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November 16, 2020

Via Electronic Mail Only

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

**In re: Corridor & Route Amendment
Cenex Pipeline, LLC
Case No. PU-17-097
Our File No. 020836-000001**

Dear Mr. Kahl:

On behalf of Cenex Pipeline, LLC (“Cenex”), the following documents are enclosed for filing in the above listed matter:

- Combined Application of Cenex Pipeline, LLC for a Waiver or Reduction of Procedures and Time Schedules and for an Amended Order, Amended Corridor Certificate and Amended Route Permit;
- Attachment No. 1 - Amendment Addendum to Consolidated Application for a Certificate of Corridor Compatibility and Route Permit for T156N, R98W, Sec. 35-36, Williams County;
- Attachment No. 2 - Exhibit 11 and As-Built Overlay Map;
- Attachment No. 3 - Amendment Addendum In-Corridor GIS Route Deviations; and,
- Certificate of Service.

Please feel free to contact me with any questions.

Sincerely,



Casey A. Furey

Enc.

cc: Kari Carter (via e-mail)
Robb Schwend (via e-mail)
Patrick Fahn (via e-mail)
Brian Johnson (via e-mail)
Matt Retka (via e-mail)
Derrick Braaten (via e-mail)
Kevin Pranis (via e-mail)

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

**Cenex Pipeline, LLC
10" Refined Fuels Pipeline
Williams, Mountrail, Ward Counties
Siting Application**

Case No. PU-17-097

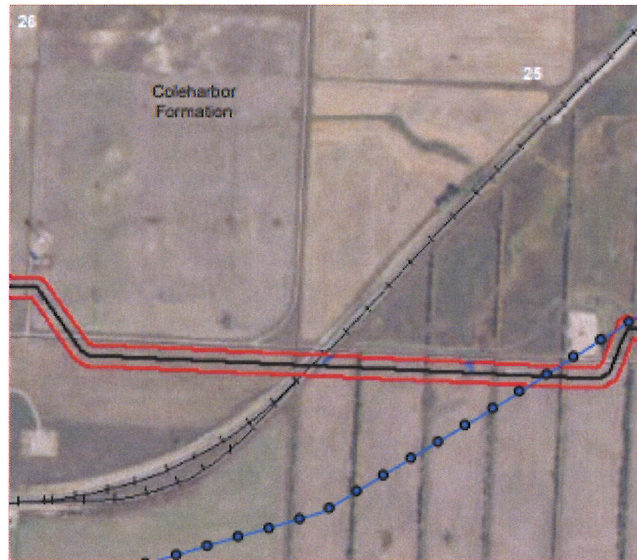
**COMBINED APPLICATION OF CENEX PIPELINE, LLC
FOR A WAIVER OR REDUCTION OF PROCEDURES AND
TIME SCHEDULES AND FOR AN AMENDED ORDER,
AMENDED CORRIDOR CERTIFICATE AND AMENDED ROUTE PERMIT**

Applicant Cenex Pipeline, LLC ("Cenex" or "Applicant"), pursuant to the Energy Conversion and Transmission Facilities Siting Act, codified at North Dakota Century Code Chapter 49-22.1 (the "Act"), hereby submits this Combined Application for a Waiver or Reduction of Procedures and Time Schedules and for an Amended Order, Amended Corridor Certificate and Amended Route Permit ("Combined Application").

On March 2, 2017, Cenex filed with the Public Service Commission ("Commission") a Consolidated Application for Corridor Compatibility Certificate and Route Permit (Docket No. 1) for a refined petroleum products pipeline project in Williams, Mountrail, and Ward Counties, North Dakota (the "Project"). On March 14, 2018, the Commission approved Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility No. 202 and Route Permit No. 212 (Docket No. 100) to Cenex authorizing the construction of the Project. In July 2018, Cenex filed an Amended Application (Docket No. 110) for two route adjustments located in Williams County. On September 26, 2018, the Commission approved Order on Amended Certificate of Corridor Compatibility and Route Permit (Docket No. 135) and issued to Cenex First Amended Certificate of Corridor Compatibility No. 202 and First Amended Route Permit No. 212.

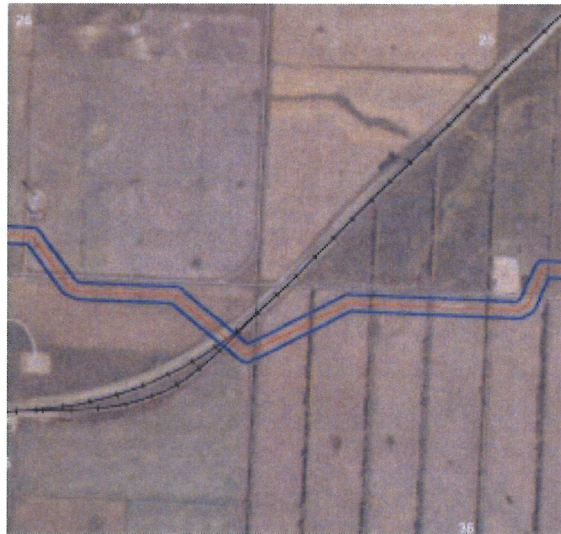
Construction activities began in June 2019 and the Project was commissioned and began operating in June 2020.

On September 15, 2020, Cenex filed a route adjustment to amend the Project route along a segment of the bore profile for the Shell Creek crossing in Section 29, Township 155N, Range 89W in Mountrail County. Additional details and information regarding the Shell Creek crossing amendment are located in Case No. PU-20-399, Docket No. 1. Subsequently, upon further review of the Project's as-built data, Cenex observed a segment of the Project's route along a Burlington Northern Santa Fe ("BNSF") crossing that extended outside of the corridor ultimately approved by the Commission. In Cenex's original Application, the Project is depicted crossing the BNSF crossing at a perpendicular east to west angle.



Case No. PU-17-097, Docket No. 1 (Application), pdf pg. 117 of 248. The BNSF crossing was constructed in accordance with the above depiction. However, after the Application was filed Cenex subsequently proposed to route the Project in a "v-shape" angle along the railroad crossing in response to initial routing discussions with BNSF. This alternate BNSF crossing was included in Exhibit 11, which contains the Project route ultimately approved by the Commission and

referenced in the Project's Order.



Case No. PU-17-097, Docket No. 65, pdf pg. 13 of 39; *see* Docket No. 100, March 14, 2018 Order, Order Paragraph No. 3 (“For purposes of the Permit, the designated route is the proposed route depicted in Hearing Exhibit No. 11 [Docket No. 65].”). Due to a miscommunication, Cenex’s construction team believed both BNSF routes depicted in the Application and Exhibit 11 were approved by the Commission. BNSF ultimately approved the original perpendicular east to west crossing and the route was constructed as depicted in the Application. As explained in Attachment 1 hereto, both routing alternatives were studied during initial siting and the as-built BNSF crossing does not impact any Commission Avoidance or Exclusion Areas. The BNSF crossing amendment is submitted to align the permitted route and corridor and the as-built crossing. Cenex previously notified Commission counsel and staff of the deviation and of Cenex’s intent to file a route and corridor amendment to address the BNSF crossing discrepancy.

Upon Commission staff’s subsequent review of Cenex’s as-built GIS, staff identified various instances where the exact location of the Exhibit 11 GIS and the as-built GIS appeared to deviate within the approved corridor. Cenex engaged in numerous discussions with staff regarding these observations. According to the Commission’s March 14, 2018 Order, “[f]or

purposes of the Permit, the designated route is the proposed route depicted in Hearing Exhibit No. 11.” Attachment No. 2 hereto contains the Exhibit 11 route map approved by the Commission and includes an overlay of the as-built Project route. Cenex respectfully submits that the as-built Project aligns with the route approved by the Commission and any in-field adjustments remain consistent with the routing originally authorized. Attachment No. 2 also identifies and flags numerous instances along the route where route adjustments were previously filed for deviations proposed prior to and during Project construction. As referenced in Attachment No. 3 hereto, deviations were a result of various field adjustments to address different constructability constraints. Cenex identified seventeen instances where Exhibit 11 GIS and the as-built route GIS deviate 21 feet or greater in scope, which are more particularly identified in Attachment No. 3. To resolve any outstanding issues regarding the as-built GIS, Cenex committed to file route adjustments for GIS deviations 21 feet or greater and this filing is submitted in accordance with that commitment. The BNSF crossing amendment and seventeen in-corridor route GIS deviations are collectively referred to herein as the “Route Adjustments.”

Cenex files this Combined Application pursuant to N.D.C.C. § 49-22.1-08, and requests that the Commission waive and/or reduce procedures and time schedules required by the Act or in the Commission’s regulations set forth in Article 69-06 of the North Dakota Administrative Code, to accomplish the purposes as requested herein including, but not limited to:

1. That the Commission waive pursuant to North Dakota Century Code §§ 49-22.1-05, 49-22.1-06(4), 49-22.1-07(4) and North Dakota Administrative Code §§ 69-06-01-02(4), 69-02-04-05 and Chapter 69-06-06, those provisions of North Dakota Century Code Chapter 49-22.1 and North Dakota Administrative Code Articles 69-02 and 69-06 which require certain procedures and time schedules as set forth in said statutes and rules.

2. That the Commission issue notice of opportunity for hearing on this Combined Application and the Route Adjustments and waive any applicable hearing requirements. The Act permits a utility to make an application to the Commission “for a waiver of any of the procedures or time schedules set forth in [the Act] or in the rules adopted pursuant to [the Act].” N.D.C.C. § 49-22.1-05 (emphasis added). Additionally, with respect to waiver requests, the Act expressly states that notice of opportunity for hearing may be issued on an application for waiver in lieu of holding a public hearing. N.D.C.C. § 49-22.1-05. Furthermore, the requested waivers are consistent with the procedure previously utilized by the Commission with respect to Cenex’s September 15, 2020 amendment filing. *See* Case No. PU-20-399, Docket No. 4 (issuing notice of opportunity for hearing on Cenex’s prior amendment filing and waiver request).
3. That the Commission find the Route Adjustments are of such design, location, and purpose they will produce minimal adverse effects.
4. That the Commission designate and approve the Route Adjustments as identified in this Combined Application and supporting documentation and issue the appropriate amended order, amended certification and amended route permit.

