse in the Vegetation Map, same for NHD Flowline, NHD waterbody, and NWI Wetland in the Wetlands and Waterbodies Map, and all SWPPP Maps and Natural Resource Maps?	Confirmed for all. NLCD, NHD, AND NWI shapefiles were included in the OE_Shapefiles zip file submitted with the Application.	No

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16	Provide GIS shapefiles for surface water flow direction and elevation contours (shown on page 133 of the application)	GIS shapefiles for surface water flow direction and elevation contours were provided via email on June 16, 2020.	No

ND SHPO Consultation Letter (including a redacted version of the Class I Cultural Resource Inventory)



May 25, 2020

State Historical Society of North Dakota
Archeology & Historic Preservation Division
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, North Dakota 58505

**SUBJECT: Proposed Gas Pipelines
OE2 North LLC, Bill Sanderson Residue and NGL Pipelines Project**

To Whom it May Concern,

OE2 North LLC (OE2) is proposing to construct and operate two new pipelines originating from their Bill Sanderson Gas Processing Plant located in Williams County, North Dakota. The two new pipelines consist of an approximately 1.28 mile 8-inch natural gas liquids (NGLs) pipeline and an approximately 4.67 mile 20-inch residue gas pipeline. These pipelines are referred to as the Bill Sanderson Residue and NGL Pipelines Project (Project). The two pipelines will be located entirely on privately owned lands in Williams County, North Dakota in rights-of-way already acquired. The two proposed pipelines will be collocated for the first mile up to a tie-in point of the 8-inch NGL pipeline to an existing pipeline. The 20-inch steel residue gas pipeline will continue south for approximately 3.5 miles to a tie-in point with another existing pipeline.

The two pipelines will begin at the proposed Bill Sanderson Gas Processing Plant located in Section 27, Township 154 North, Range 104 West approximately 15 miles West of Williston, ND and will follow existing infrastructure for their entirety. Please see the attached Project Overview Map for the Project location and details (Figure 1).

OE2 contracted Grouse Mountain Environmental Consultants (GMEC) to conduct a Class I cultural resource inventory to identify any previously recorded cultural resources within the Project Area of Potential Effects (APE). The results of the Class I record search is summarized below, with affected resources illustrated in the attached Cultural Resource Overview Map.

Background research consisted of a record search through the State Historical Society of North Dakota (SHSND) State Historic Preservation Office (SHPO) for a 1-mile indirect APE surrounding the proposed Project footprint. This search was conducted for resources recommended as eligible or that are Listed on the National Register of Historic Places (NRHP).

A Class I file search was received from the SHSND on March 31, 2020. The file search was submitted electronically to the SHSND under the project name "OE2 North NGL and Residue Lines" and was documented in the SHSND system under this name. Additional background research was conducted through an online historic map search, available local literature, and a search of the online Bureau of



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Land Management (BLM) land patent and General Land Office (GLO) plats. The search for the Residue Line and NGL Line included multiple Townships listed below:

- T154N-R104W, Sections 25, 26, 27, 34, 35, 36.
- T153N-R104W, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15

The records search through the SHSND revealed the project area has experienced 11 previous inventories within 1-mile of the project area (Figure 2; Attachment A-Table 1). Of the 11 previous inventories, three have crossed or occurred within Project footprint and 100-foot Right-of-Way (ROW) (MS12818, MS12829, MS1770) along the Residue Line. No previous inventories were conducted within the majority of the proposed NGL Line or the 100-foot ROW. Cultural resources identified within the 1-mile indirect APE are listed in Attachment A-Table 2, with resources located within the Project footprint and/or ROW indicated in bold. The file search did not identify cultural heritage sites listed on the NRHP or historic Districts within the Project footprint or the 1-mile indirect APE.

A review of the online BLM Federal Land Patent Records for T154N-R104W Sections 26, 27 and 35 and T153N-R104W, Sections 2 and 11 where construction disturbances may occur indicate 30 patents were issued between 1908 and 1928 (Attachment A-Table 3). Of the 30 patents issued, nine are 1820 Sale-Cash Entry Patents, five are 1862 Homestead Entry Patents, eight are under the 1865 Indian Fee Patent, and eight are under the 1880 Indian Trust Patent. The Indian Fee Patent was issued under the general Allotment Act of February 8, 1887 whereas the patent is the actual title to a property (land) and is owned in its entirety by the individual and their heirs. Based on the general grazing and homesteading patents issued suggests the area has been under private ownership through the nineteenth and twentieth centuries with low to moderate settlement in the general area.