The Commission’s application guidelines for waiver of procedures and time schedules require the description of the facility, the need for the facility, the cost of the facility and separate justification for each provision of the Act for which the Applicant is requesting a waiver, together with evidence that the project will produce minimal adverse effects. N.D. Admin. Code § 69-06-06. As demonstrated in this Combined Application, supporting information, and as summarized below, Applicant’s requests for waivers and/or reductions of procedures and time schedules and the issuance of an amended order, corridor certificate, and route permit are justified. The Route

Adjustments are of such design, location, and purpose they will produce minimal adverse effects. The Route Adjustments are necessary to facilitate the Project's continued operations that provide needed pipeline capacity for the transport of refined petroleum products to the agricultural industry and other customers in North Dakota and western Minnesota.

DESCRIPTION OF PROJECT AND AMENDMENT

The approved Project consists of approximately 149.7 miles of 10-inch inside diameter refined petroleum products pipeline capable of transporting up to approximately 60,000 barrels of refined fuels per day. The Project originates in Sidney, Montana and enters the state in western Williams County, North Dakota approximately fourteen miles southwest of Williston. The Project extends easterly through Williams, Mountrail and Ward Counties and terminates at the existing CHS terminal in Minot. Additional details regarding the Project's design are set forth in the Project's Application (Docket No. 1, Case No. PU-17-097) and are incorporated by reference herein.

The Route Adjustments are proposed to 1) amend the Project's corridor and route to align with the Project's as-built routing along the BNSF crossing, consistent with the BNSF crossing originally presented in the Application and 2) amend the Project's route in seventeen locations within the approved corridor to align with the Project's as-built GIS routing. With respect to the BNSF crossing, and as discussed in Attachment No. 1 hereto, no Avoidance or Exclusion Areas are crossed by the amended route nor are located within the amended corridor. The amended corridor and route along the BNSF crossing were studied as part of the original Application and the as-built segment remains consistent with the information originally presented to the Commission in the Application. With respect to the seventeen in-corridor GIS route adjustments discussed in Attachment No. 3 hereto, all adjustments are located within the approved and

previously studied corridor, and result in no impacts to Avoidance or Exclusion Areas.

NEED

Significant hydrocarbon production in the Bakken Formation, expansions of industrial and commercial sectors, and rapid population increases triggered an increased demand for refined fuels in North Dakota and western Minnesota. The Project allows Cenex to continue to provide long-term reliable refined fuel supplies to meet the region's energy needs and the Route Adjustments support the Project's continued operations in furtherance of this objective. There are no reasonable alternatives to the Route Adjustments. The Route Adjustments utilize existing infrastructure, promote continued Project operations to supply regional needs, minimize economic impact, produce minimal adverse effects, and avoid additional environmental impacts that would otherwise stem from boring alternative routes and tying into the Project.

COST

The Route Adjustments do not impact the Project's original cost of approximately \$115 million.

JUSTIFICATION

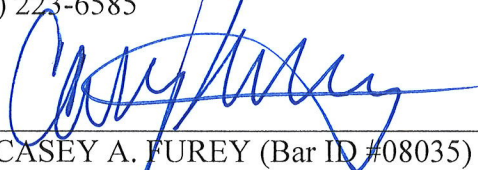
The Commission's prior orders found the Project will result in minimal adverse impacts and the Route Adjustments do not impact these findings. The information provided in support of this Combined Application and the amendments (Attachment Nos. 1 and 3 hereto) demonstrate that the Route Adjustments do not materially alter the nature of the Project, its operations, nor the scope of its impacts. The environmental and cultural resource studies and reports previously conducted for the Project included the areas in which the Route Adjustments are located and demonstrate the Route Adjustments will produce minimal adverse effects.

As a result, Applicant hereby submits that there is substantial justification set forth above for the requested waivers and/or reduction of time schedules and procedures. Applicant respectfully requests the Commission (1) grant the requested waivers and/or reduction of procedures and time schedules and issue notice of opportunity for hearing on the Route Adjustments and this Combined Application, and (2) approve an amended order issuing Cenex an amended corridor certificate and route permit for the Route Adjustments.

Dated this 16th day of November, 2020.

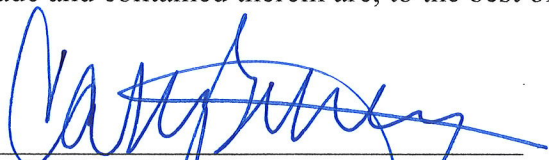
Respectfully submitted,

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(701) 223-6585

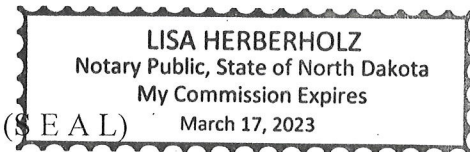
By: 
CASEY A. FUREY (Bar ID #08035)
cfurey@crowleyfleck.com


STATE OF NORTH DAKOTA)
)
COUNTY OF BURLEIGH)

Casey A. Furey, of lawful age, being first duly sworn on oath, deposes and says that she is the attorney for the applicant herein named, that she has read the above and foregoing application, knows the contents thereof, and that the statements made and contained therein are, to the best of her knowledge and belief, true and correct.


CASEY A. FUREY

Subscribed and sworn to before me this 16th day of November, 2020.




Lisa Herberholz, Notary Public
Burleigh County, North Dakota
My Commission Expires: _____

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Cenex Pipeline, LLC
10" Refined Fuels Pipeline
Williams, Mountrail, Ward Counties
Siting Application**

Case No. PU-17-097

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2020, the following documents:

- Combined Application of Cenex Pipeline, LLC for a Waiver or Reduction of Procedures and Time Schedules and for an Amended Order, Amended Corridor Certificate and Amended Route Permit;
- Attachment No. 1 - Amendment Addendum to Consolidated Application for a Certificate of Corridor Compatibility and Route Permit for T156N, R98W, Sec. 35-36, Williams County;
- Attachment No. 2 - Exhibit 11 and As-Built Overlay Map; and,
- Attachment No. 3 - Amendment Addendum In-Corridor GIS Route Deviations.

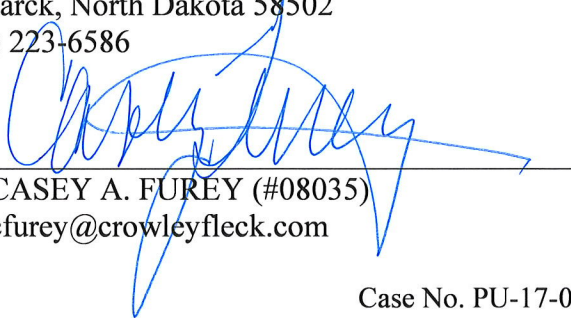
were served *via e-mail* upon the following:

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Dated this 16th day of November, 2020.

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By: 
CASEY A. FUREY (#08035)
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Addendum to: Consolidated Application for a Certificate of Corridor Compatibility & Route Permit



Cenex Pipeline, LLC. Liquid Petroleum Pipeline
WILLIAMS, MOUNTRAIL, AND WARD COUNTIES, NORTH DAKOTA

PREPARED FOR:
Cenex Pipeline, LLC.
803 Highway 212 South
Laurel, MT 59044

FOR SUBMITTAL TO:
North Dakota Public Service Commission

PREPARED BY:
KLJ
4585 Coleman St
Bismarck, ND 58503

For: T156, R98W, Sec 35-36



November 2020

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I. BACKGROUND AND PROJECT DESCRIPTION

A. Description of the Proposed Project

Cenex submitted a consolidated application for a Certificate of Corridor Compatibility and a Route Permit (Application) (Case No. PU-17-97, Docket No. 1) to the ND Public Service Commission (PSC) in March 2017 for the Sidney, MT to Minot, ND ten-inch refined fuels pipeline 149.7 miles of which is located in ND. The ND PSC approved Findings of Fact, Conclusions of Law and Order (Order) for the Project on March 14, 2018 (Docket No. 100) issuing Cenex Certificate of Corridor Compatibility No. 202 and Route Permit No. 212 for the Project, as subsequently amended by the PSC's September 26, 2018 Order (Docket No. 135). The Project's route was chosen to minimize the amount of construction taking place in sensitive areas, while also avoiding difficult river crossings and numerous other engineering and land-use challenges. The pipeline was needed to accommodate an increased demand for refined fuels in the region and to reduce the level of maintenance required to safely operate Cenex's pipeline system. Final construction activities were completed in June 2020 and the Project was commissioned on June 16, 2020.

Prior to the Order, multiple submittals were made on behalf of Cenex. The initial application (Docket No. 1) depicts the proposed corridor to parallel 61st Street NW located in Sections 35 and 36, Township 156N, Range 98W in Williams County. This proposed corridor resulted in a skewed crossing of the BNSF railroad in Section 36, Township 156N, Range 98W. Through additional permitting and planning discussions with BNSF it was determined that Cenex may be required to cross the railroad at a perpendicular angle. The perpendicular angle required the corridor to parallel 61st Street NW before angling southeast in Section 35, T156N, R98W until crossing under the railroad and continuing almost to the section line. The corridor then angles to the northeast in section 35 continuing through Section 36, T156N, R98W and angles back to the original proposed corridor paralleling 61st Street NW. Both corridors are depicted in **Appendix A, Maps**. Subsequent documentation submitted to the PSC (Dockets 28, 29, 36, 57, 58, and 59) have both proposed corridors represented on the maps and were thoroughly evaluated during field visits identifying exclusion or avoidance areas as well as resource analysis.

The PSC approved the perpendicular route on March 14, 2018 while negotiations were ongoing with BNSF. The crossing agreement from BNSF was ultimately issued March 27, 2018 and allowed for Cenex to cross the railroad at a skew and along the original routing. During review of the Project's As-Built data, it was determined that, due to a misunderstanding from the construction team, both routes were believed to be an option for the BNSF crossing. However, the south crossing being the only item referenced in the Docket 65 mapping that was the basis for the PSC approval. Due to this misunderstanding in routing approval, approximately 1,605 feet of pipeline (780 feet of bored pipeline under the BNSF railroad) occurs adjacent to and outside the corridor with the furthest offset distance being approximately 548 feet from the corridor approved in the Order. Please refer to **Table 1, As-Built Reroute**. As a result, Cenex proposes to amend the Project's corridor and route located in Sections 35 and 36, Township 156N, Range 98W consistent with the crossing's original depiction

within the Application (Docket No. 1) and as reflected in the Route Changes Outside of Corridor Map depicted in **Appendix A, Maps**.

Table 1, As-Built Reroute

REROUTE	LOCATION	LENGTH (FEET)		REASON	EXTENT OF REROUTE
		TOTAL	OUTSIDE CORRIDOR		
1	Sec. 35 & 36, T156N, R98W;	1,954	1,605	Miscommunication with construction team regarding approved corridor versus previously surveyed corridor.	Centerline extends outside of previously approved 200-foot corridor up to 548 feet. At the furthest point
Total		1,954	1,605		

II. SITE ANALYSIS

A. Introduction

The purpose of this analysis is to document any known or potential changes of impacts to avoidance and exclusion areas and additional resources that were impacted by the As-Built pipeline reroute not previously approved in the Order. The reroute occurred as part of communication error regarding which previously surveyed corridor and route had been approved by the PSC. Exclusion and avoidance areas were evaluated, along with other potential environmental concerns that should be avoided, minimized, or mitigated. Information set forth in the PSC Application pertaining to North Dakota Administrative Code Section 69-06-05-01(2) and North Dakota Century Code Sections 49-22.1-06, 49-22.1-07, and 49-22.1-09 governing application contents and factors to be considered remains applicable to the As-Built reroute unless otherwise noted and is incorporated herein. Similarly, commitments to avoid, minimize or mitigate impacts to resources discussed in the PSC Application are applicable to the As-Built reroute unless specified otherwise below.

The PSC regulations include the following criteria as exclusion areas for transmission facility corridors and route criteria:

- > Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas.
- > Designated or registered state: parks; historic sites; monuments; historical markers; archeological sites; and nature preserves.
- > County parks and recreation areas; municipal parks; and parks owned or administered by other governmental subdivisions.
- > Areas critical to the life stages of threatened & endangered animal or plant species.
- > Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged.

- › Areas within 1,200 feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility.
- › Areas within 30 feet on each side of a direct line between intercontinental ballistic missile (ICBM) launch or launch control facilities to avoid microwave interference.

The PSC regulations include the following criteria as avoidance areas for transmission facility corridors and route criteria:

- › Designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands.
- › Designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands.
- › Historical resources which are not specifically designated as exclusion or avoidance areas.
- › Areas which are geologically unstable.
- › Within five hundred feet (152.4 meters) of a residence, school, or place of business. This criterion shall not apply to a water pipeline transmission facility.
- › Reservoirs and municipal water supplies.
- › Water sources for organized rural water districts.
- › Irrigated land. This criterion shall not apply to an underground transmission facility.
- › Areas of recreational significance which are not designated as exclusion areas.

Avoidance and exclusion areas were identified through available data via coordination with resource agencies and through state and agency Geographical Information System (GIS) data hubs. Several resource agencies provided confidential information used to identify potential avoidance and exclusion areas. The purpose of the confidentiality of certain data is to protect the integrity of sensitive areas from intentional disturbance. Due to the confidential nature of this information, specific details regarding the nature and locations of these sensitive areas have been excluded from the document. In addition to GIS digital and agency provided data, environmental staff from KLJ completed field inspection of the As Built reroute, as depicted in **Appendix A**, prior to PSC hearings and the issuance of the Order.

III. AVOIDANCE/EXCLUSION AREAS AND RESOURCE ANALYSIS

The As-Built pipeline occurs within the corridor that was previously analyzed in the Project's Application (Docket No. 1) for exclusion and avoidance areas as well as other potential environmental concerns that should be avoided, minimized, or mitigated. As is represented in Docket No. 1, there are no impacts to avoidance/exclusion areas or resources, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit and testified to during the July, 2017 Public Hearings. The below information summarizes the analysis previously conducted for the Project and provided to the Commission in Docket No. 1, which included the As-Built crossing location.

A. Demography and Economy

Communities nearest the reroute include Wheelock, Epping, and Ray. Major employment industries within these communities include oil and gas-related activities, agriculture, educational, health and social services, transportation and warehousing, utilities, construction, accommodation, food services, and retail trade. All three communities have limited infrastructure and public services.

Impacts

There were no impacts to demographics or the regional economy, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

B. Land Use

The reroute is located in a rural setting composed primarily of previously identified agricultural fields, railroad and wetlands. The reroute is located on private lands and includes a 50-foot-wide permanent ROW for the pipeline. For purposes of this analysis, to provide the most conservative assessment, potential temporary impacts related to the pipeline are estimated assuming the 50-foot-wide permanent ROW.

Impacts

Short-term adverse impacts on land use from the reroute would have included loss of production and access to fields. There are no long-term adverse impacts anticipated from the reroute. It is not anticipated that the reroute would result in a trend toward modification of existing land use patterns.

C. Public Services—Electrical Services

There are no utility lines within the reroute environmental study area.

Impacts

There were no impacts to electrical services, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

D. Public Services—Local Services

The reroute passes through rural portions of North Dakota, composed of previously identified agricultural fields, railroad and wetlands. There are no towns or municipalities within the environmental study area. The towns nearest the reroute include Wheelock, Epping, and Ray. Ray provides banking, retail stores, restaurants, bars, and services, however, all three communities have limited infrastructure and public services.

Impacts

There were no impacts to local services, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

E. Public Services—Roads and Traffic

The reroute parallels 61st Street NW within the reroute environmental study area.

Impacts

There were no impacts to roads and traffic, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

F. Public Services—Telephone, Radio, Antenna, Communication, and Microwave Structures

There is no telephone, radio structures, microwave structures, or wireless communication towers present within the environmental study area.

Impacts

There were no impacts to telephone, radio, antenna, communication, and microwave structures, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

G. Public Services—Water Supply

The Western Area Water Supply Authority (WAWSA) supplies water to rural areas in Williams County. The Western Area Water Supply Project utilizes a combination of Missouri River water treated at the Williston Regional Water Treatment Plant and groundwater treated by the R&T Water Supply Commerce Authority's Water Treatment Plant in Ray, North Dakota. Currently, the Authority provides water to 70,000 people and should provide up to 160,000 people by 2038 (WAWSA 2016).

There are no sole source aquifers¹ designated in the environmental study area or the State of North Dakota (EPA 2009); however, unconsolidated aquifers may be crossed by the reroute. Unconsolidated aquifers are located between rock formations and contain the most productive aquifers in North Dakota. The aquifers are composed of loose deposits of sand and gravel through which water readily moves. Some of these deposits are tens of square miles in area and are as much as 100 feet thick (USGS, 1983).

It is common for rural residences in the area to use private wells for domestic and agricultural purposes. Per North Dakota State Water Commission (NDSWC) data, there are no industrial or private wells within the environmental study area. All public water systems that have wells or intakes are participants in the Source Water Protection Program established by the Safe Drinking Water Act. Wellhead Protection Areas are managed by the North Dakota Department of Health (NDDH) to protect groundwater-dependent public water systems, or surface water-dependent public water systems (NDDH, 2016). There are no Wellhead Protection Areas within the reroute environmental study area.

¹ EPA (2009), "defines a sole source aquifer as one which supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer".

Impacts

There were no impacts to water supplies, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

H. Human Health and Safety—Hazardous Materials/Hazardous Waste

Review of US Environmental Protection Agency (EPA) hazardous materials databases (e.g. Superfund, Resource Conservation and Recovery Act [RCRA], and Toxics Release Inventory [TRI]) was conducted for Williams County. There are no known hazardous waste sites within the reroute environmental study area. Minor amounts of hazardous materials (i.e. used oils, cleaning agents, batteries) could be used during construction, maintenance, or operation activities associated with the Project. Hazardous waste would not be generated from construction, maintenance, or operation activities associated with the Project.

Impacts

There were no hazardous wastes encountered, or hazardous materials used during construction. Cenex, nor its contractors, stored hazardous materials, chemicals, fuels, lubricating oils, or completed concrete coating activities within 100 feet of streams or waterbodies.

I. Human Health and Safety—Security

The Project is located in Williams County. All access to the reroute would require permission from property owners, which would minimize public access and should reduce the need for additional security.

Impacts

There were no impacts to security, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

J. Human Health and Safety—Noise

The reroute occurs in a rural setting. Existing noise contributions in the environmental study area would be from nearby farming activities, railroad and roadway traffic. Noise levels in rural settings typically range from 25 to 40 decibels (Noise Quest 2016, IAC Acoustics 2016).

Impacts

There were no impacts associated with noise, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

K. Aesthetics (Visual)

The environmental study area lacks large-scale development and consists of agricultural fields and railroad infrastructure. Much of the landscape within the reroute environmental study area is utilized

for farming. There are no scenic byways, or wild and scenic rivers within the reroute environmental study area.

Impacts

There were no impacts to aesthetics, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

L. Cultural and Archaeological Resources

KLJ performed a Class III cultural resource inventory along the reroute on during the initial inventories. The survey area was approximately 200-feet in width. No cultural resources were identified within the reroute during the inventory.

Impacts

Docket No. 29 shows that the proposed reroute had been previously surveyed prior to construction and that no cultural resources were identified along the reroute. Docket No. 36 from the North Dakota State Historic Preservation Officer (NDSHPO) documents concurrence with the No Significant Sites Affected determination for the surveyed reroute. There were no impacts to cultural or archeological resources associated with the reroute, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit

M. Recreational Resources

There are city parks, golf courses, and museums located in the nearby rural towns and municipalities.