The project area is within the Missouri River Drainage system and the Garrison Study Unit (GSU). Cultural affiliations observed in the GSU span from Paleo-Indian to Historic settlement. This study unit has produced diagnostic artifacts dating to Clovis times roughly 13,000 bp. The natural setting of rivers, tributary stream valleys, and upland grasslands offered reliable big game and vegetative resources for hunting and gathering peoples. As of 2015, there is one (1) site recorded for every 1.9 square miles in the GSU, ranking second in site density in North Dakota. Typical sites identified in the GSU include stone circles, cairns, and rock features which account for over half of the archaeological sites recorded. Many artifacts associated with Paleo-Indian occupations have been discovered near rivers or established water corridors. Based on this, Paleo-environmental modeling suggests many sites can be anticipated above today's reservoir level within certain landforms within the Missouri Valley. However, a variety of cultural properties can be expected in upland landscapes such as lithic scatters, earthlodge villages, or even isolated Native American truck burials or former cemetery locations. Overall, certain geographical settings such as alluvial fans, valley wall footslope, or in a relatively rapidly deposited sedimentary context can produce buried cultural remains. Given the



water corridor located approximately 546 feet north, with ephemeral drainages trending through the Project footprint, the possibility of buried cultural remains is likely.

Based on the file search, five previously recorded sites have been identified within proximity to the Project footprint (between 160-feet to 384-feet from the proposed pipeline center). Of these sites, two are within the 100-foot ROW of the Residue line and may be impacted by project disturbances. Site 32WI1179 is bisected by the proposed Residue line in Section 2, T153N-R104W. The site was initially recorded by SWCA in 2011 and consists of 9 stone circles and associated artifacts and is unevaluated pending subsurface testing and/or tribal consultation. As of 2011, the site has been impacted by existing pipeline construction and vehicle traffic. Site 32SW1177 has an estimated location within the Residue line route and construction ROW in Section 2, T153W-R104W. The site was not relocated in 2011 by SWCA and remains as unevaluated pending subsurface testing and/or tribal consultation.

Grouse Mountain is requesting the SHSND provide recommendations and/or requirements regarding cultural resources pertaining to the project. OE2 is committed to best management practices to avoid impacts to archeological resources whether through implementation of barrier fences or horizontal directional drilling if deemed necessary. Please contact Becca Mashak at 307-684-2112 or rmashak@gmecwy.com with any questions regarding the proposed Project.

Sincerely,

Grouse Mountain Environmental Consulting, LLC (GMEC)



Rebecca L. Mashak
Grouse Mountain
Environmental Consultants (GMEC)
Lead Archaeologist
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FIGURES