There are no Wildlife Management Areas (WMAs), Wildlife Production Areas (WPAs), or National Wildlife Refuges (NWRs) located within the environmental study area.

Impacts

There were no impacts to recreational resources, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

N. Agriculture and Farmland

The environmental study area consists of agricultural fields, railroad infrastructure, and wetlands. The environmental study area is utilized for agricultural purposes. Impacts within the environmental study area to agricultural operations were analyzed and minimized to the extent practicable.

Impacts

There were no impacts to agriculture and farmland, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

O. Soils

There are two soil types within the environmental study area. Both soil types are loamy soils, which are a broad textural class of soils that contain a mixture of sand, silt, and clay particles. (Schoeneberger et. al., 2012). Much of the environmental study area consists of gently flat topography.

Impacts

Short-term, adverse impacts on soils would be expected from construction of the proposed reroute. There are approximately 7.8 acres within the 200-foot environmental survey area of the reroute; however, approximately 1.7 acres would be temporarily impacted from surface disturbance and soil compaction during construction and the use of heavy machinery. Any impacts on soils from construction of the Project would be localized and would not be considered significant, as BMPs would be implemented to minimize impacts on soils.

The risk of soil contamination from a potential release of crude oil by way of a pipeline integrity emergency in the pipeline would be minimal. There were no impacts to soil resources outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility and Rout Permit.

P. Geologic and Groundwater Resources

The environmental study area is located primarily in an ecoregion of North Dakota known as the Northwest Glaciated Plains. This area was formed by glaciers moving across the state that became stagnant, depositing rock debris, gravel, and fine-grained sediments intermixed with large ice-chunks. When buried ice-chunks melted, wetlands were created. Due to these geologic sequences, the region in which the study area is located is commonly referred to as the prairie pothole region (Bryce et. al. 1996). Geology in this ecoregion consists primarily of glacial till and outwash surface materials layered over Tertiary sandstone and shale, or Cretaceous Pierre Shale bedrock formations (Bryce et. al. 1996). The stratum, or layer of sediment deposited millions of years ago, the pipeline was placed in consists mostly of the Coleharbor stratum (North Dakota Studies 2016). This layer was deposited by water (i.e. rivers or lakes in the region) and can be as thick as 200 feet in some areas. It is composed of sandy, silty clay with pebbles of limestone, dolomite, granite, and basalt (USGS 2016a). This layer was deposited 2.5 million years ago in the Quaternary, Pleistocene epoch (North Dakota Studies 2016).

Landslide prone areas are most commonly located along drainage features, valleys, badlands topography and regions where sediment are exposed near the surface (M.R. McDonald, Personal Communication, May 3, 2016). There are no historically identified landslide-prone areas within the environmental study area.

An aquifer is an underground layer of water contained within consolidated layers (e.g. solid rock), rock fractures or unconsolidated materials (e.g. gravel, sand, or silt) from which groundwater can be

extracted (USGS 2016b). No sole source aquifers² have been identified in the environmental study area (EPA 2009).

It is common for rural residences in the area to use private wells for domestic and agricultural purposes. Per North Dakota State Water Commission (NDSWC) data, there are no industrial or private wells within the environmental study area.

Impacts

There were no impacts to geologic or groundwater resources outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility and Route Permit.

Q. Surface Water and Floodplain Resources

The environmental study area occurs primarily in the Missouri River Basin. The pipeline reroute was not mapped by the Federal Emergency Management Agency (FEMA).

Impacts

There were no impacts to surface water and floodplain resources, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

R. Wetlands

Wetlands are defined both in the 1977 Executive Order 11990, Protection of Wetlands, and in Section 404 of the Clean Water Act of 1986, as those areas that are inundated by surface or groundwater with a frequency to support and, under normal circumstances, do or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction.

Three parameters that define a wetland, as outlined in the Federal Manual for Delineating Jurisdictional Wetlands (USACE 1987), are hydric soils, hydrophytic vegetation, and hydrology. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands are important natural resources that often serve many functions, such as providing habitat for wildlife, storing floodwaters, recharging groundwater, and improving water quality through purification.

Field wetland delineations were completed by KJL to identify wetlands, so they could be avoided or impacts from construction could be minimized. One previously delineated wetland totaling approximately 0.04 acres associated with the BNSF railroad ditch extends through a portion of the reroute environmental study area.

² EPA (2009), “defines a sole source aquifer as one which supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer”.

Impacts

Permanent impacts to wetlands were avoided by constructing the pipeline using HDD. The pipeline was constructed with Main Line Valves (MLV)s to allow segments of the pipeline to be isolated for inspection and maintenance purposes or in the event of an emergency. During operations, SCADA system communications would be used to monitor for pipeline integrity. In addition, the pipeline would receive regular inspections along the ROW for any indications of pipeline integrity and other maintenance issues. In the unlikely event of an emergency with the pipeline during operations, short-term, adverse impacts on wetlands may occur. There were no impacts to wetlands outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility and Rout Permit.

S. Vegetation

The study area consists predominantly of cropland and grasslands with a mixture of native and introduced grasses, forbs, and trees. The entire study area has been previously disturbed by cultivation, construction of the railroad and development activities that have led to soil disturbance. Grass species include Kentucky bluegrass (*Poa pratensis*), smooth brome (*Bromus inermis*), and western wheatgrass (*Agropyron smithii*).

North Dakota has listed 11 noxious weeds: absinth wormwood, Canada thistle, diffuse knapweed, leafy spurge, musk thistle, purple loosestrife, Russian knapweed, spotted knapweed, yellow toadflax, dalmatian toadflax, and saltcedar. Cities and counties are also able to list additional noxious weeds for control within their jurisdiction. Williams County has designated houndstongue, narrowleaf hawksbeard and Palmer amaranth as additional noxious weed species. No noxious weeds were identified within the environmental study area for this reroute.

Impacts

There were no impacts to vegetation resources, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

T. Wildlife — Mammals

White-tailed (*Odocoileus virginianus*) and mule deer (*Odocoileus hemionus*) flourish within, and near to, the environmental study area due to the ample forage from surrounding cropland intermingled with native rangeland. Numerous other mammals such as Eastern cottontail rabbit (*Sylvilagus floridanus*), red fox (*Vulpes vulpes*), beaver (*Castor canadensis*), muskrats (*Ondatra zibethicus*), and coyotes (*Canis latrans*) also inhabit this part of the state.

Impacts

There were no impacts to mammals, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

U. Wildlife—Avian Species

The environmental study area lies in the prairie pothole region of North Dakota and the Central Flyway of North America. As such, this area is used as resting grounds for many birds on their spring and fall migrations, as well as nesting and breeding grounds for many waterfowl species hunted as game in the region. Many other non-game bird species are fly through and inhabit this region.

Impacts

There were no impacts to avian species, outside of what was previously contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

V. Rare and Unique Natural Resources—USFWS-Listed Threatened and Endangered Species

The environmental study area has been evaluated to determine the potential for occurrences of federally listed threatened, endangered, proposed, and candidate species. In Williams County there are four endangered species (e.g. interior least tern [*Sterna antillarum*], gray wolf [*Canis lupus*], pallid sturgeon [*Scaphirhynchus albus*], and whooping crane [*Grus Americana*]), and three threatened species (e.g. piping plover [*Charadrius melodus northern*], rufa red knot [*Calidris canutus rufa*], and northern long-eared bat [*Myotis septentrionalis*]). There is USFWS-designated critical habitat for the piping plover within Williams County; however, no designated critical habitat is within the environmental study area (USFWS ECOS IPaC, 2020).

Impacts

Field surveys were conducted for the reroute and no threatened or endangered species or preferred habitat were observed within the environmental study area. In addition, designated critical habitat for the piping plover was not impacted as part of the reroute.

W. Rare and Unique Natural Resources—Rare and Sensitive Species

Cenex has coordinated with the USFWS, NDGFD, and NDPRD to assist with identifying sensitive species and sensitive habitat that could exist within the reroute environmental study area. Field surveys were completed by KLJ staff in 2015 and 2016 as well as field inspection during construction of the pipeline. No historically documented or new bald or golden eagle nests occur within the reroute environmental study area.

According to NDPR NHI data, no sensitive botanical or zoological species were identified within the Project route (K. Duttenhefner, Personal Communication, December 15, 2015).

Communities of Ecological Importance

Ecological communities are used to address conservation and resource management issues. They are also used to provide a systematic way to describe natural vegetation pattern and processes across the landscape. The NDPRD NHI database did not identify any significant ecological communities within an approximate three-mile radius of the environmental study area. Per the NDPRD, the information in the

NHI database is not based on a comprehensive survey; therefore, there could be significant ecological communities in the area that are not represented in the database (K. Duttenhefner, Personal Communication, December 15, 2015).

Impacts

There were no impacts to sensitive species and habitat as well as communities of ecological importance outside of what was contained within the February 2017 Consolidated Application for a Certificate of Corridor Compatibility & Route Permit.

X. Avoidance/Exclusion Area and Resources Analysis Conclusions

The project was sited to avoid impacts to exclusion areas. The following table provides a summary of exclusion areas identified within the 200-foot survey corridor for the reroute.

Table 2, Summary of Exclusion Areas

EXCLUSION AREA	PRESENT WITHIN 200' SURVEY CORRIDOR	METHODS/ALTERNATIVES CONSIDERED FOR EXCLUSION AREA	PROPOSED MITIGATION
Designated or registered national: parks, memorial parks, historic sites and landmarks, natural landmarks, monuments, and wilderness areas.	None	N/A	N/A
Designated or registered state: parks, historic sites, monuments, historical markers, archaeological sites, and nature preserves.	None	N/A	N/A
County parks and recreation areas, municipal parks, and parks owned or administered by other governmental subdivisions.	None	N/A	N/A
Areas critical to life stages of threatened or endangered animal or plant species.	None	N/A	N/A
Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged.	None	N/A	N/A
Areas within 1,200 feet of the geographic center of an ICBM launch or launch control facility.	None	N/A	N/A
Areas within 30 feet on either side of a direct line between ICBM launch or launch control facilities to avoid microwave interference.	None	N/A	N/A

The Project was sited to avoid impacts to avoidance areas. The following table provides a summary of avoidance areas identified within the 200-foot survey corridor for the reroute.

Table 3, Summary of Avoidance Areas

AVOIDANCE AREA	PRESENT WITHIN 200' SURVEY CORRIDOR	METHODS/ALTERNATIVES CONSIDERED FOR AVOIDANCE AREA	PROPOSED MITIGATION
Designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges and grasslands.	None	N/A	N/A
Designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands.	None	N/A	N/A
Historical resources that are not specifically designated as exclusion or avoidance areas.	None	N/A	N/A
Areas which are geologically unstable.	None	N/A	NA
Location of route within 500 feet (152.4 meters) of a residence, school, or place of business.	None	N/A	N/A
Reservoirs and municipal water supplies.	None	N/A	N/A
Water resources for organized rural water districts.	None	N/A	N/A
Areas of recreational significance which are not designated as exclusion areas.	None	N/A	N/A

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The background of the page is an abstract composition of geometric shapes. On the left side, there are several overlapping triangles and quadrilaterals in shades of gray, ranging from light to dark. The right side of the page is dominated by a large area with a fine, light green halftone dot pattern. The text 'APPENDIX A: Maps' is positioned in the upper right quadrant, overlapping the halftone area.

APPENDIX A: Maps

**Cenex Pipeline, LLC
Refined Fuels Pipeline**

**Route Changes
Outside of Corridor**



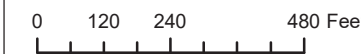
Legend

- Schools - 500' Avoidance
- Missile Site - 1200ft Exclusion
- Residential/Commercial Building - 500' Avoidance
- Potential Dakota Skipper Habitat
- Historical Landslide Area
- Delineated Wetlands
- Section Lines
- PSC Corridor - June 2017
- PSC Route - June 2017
- As-Built Corridor - September 2020
- As-Built Trench - September 2020
- As-Built Bore - September 2020

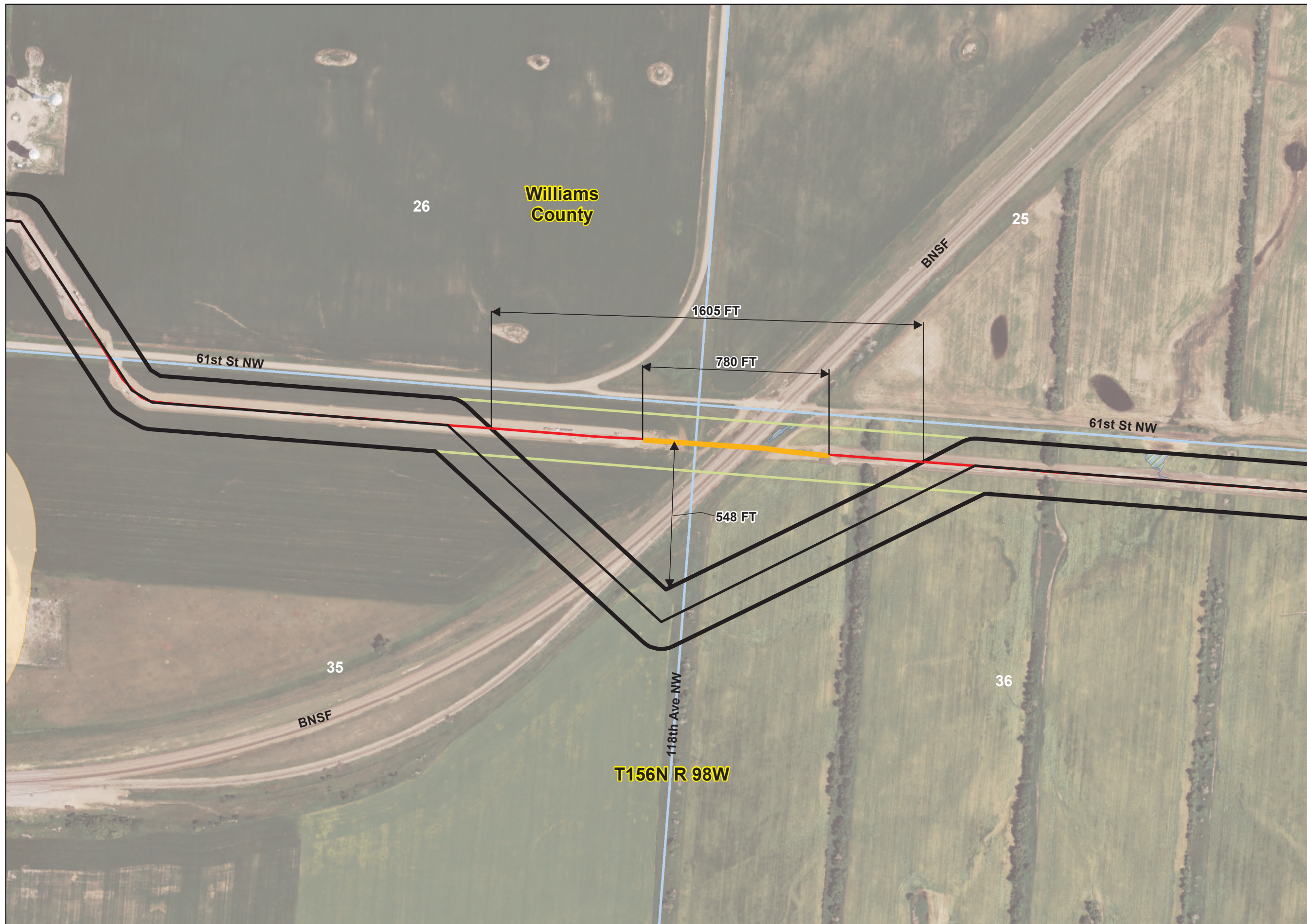
Bore Length: 780 FT

Re-Route Length
Outside of PSC: 1605 FT

Furthest Distance
to PSC: 548 FT



Exclusion & Avoidance





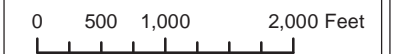
**Cenex Pipeline, LLC
Refined Fuels Pipeline**

PSC Re-Routes



- Route Deviation
- As-Built Centerline
- Docket 65 Centerline
- Final Adjustment Corridor
- Docket 65 200ft Corridor
- Counties

ATTACHMENT 2



Project Overview



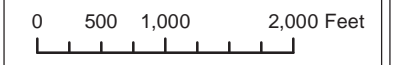


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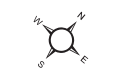
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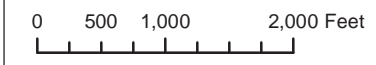


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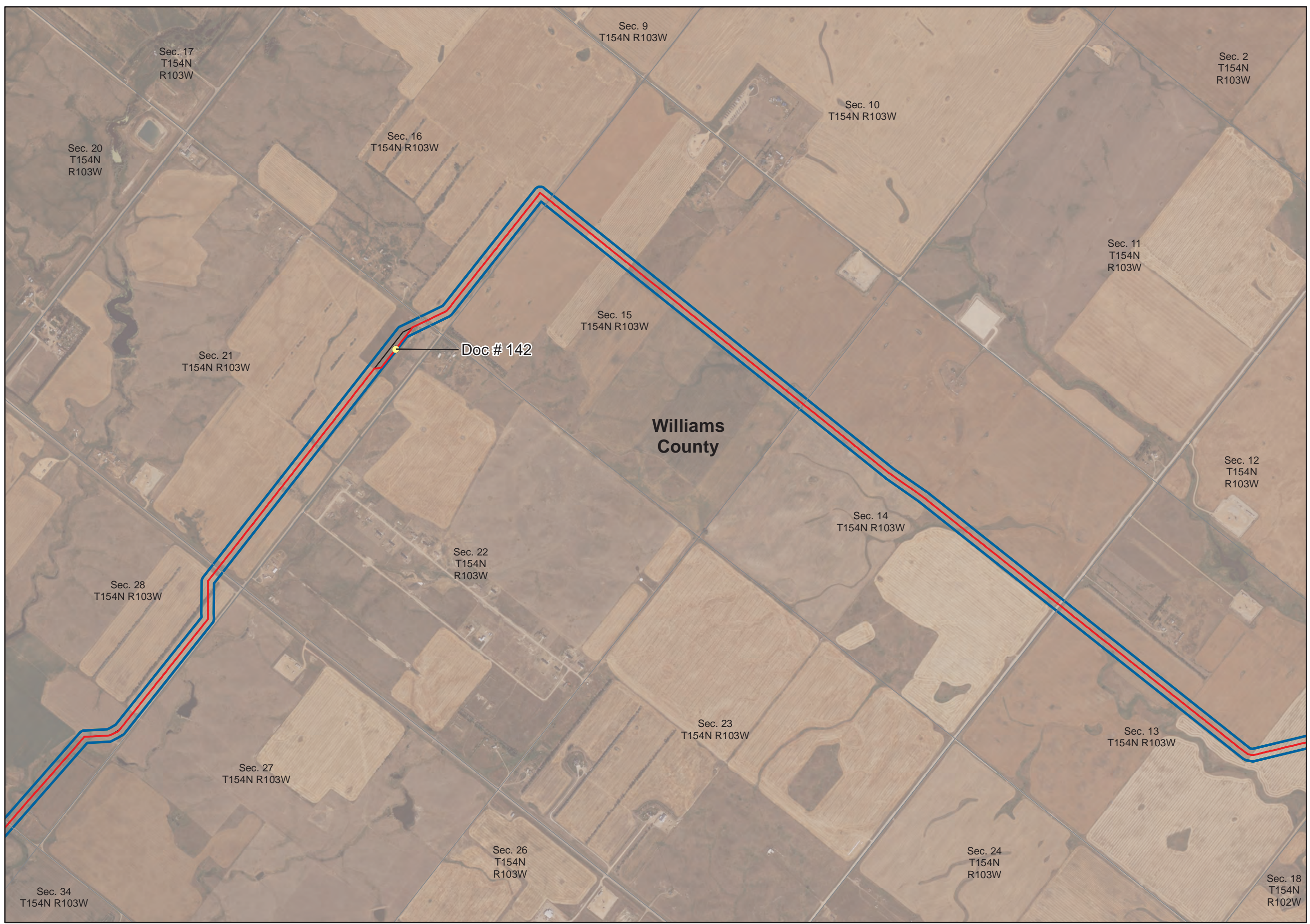
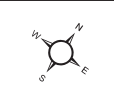
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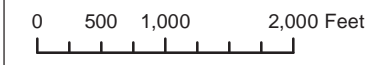