Figure 1. Project Overview Map

Figure 2. Residue and NGL Line Cultural Resource Map



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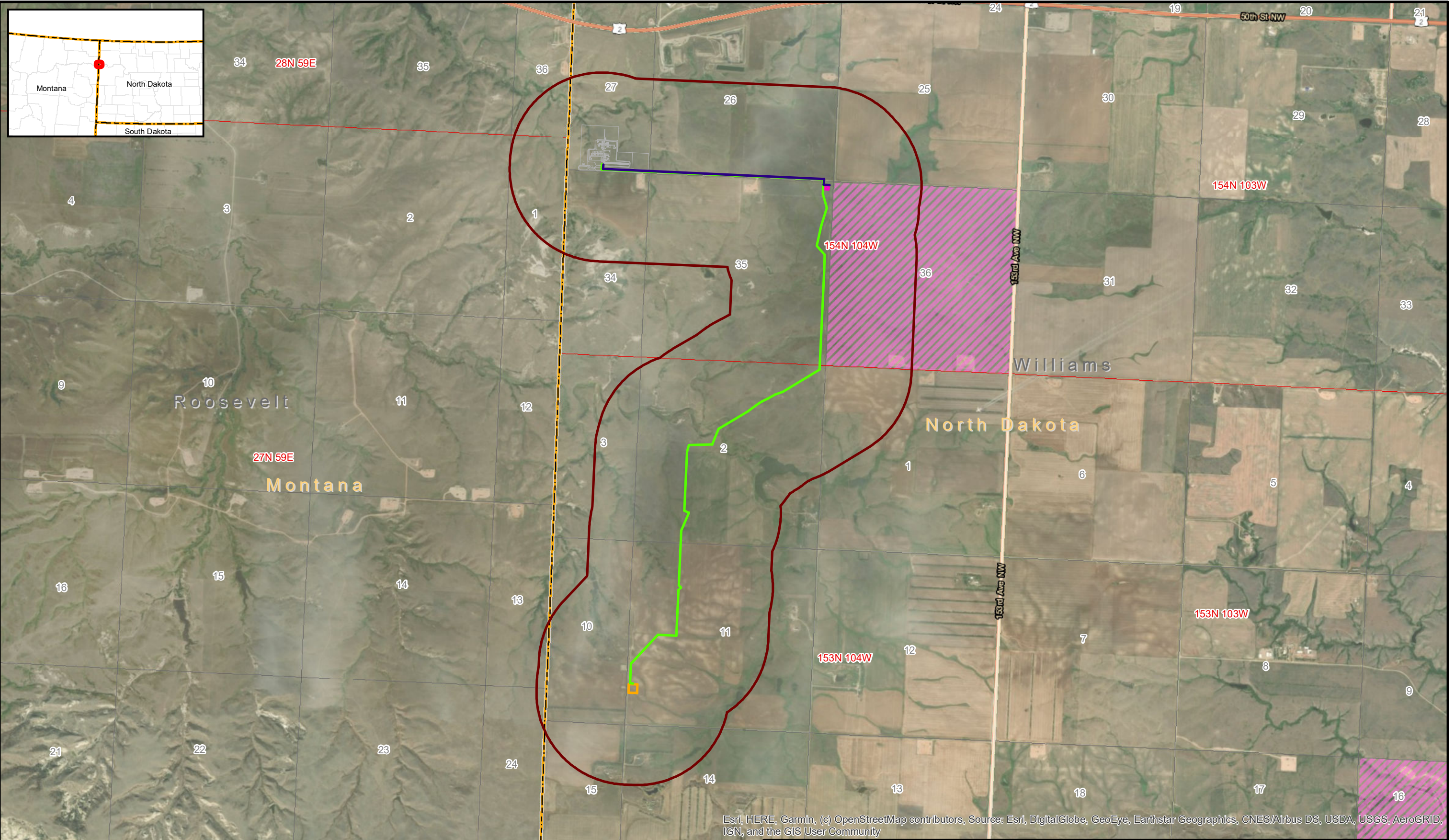


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Date: 5/6/2020 User: ALeonard Path: \\azrgis\storp01\GIS_Projects\Client\OutriggerEnergy\20203533_SandersonGasPlant\MXD\IPSC\IOE_AppA_Fig1_Overview.mxd



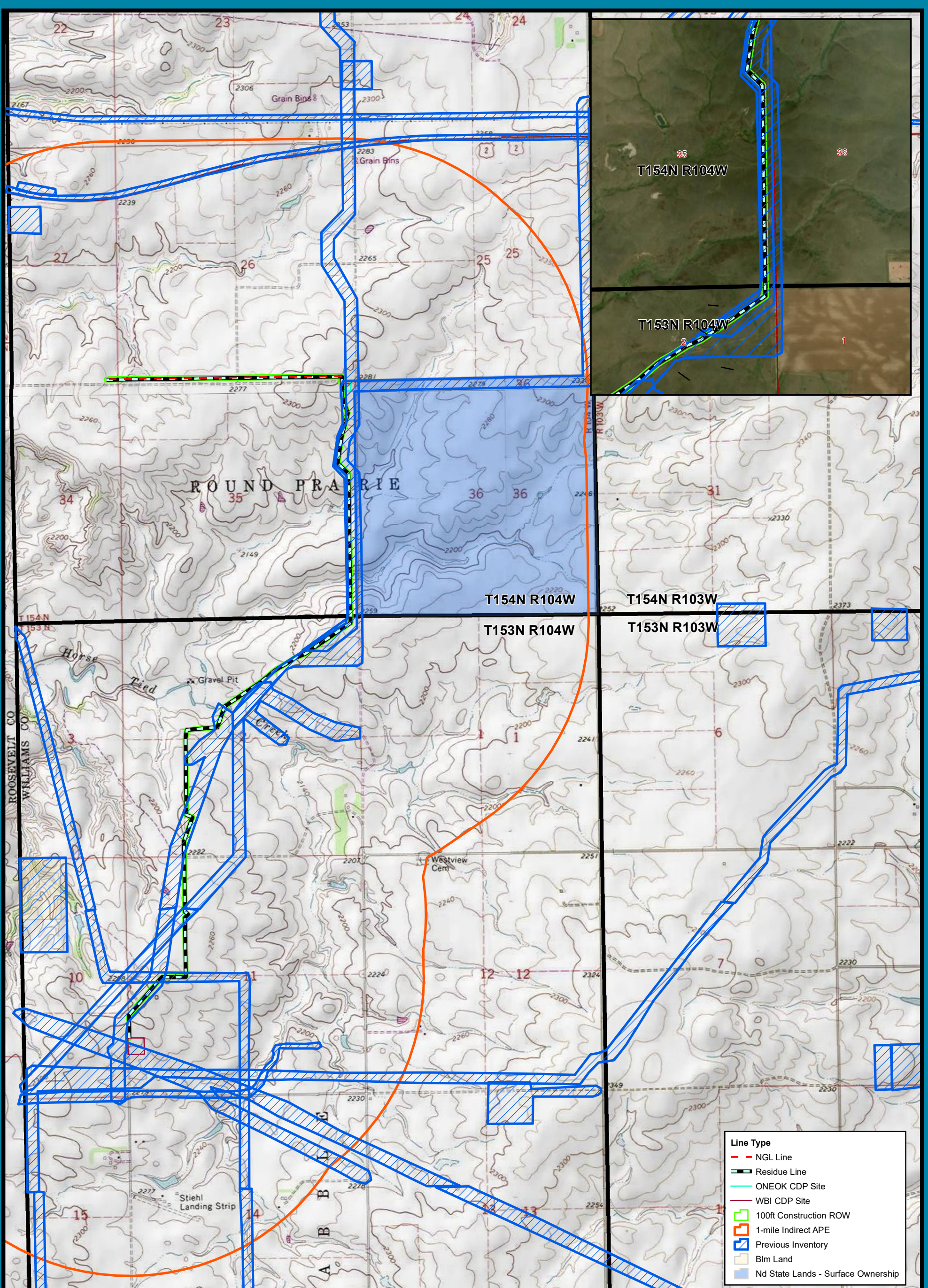
Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LEGEND NGL 8in Steel Pipeline Residue 20in Steel Pipeline Proposed Meter Site Proposed Meter Site Study Area		Site Features County Boundary Township/Range Section State Land		 0 0.25 0.5 1 Miles		 Bright People. Right Solutions.		PROJECT NO. 20203533 CREATED: 5/6/2020 CREATED BY: A. Leonard CHECKED BY: A. Daniel FILE NAME: OE_AppA_Fig1_Overview.mxd		Project Overview Map OE2 North, LLC Pipeline Project Secs. 26, 27, & 35, T154N, R104W Secs. 11 & 2, T153N, R103W Williams County, North Dakota		FIGURE 1	
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Document Name: OUT-005_6_NGL_ResidueLines_11x17



Project No.: OUT-004 Class I Desktop
 Coordinate System: NAD 1983 UTM Zone 13N
 Projection: Transverse Mercator
 Datum: North American 1983
 Units: Meter
 Map Scale: 1:24,000
 Quadrangle(s):
 1989 Red Bank Creek, MT-ND (48104-B-1)
 1989 Bainville SE, MT-ND (48104-A1)

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For Official Use Only: Disclosure of Site Locations Prohibited (43 CFR 7.18)

Class I Cultural Resource Desktop Analysis

NGL and Residue Pipelines

Williams County, North Dakota

T153N-R104W Sections: 2, 11
 T154N-R104W Sections: 26, 27, 35

OUTRIGGER ENERGY

Figure 2 Cultural Resource Overview

Redacted (43 CFR 7.18)