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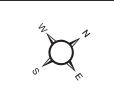
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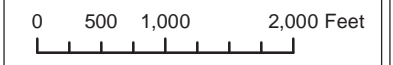


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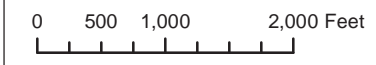


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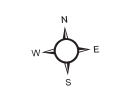
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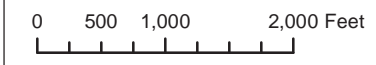


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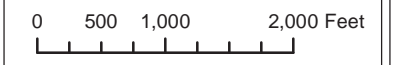


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PSC Re-Routes

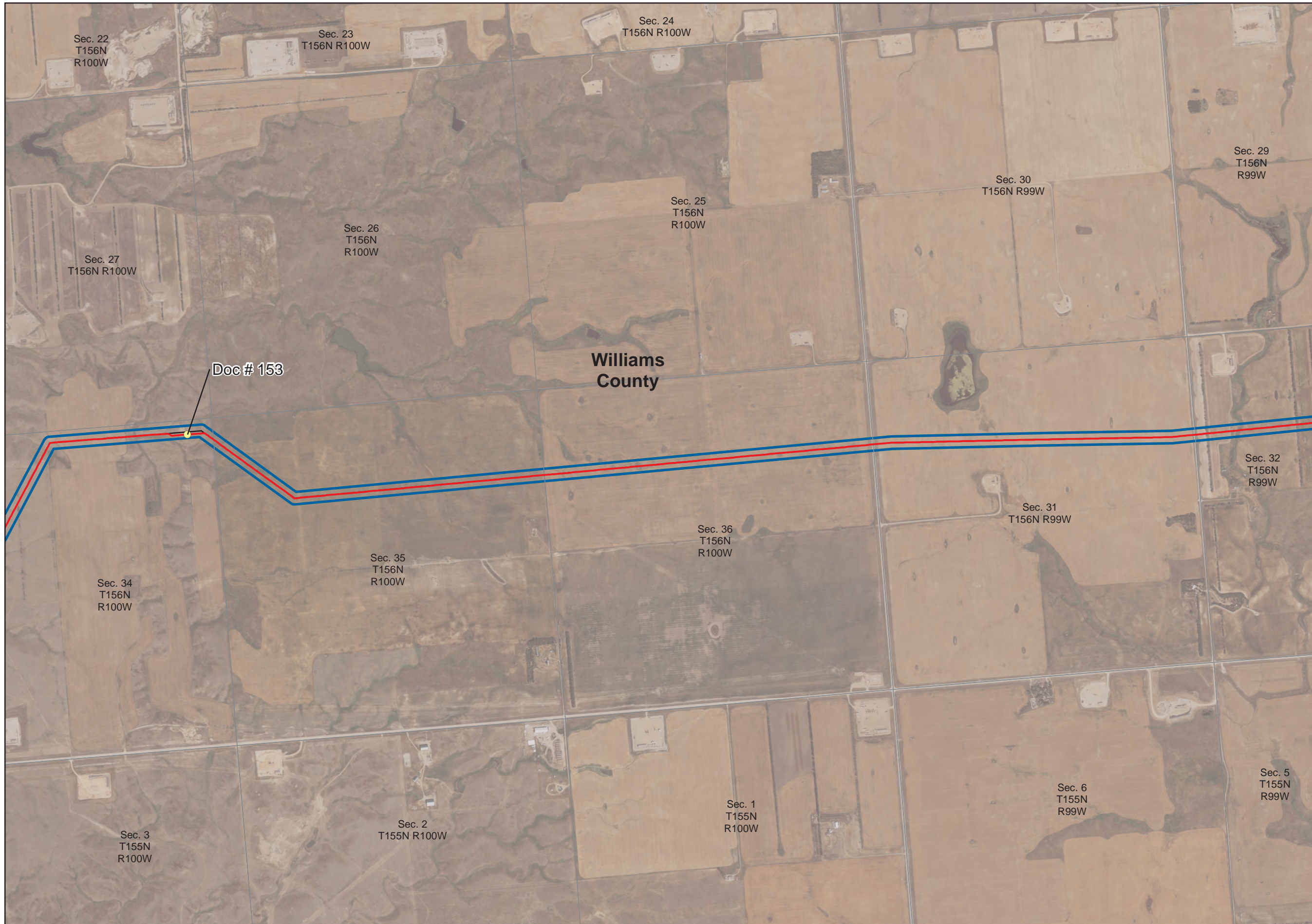


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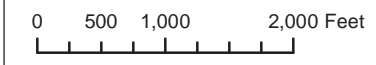


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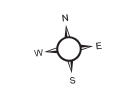
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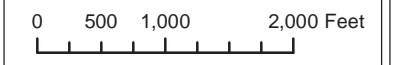


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- Docket 65 200ft Corridor
- Counties



Project Overview

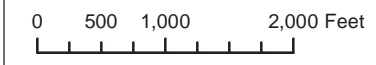
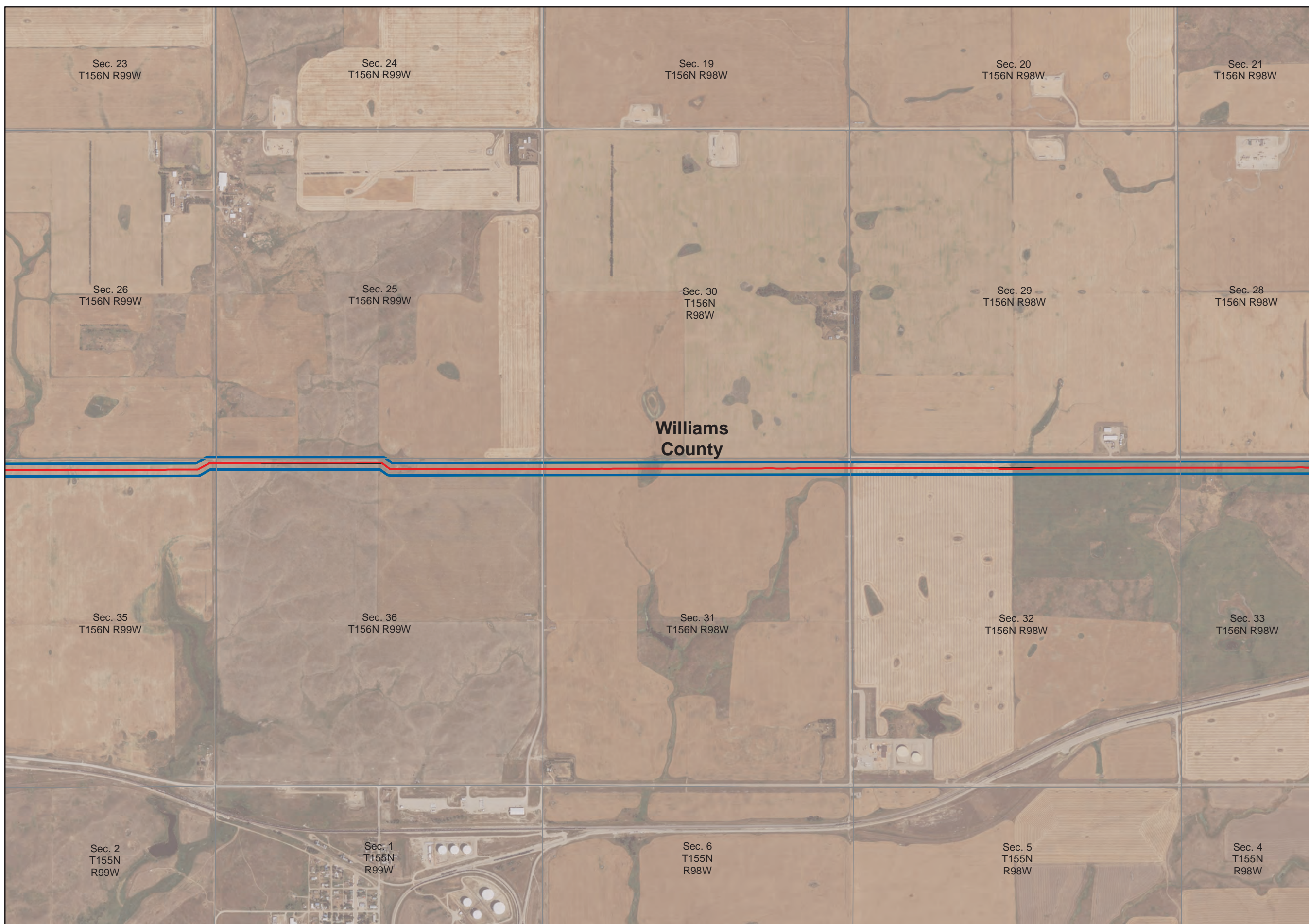


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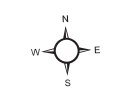
PSC Re-Routes

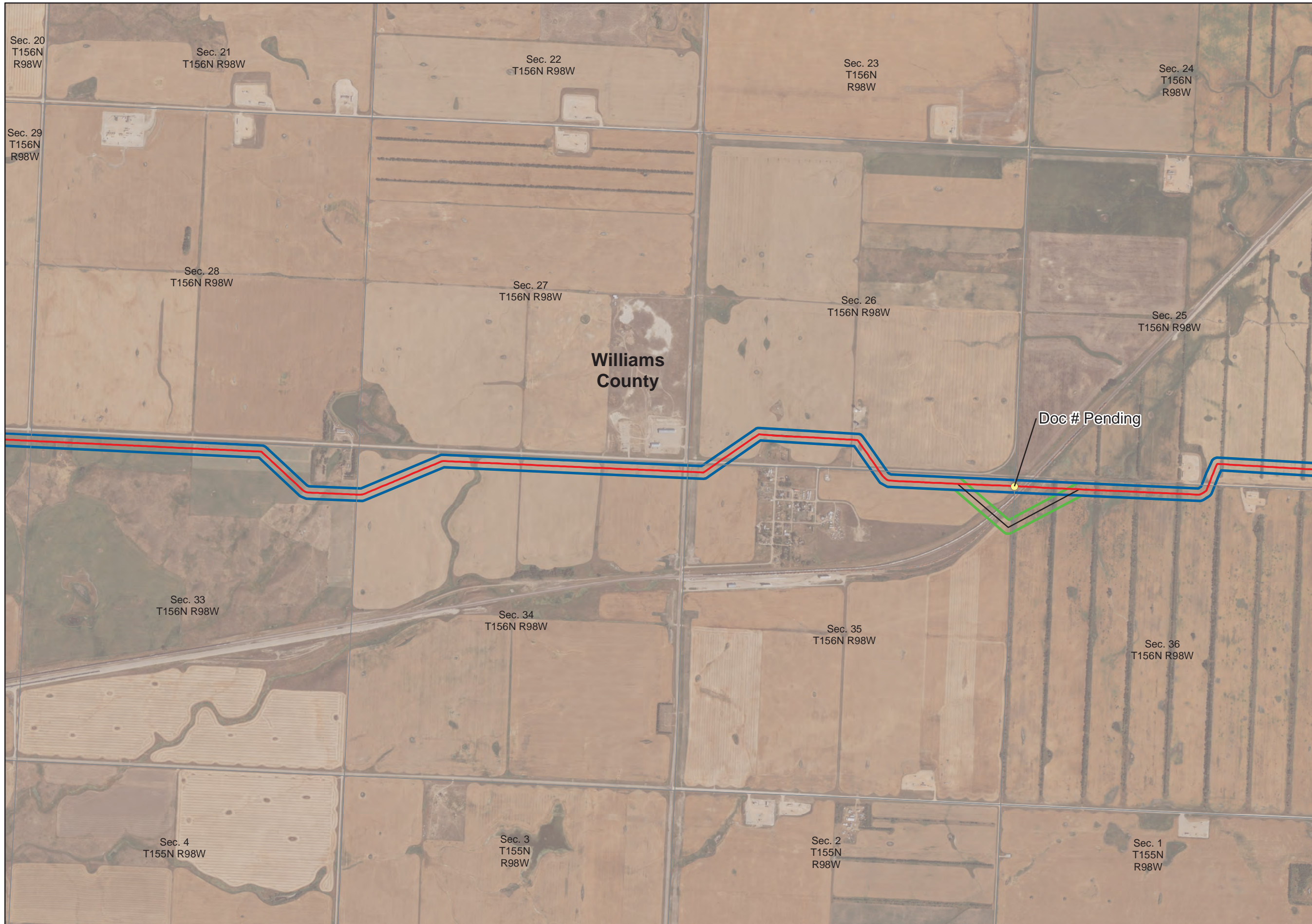


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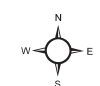
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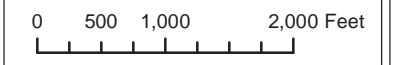
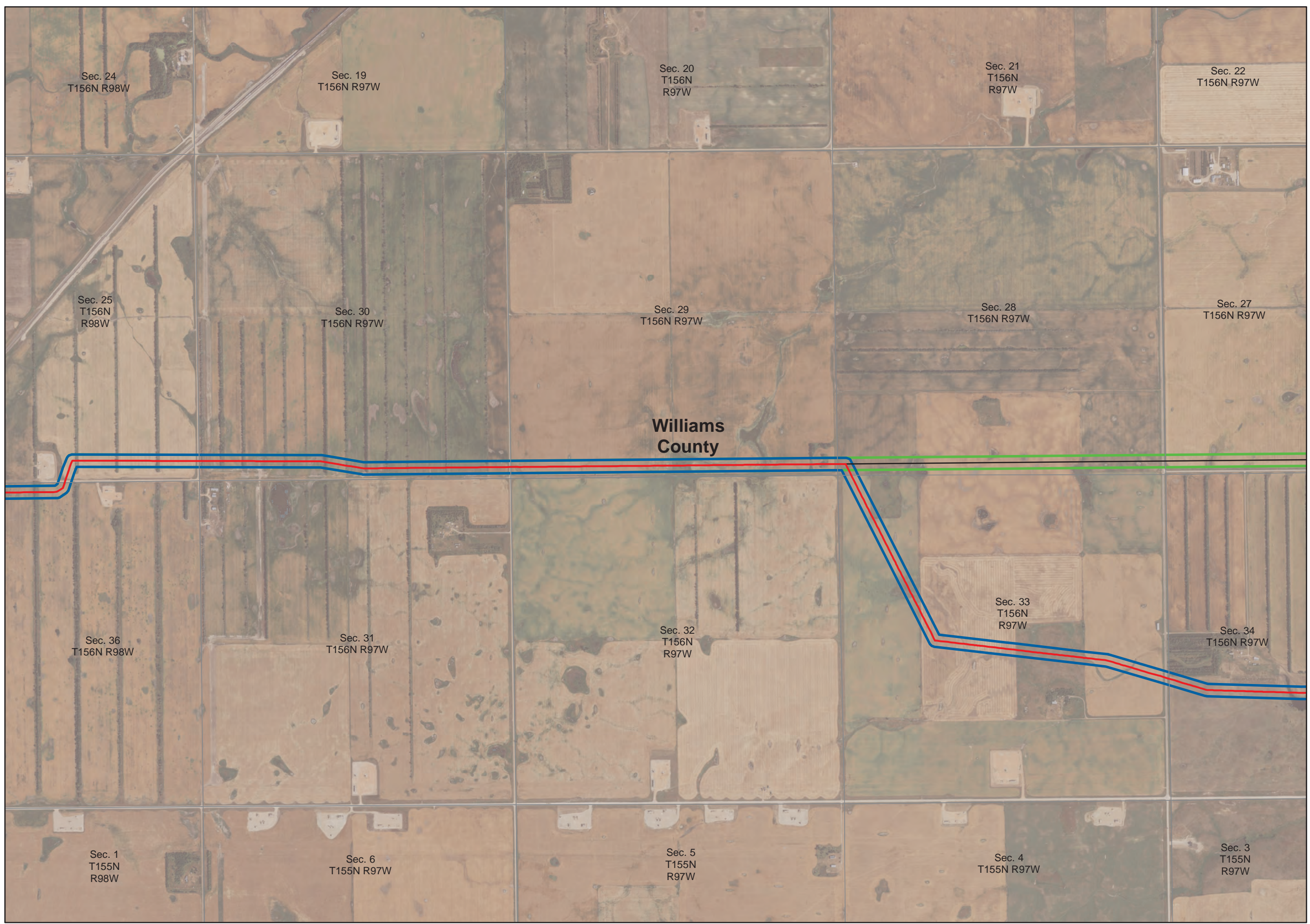


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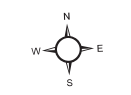
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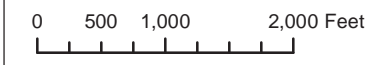
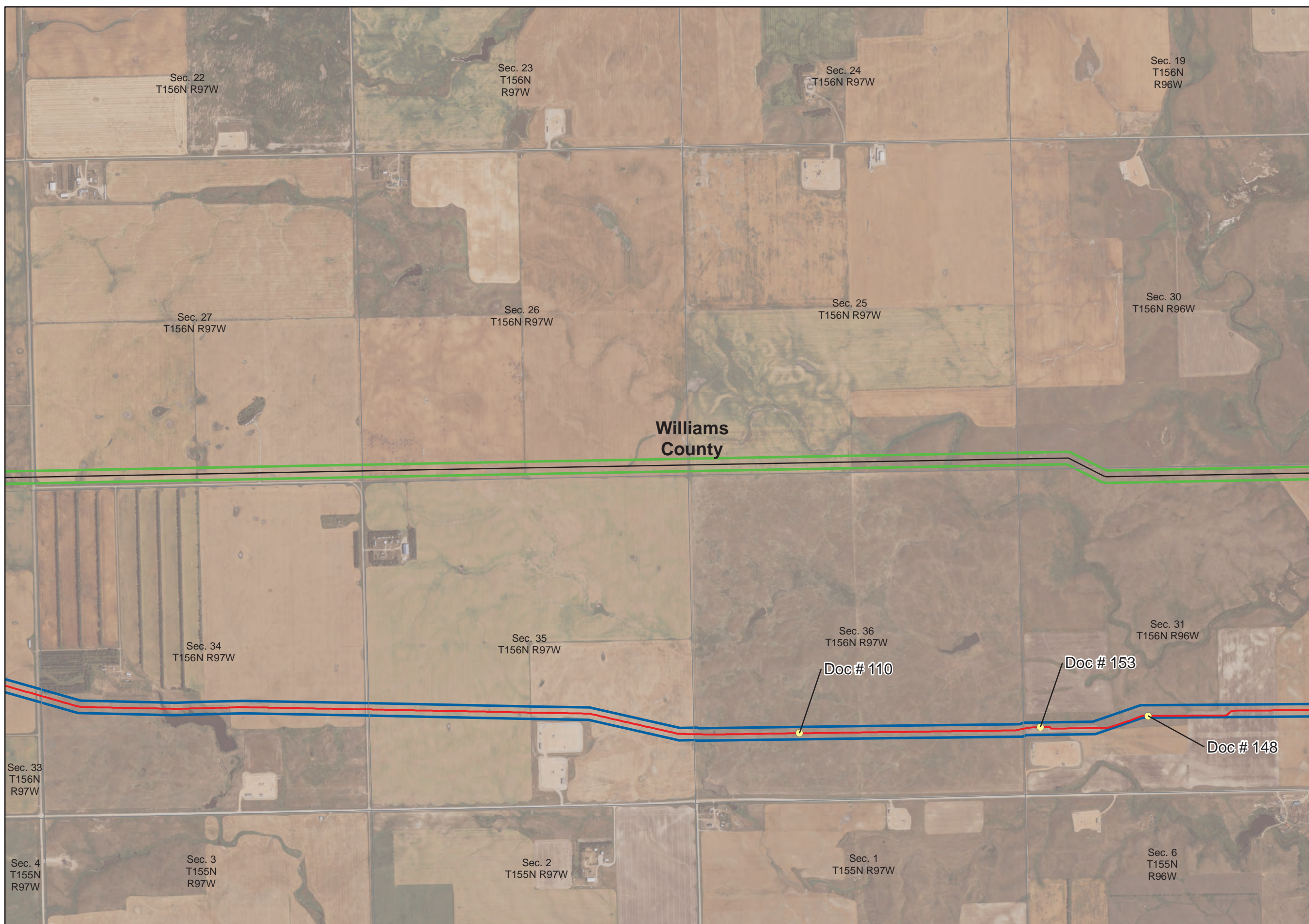