ATTACHMENT A - TABLES



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Table 1. Previous Inventory

Manuscript Number	Title	Date	T-R, Sec.	In Project Footprint/ROW	Within Indirect APE
3455	Archeology of the Northern Border Pipeline, North Dakota: Vol. 2, Pts. 1-3 Survey and Background Information, McIntosh, Emmons, Morton, Stark, Mercer, Dunn, McKenzie, & Williams Co., ND	1983	T153N-R104W, Sec. 10, 11, 14	No	Yes
5204	A Gravel Pit Near Belcourt and a Gaming Hall at the State Line: Intensive Cultural Resources Inventories of Proposed Projects for the Turtle Mountain Agency, Rolette and Williams Counties, North Dakota	1990	T154N-R104W, Sec. 27	No	Yes
5904	Results of the 1991-1992 Class III Cultural Resource Inventory of Selected Bureau of Land Management Tracts, Divide, McHenry, Williams, Pierce, McKenzie, Ward, Benson, Grant, Sheridan, and McLean Co., North Dakota Vol. I & II	1992	T153N-R104W, Sec. 10	No	Yes
7279	Results of a Class II and Class III Cultural Resource Inventory for NDDOT Project Area NH-7-002(038)000, Williams County, ND	1998	T154N-R104W, Sec. 25, 26, 27	No	Yes
10062	Slingshot Federal 1-35H and Huckel Federal 1-2 Well Pads and Access Roads: A Cultural Resource Inventory in Roosevelt Co., Montana and Williams Co., ND	2007	T153N-R104W, Sec. 10, 11, 14, 15	No	Yes
10556	Bainville: A Cultural Resource Inventory of a 0.25 Mile Segment of U.S. Highway 2 in Williams Co., ND	2008	T154N-R104W, Sec. 27	No	Yes
12818	WBI Holding's Stateline Pipeline: A Class III Cultural Resources Inventory in Williams County, North Dakota	2011	T154N-R104W, Sec. 26, 35 T153N-R104W, Sec. 2, 10, 11	Yes	Yes
12829	A Class I and Class III Cultural Resource Inventory of the ONEOK Rockies Midstream Stateline NGL Pipeline, Williams County, North Dakota	2011	T154N-R104W, Sec. 25, 35, 36 T153N-R104W, Sec. 2	Yes	Yes



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Manuscript Number	Title	Date	T-R, Sec.	In Project Footprint/ROW	Within Indirect APE
13414	Dash Federal 2759 11-13H Well Pad and Access Road: A Class III Cultural Resource Inventory in Williams County, North Dakota	2012	T153N-R104W, Sec. 10, 15	No	Yes
17403	Genex Pipeline, LLC Refined Fuels Pipeline: A Class III Cultural Resource Inventory in Williams, Mountrail, and Ward Counties, North Dakota	2017	T153N-R104W, Sec. 10, 11, 12, 15	No	Yes
17770	A Cultural Resource Survey for the Marley-Bainville 115 kV Transmission Line in Williams County, North Dakota	2018	T153N-R104W, Sec. 3, 10, 11, 14	Yes	Yes



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Table 2. Previously Recorded Sites

Smithsonian No.	Eligibility Recommendation	Description	Surface Ownership	Manuscript Number	Project Title	In Project Footprint/ROW	Within the Indirect APE
32WI00332	Unevaluated	Archaeology	BLM Tract 52	005904	910821a; Class III Cultural Resource Inventory of Selected Isolated Tracts of BLM Public Lands in North Dakota	No	Yes
32WI00333	Unevaluated	Archaeology	BLM Tract 52	005904	910821a; Class III Cultural Resource Inventory of Selected Isolated Tracts of BLM Public Lands in North Dakota	No	Yes
32WI00997	Not Eligible (avoidance)	Archaeology	Private	010556	MDOT Bainville: A Cultural Resource Inventory of a Segment of US Highway 2, Williams County, North Dakota.	No	Yes
32WI00998	Not Eligible	Historical	Private	010556	MDOT Bainville: A Cultural Resource Inventory of a Segment of US Highway 2, Williams County, North Dakota.	No	Yes
32WI00999	Not Eligible	Historical	Private	010556	MDOT Bainville: A Cultural Resource Inventory of a Segment of US Highway 2, Williams County, North Dakota.	No	Yes
32WI01000	Not Eligible	Historical	Private	010556	MDOT Bainville: A Cultural Resource Inventory of a Segment of US Highway 2, Williams County, North Dakota.	No	Yes
32WI01175	Unevaluated	Archaeology	Private	NA¹	A Class I and Class III Cultural Resource Inventory of the Stateline Pipeline, Williams County, North Dakota	No	Yes

¹ NA denotes the information was not available through the SHSND



Smithsonian No.	Eligibility Recommendation	Description	Surface Ownership	Manuscript Number	Project Title	In Project Footprint/ ROW	Within the Indirect APE
32WI01176	Unevaluated (avoidance)	Archaeology	Private	012818	WBI - Stateline PL: A Class III Cultural Resource Inventory in Williams County, North Dakota	No	Yes
32WI01177	Unevaluated (avoidance)	Archaeology	Private	012818	WBI - Stateline PL: A Class III Cultural Resource Inventory in Williams County, North Dakota	Yes	Yes
32WI01178	Unevaluated (avoidance)	Archaeology	Private	012818	WBI - Stateline PL: A Class III Cultural Resource Inventory in Williams County, North Dakota	No	Yes
32WI1179	Unevaluated pending tribal consultation	Archaeology	Private	12829	A Class I and Class III Cultural Resource Inventory of the ONEOK Rockies Midstream Stateline NGL Pipeline, Williams County, North Dakota	Yes	Yes
32WI1213	Not Eligible	Historical	Private	12818	WBI Holding's Stateline Pipeline: A Class III Cultural Resources Inventory in Williams County, North Dakota	No	Yes
32WIX0778	Unevaluated	Historical	Private	NA	200K Rural Distribution Waterline Project: Class III Inventory, Williams County, North Dakota	No	Yes



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Table 3. General Land Office Land Patent Records

Name	Issue Date	T/R, Sec.	Authority	Accession No.
Abbot, Harry	11/9/1908	T153N-R104W, Sec. 11	1820 Sale-Cash Entry Patent	28249
Azure, Israel	6/29/1914	T154N-R104W, Sec. 27	1865 Indian Fee Patent	418283
	6/20/1910	T154N-R104W, Sec. 27	1880 Indian Trust Patent	138798
Benson, Sverdrup M.	6/10/1909	T153N-R104W, Sec. 2	1820 Sale-Cash Entry Patent	66844
Brownson, Ernest R.	1/22/1913	T153N-R104W, Sec. 2	1820 Sale-Cash Entry Patent	311119
Christianson (Peterson), Caroline	3/29/1913	T154N-R104W, Sec. 26	1862 Homestead Entry Patent	322311
Dias, William	6/16/1910	T153N-R104W, Sec. 11	1820 Sale-Cash Entry Patent	137786
Eide, Lina	6/1/1911	T153N-R104W, Sec. 11	1820 Sale-Cash Entry Patent	202238
Falcon (Turncotte), Josephine	7/20/1916	T154N-R104W, Sec. 26	1865 Indian Fee Patent	539059
	6/20/1910	T154N-R104W, Sec. 26	1880 Indian Trust Patent	138630
Hanson, Fredrick	6/5/1911	T154N-R104W, Sec. 26	1862 Homestead Entry Patent	203508
Holcomb, Noah W.	12/17/1912	T154N-R104W, Sec. 26	1862 Homestead Entry Patent	305631
Johnson, Katie	6/7/1909	T153N-R104W, Sec. 2	1820 Sale-Cash Entry Patent	66027
Johnson, Victor	9/17/1918	T153N-R104W, Sec. 11	1862 Homestead Entry Patent	648163
Marion, Beatrice	6/20/1910	T154N-R104W, Sec. 27	1880 Indian Trust Patent	138800



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Name	Issue Date	T/R, Sec.	Authority	Accession No.
Mercer, John	11/12/1906	T153N-R104W, Sec. 2	1862 Homestead Entry Patent	ND2230_261
Olson, George	6/14/1909	T153N-R104W, Sec. 11	1820 Sale-Cash Entry Patent	67128
Rustad, Hjalmar J.	2/13/1914	T153N-R104W, Sec. 11	1820 Sale-Cash Entry Patent	384865
Rydeen, Charles	7/14/1910	T153N-R104W, Sec. 2	1820 Sale-Cash Entry Patent	144211
Shanks (Turncotte), Claudie	4/13/1928	T154N-R104W, Sec. 26	1865 Indian Fee Patent	1014645
	6/20/1910	T154N-R104W, Sec. 26	1880 Indian Trust Patent	138629
Turncotte, Daniel	6/20/1910	T154N-R104W, Sec. 35	1880 Indian Trust Patent	138623
	6/20/1910	T154N-R104W, Sec. 35	1880 Indian Trust Patent	138628
	3/30/1911	T154N-R104W, Sec. 35	1865 Indian Fee Patent	186593
	7/10/1914	T154N-R104W, Sec. 35	1865 Indian Fee Patent	420930
Turncotte, John B.	6/20/1910	T154N-R104W, Sec. 35	1880 Indian Trust Patent	138626
	9/17/1914	T154N-R104W, Sec. 35	1865 Indian Fee Patent	431960
Turncotte, Rosin	6/20/1910	T154N-R104W, Sec. 35	1880 Indian Trust Patent	138625
	4/30/1914	T154N-R104W, Sec. 35	1865 Indian Fee Patent	402252
	1/29/1916	T154N-R104W, Sec. 35	1865 Indian Fee Patent	510659



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Agency Letter Tracking Table

ADDRESSEE	DATE LETTER SENT	DATE RESPONSE RECEIVED
Federal Aviation Administration	05/26/20	Not yet received
Job Service of North Dakota	05/26/20	Not yet received
North Dakota Attorney General	05/26/20	Not yet received
North Dakota Department of Agriculture	05/26/20	Not yet received
North Dakota Department of Career and Technical Education	05/26/20	Not yet received
North Dakota Department of Commerce	05/26/20	Not yet received
North Dakota Department of Environmental Quality	05/26/20	06/09/20
North Dakota Department of Health	05/26/20	Not yet received
North Dakota Department of Human Services	05/26/20	Not yet received
North Dakota Department of Transportation	05/26/20	Not yet received
North Dakota Department of Trust Lands	05/26/20	06/08/20
North Dakota Energy Development Impact office	05/26/20	Not yet received
North Dakota Game & Fish Department	05/26/20	Not yet received
North Dakota Geological Survey	05/26/20	Not yet received
North Dakota Indian Affairs Commission	05/26/20	Not yet received
North Dakota Industrial Commission	05/26/20	Not yet received
North Dakota Labor Department	05/26/20	Not yet received
North Dakota Parks and Recreation Department	05/26/20	06/17/20
North Dakota Pipeline Authority	05/26/20	Not yet received
North Dakota State Soil Conservation Committee	05/26/20	Not yet received
North Dakota State Water Commission	05/26/20	Not yet received
Office of Governor	05/26/20	Not yet received
US Army Corps of Engineers	05/26/20	06/10/20
US Department of Defense	06/17/20	Not yet received
US Fish and Wildlife Service	05/26/20	Not yet received
Williams County Commission	05/26/20	Not yet received

Agency Correspondence – Sent



June 17, 2020

Public Communications - DOD Public Affairs
1400 Defense Pentagon
Washington, DC 20301-1400

**SUBJECT: Proposed Gas Pipelines
OE2 North LLC, Bill Sanderson Residue and NGL Pipelines Project**

To Whom it May Concern,

OE2 North LLC (OE2) is proposing to construct and operate two new pipelines originating from their Gas Processing Plant located in Williams County, North Dakota. The two new pipelines consist of an approximately 1.28-mile 8-inch natural gas liquid (NGL) pipeline and an approximately 4.67-mile 20-inch residue gas pipeline. These pipelines will be known as the Bill Sanderson Residue and NGL Pipelines Project (Project). The two pipelines will be located entirely on privately owned lands in Williams County, North Dakota. The two proposed pipelines will be collocated for the first mile up to a tie-in point of the 8-inch NGL pipeline to a third-party interconnect. The 20-inch steel residue gas pipeline will continue south for approximately 3.39 miles to a tie-in point with a third-party interconnect. Please see the attached Project Overview Map for the Project location and details.

On behalf of OE2, Kleinfelder is notifying agencies regarding the referenced project in compliance with the North Dakota Energy Conversion and Transmission Facility Siting Act. If you have comments or questions, we request they be submitted by July 17, 2020 via email nelzinga@kleinfelder.com or mail. 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

707 17th Street, Suite 3000
Denver, CO 80202

d|303.297.5791
o| 303.237.6601
m| 303.909.7359



May 26, 2020

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

**SUBJECT: Proposed Gas Pipelines
OE2 North LLC, Bill Sanderson Residue and NGL Pipelines Project**

To Whom it May Concern,

OE2 North LLC (OE2) is proposing to construct and operate two new pipelines originating from their Gas Processing Plant located in Williams County, North Dakota. The two new pipelines consist of an approximately 1.28-mile 8-inch natural gas liquid (NGL) pipeline and an approximately 4.67-mile 20-inch residue gas pipeline. These pipelines will be known as the Bill Sanderson Residue and NGL Pipelines Project (Project). The two pipelines will be located entirely on privately owned lands in Williams County, North Dakota. The two proposed pipelines will be collocated for the first mile up to a tie-in point of the 8-inch NGL pipeline to a third-party interconnect. The 20-inch steel residue gas pipeline will continue south for approximately 3.39 miles to a tie-in point with a third-party interconnect. Please see the attached Project Overview Map for the Project location and details.

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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
m| 303.909.7359



May 26, 2020

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

**SUBJECT: Proposed Gas Pipelines
OE2 North LLC, Bill Sanderson Residue and NGL Pipelines Project**

To Whom it May Concern,

OE2 North LLC (OE2) is proposing to construct and operate two new pipelines originating from their Gas Processing Plant located in Williams County, North Dakota. The two new pipelines consist of an approximately 1.28-mile 8-inch natural gas liquid (NGL) pipeline and an approximately 4.67-mile 20-inch residue gas pipeline. These pipelines will be known as the Bill Sanderson Residue and NGL Pipelines Project (Project). The two pipelines will be located entirely on privately owned lands in Williams County, North Dakota. The two proposed pipelines will be collocated for the first mile up to a tie-in point of the 8-inch NGL pipeline to a third-party interconnect. The 20-inch steel residue gas pipeline will continue south for approximately 3.39 miles to a tie-in point with a third-party interconnect. Please see the attached Project Overview Map for the Project location and details.

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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
m| 303.909.7359

Agency Correspondence - Received

1707 North 9th Street
PO Box 5523
Bismarck, ND 58506-5523
Phone: (701) 328 – 2800
Fax: (701) 328 – 3650

<https://land.nd.gov>



Jodi A. Smith, Commissioner

June 8, 2020

KLEINFELDER
1801 CALIFORNIA STREET, STE 100
DENVER, CO 80202

RE: PROPOSED GAS PIPELINES
OE2 NORTH LLC, BILL SANDERSON RESIDUE AND NGL PIPELINES PROJECT

To Whom It May Concern:

The North Dakota Department of Trust lands (NDDTL) received a letter dated June 4, 2020, from KLEINFELDER regarding OE2 North's proposed Bill Sanderson Residue and NGL pipelines project. Per the received map, NDDTL does not manage any lands within the current proposed route but NDDTL does manage a tract of land within the "Study Area".

Any proposed projects (ie, pipelines proposed to connect to the site) 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, feel free to contact our office at 701-328-2800.

Sincerely



Kayla Spangelo
Natural Resources Professional

June 9, 2020

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

Re: Proposed Gas Pipeline OE2 North LLC, Bill Sanderson Residue & NGL Pipelines in
Williams County

Dear Ms. Elzinga:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on June 2, 2020 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. 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.
2. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the stormwater 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 stormwater management considerations are addressed.
3. 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.

4. 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.

June 17, 2020

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

Re: Proposed Gas Pipeline – OE2 North LLC- Bill Sanderson Residue and NGL Pipelines Project

Dear Nan Elzinga,

The North Dakota Parks and Recreation Department has reviewed the above referenced proposed gas pipeline project in 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 kgduttonhefner@nd.gov). Thank you for the opportunity to comment on this proposed project.

Sincerely,



Kathy Duttonhefner
Coordinator/Biologist II, Natural Resources Division



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504-7565

June 10, 2020

NWO-2020-01108-BIS

Kleinfelder
Attn: Ms. Nan Elzinga
1801 California Street, Suite 1100
Denver, Colorado 80202

Dear Ms. Elzinga:

This is in response to your letter dated May 26, 2020, requesting comments on the proposed OE2 North LLC, Bill Sanderson Residue and NGL Pipelines Project. The project is located in Sections 34 & 35, Township 154 North, Range 104 West, and Sections 2 & 11, Township 153 North, Range 104 West, Williams County, North Dakota.

U. S. Army Corps of Engineers Regulatory Offices administer Section 404 of the Clean Water Act (Section 404). A Section 404 permit would be required for the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Based on the information contained in your letter, the Corps has determined that your proposed project may need a Clean Water Act Section 404 permit. The permit application and instructions for completing the application are enclosed and may also be found at: <http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit>. Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, mail it to the letterhead address or to the email address (preferred) below.

Due to precautions taken in response to the COVID-19 pandemic, The North Dakota Regulatory office prefers that all submissions are sent electronically to the following email address: CENWO-OD-RND@usace.army.mil instead of a hard copy by mail. Please split large attachments (>25 MB) into multiple emails if needed.

Please refer to identification number NWO-2020-01108-BIS in any correspondence concerning this project. If you have any questions, please contact Jeremy Nygard at U.S. Army Corps of Engineers, North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504-7565, by email at *Jeremy.S.Nygaard@usace.army.mil*, or telephone at (701) 255-0015 X 2006. For more information regarding our program, please visit our website at *<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx>*.

Sincerely,

Patricia L. McQueary
State Program Manager
North Dakota

Enclosure
ENG 6082 Form