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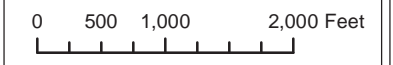


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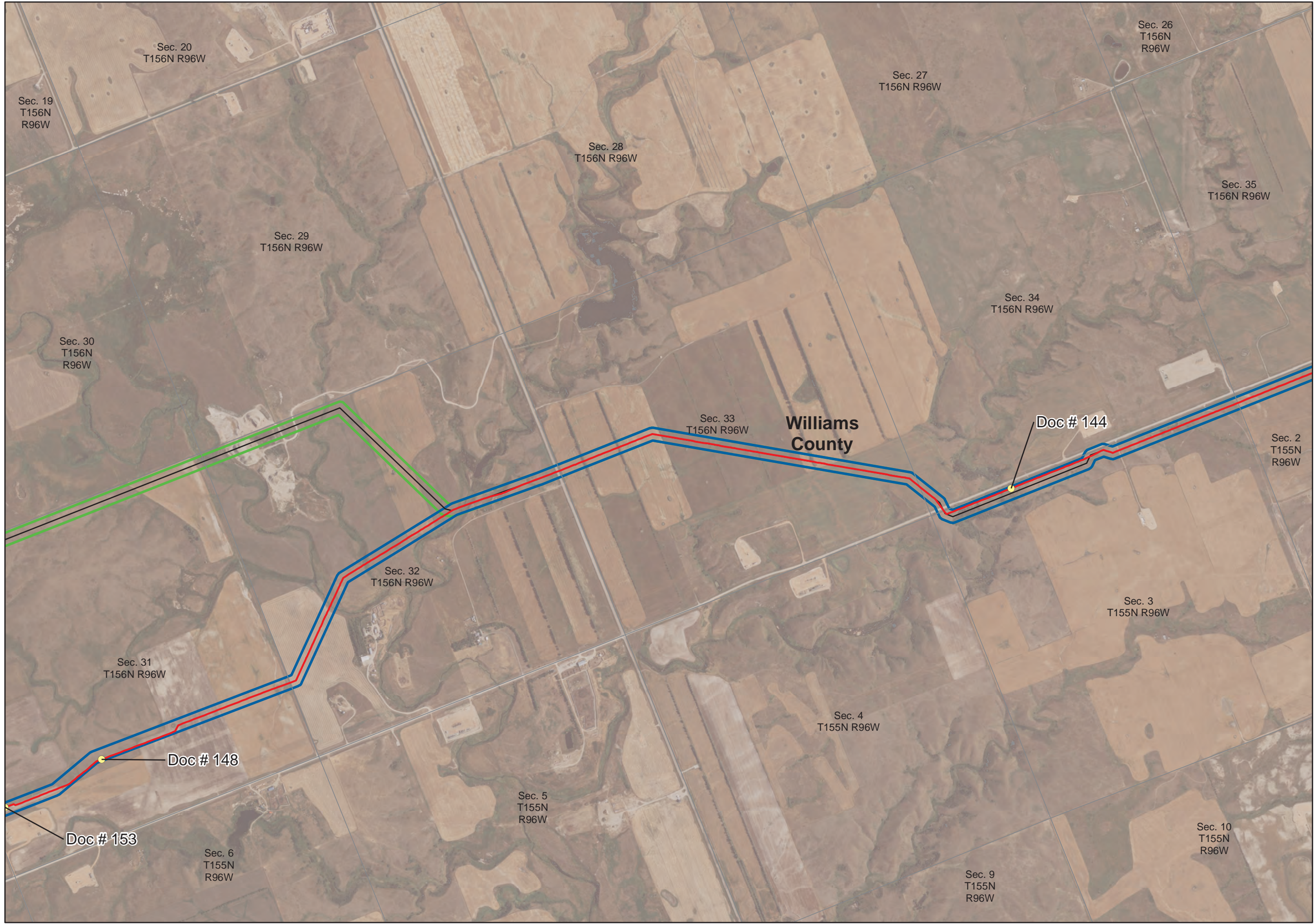
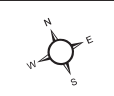
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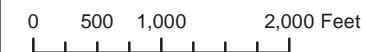


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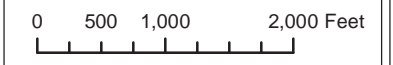


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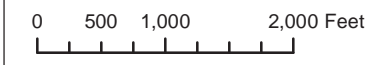


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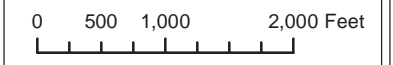


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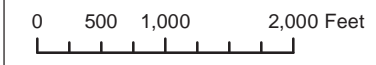
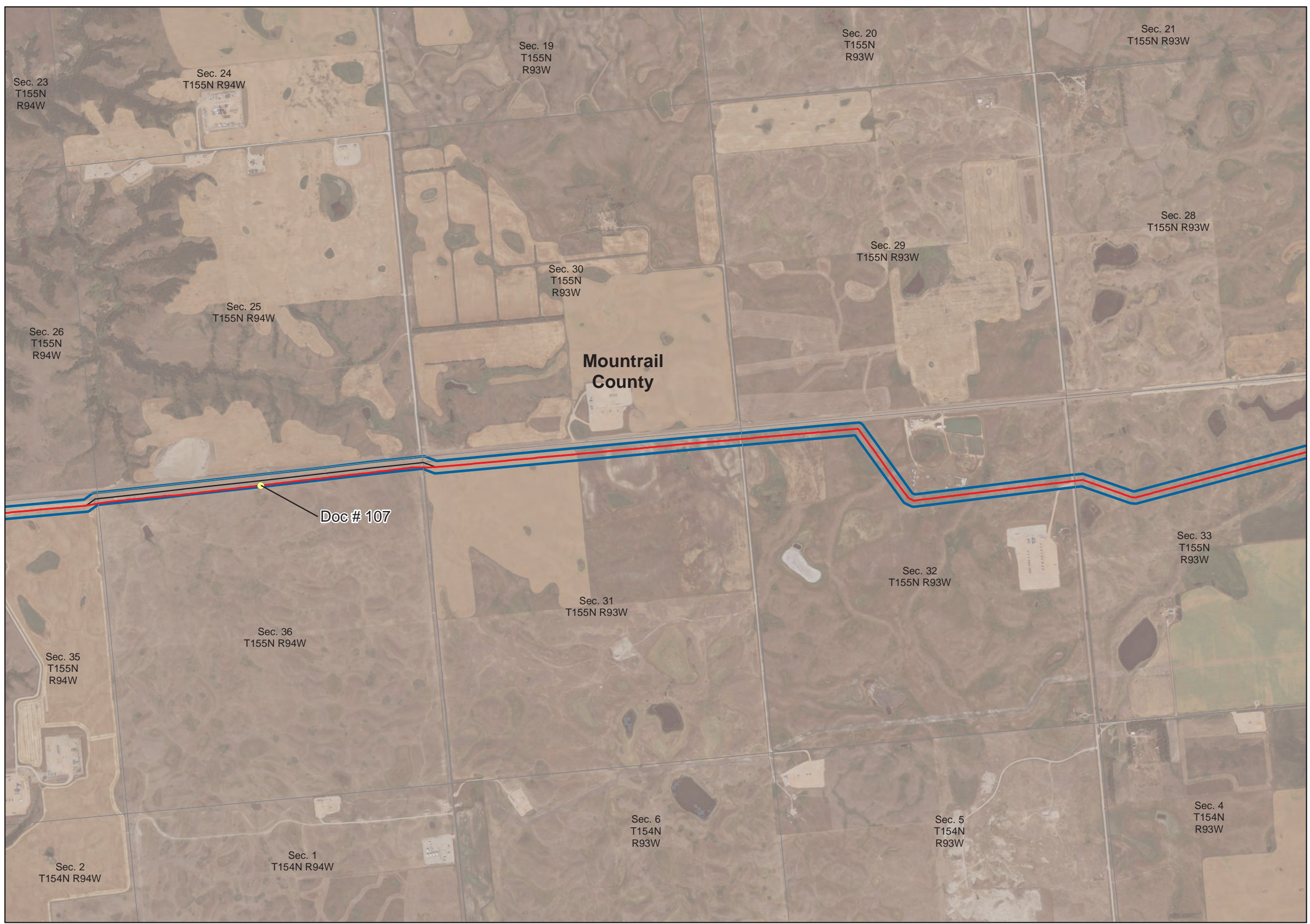


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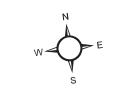
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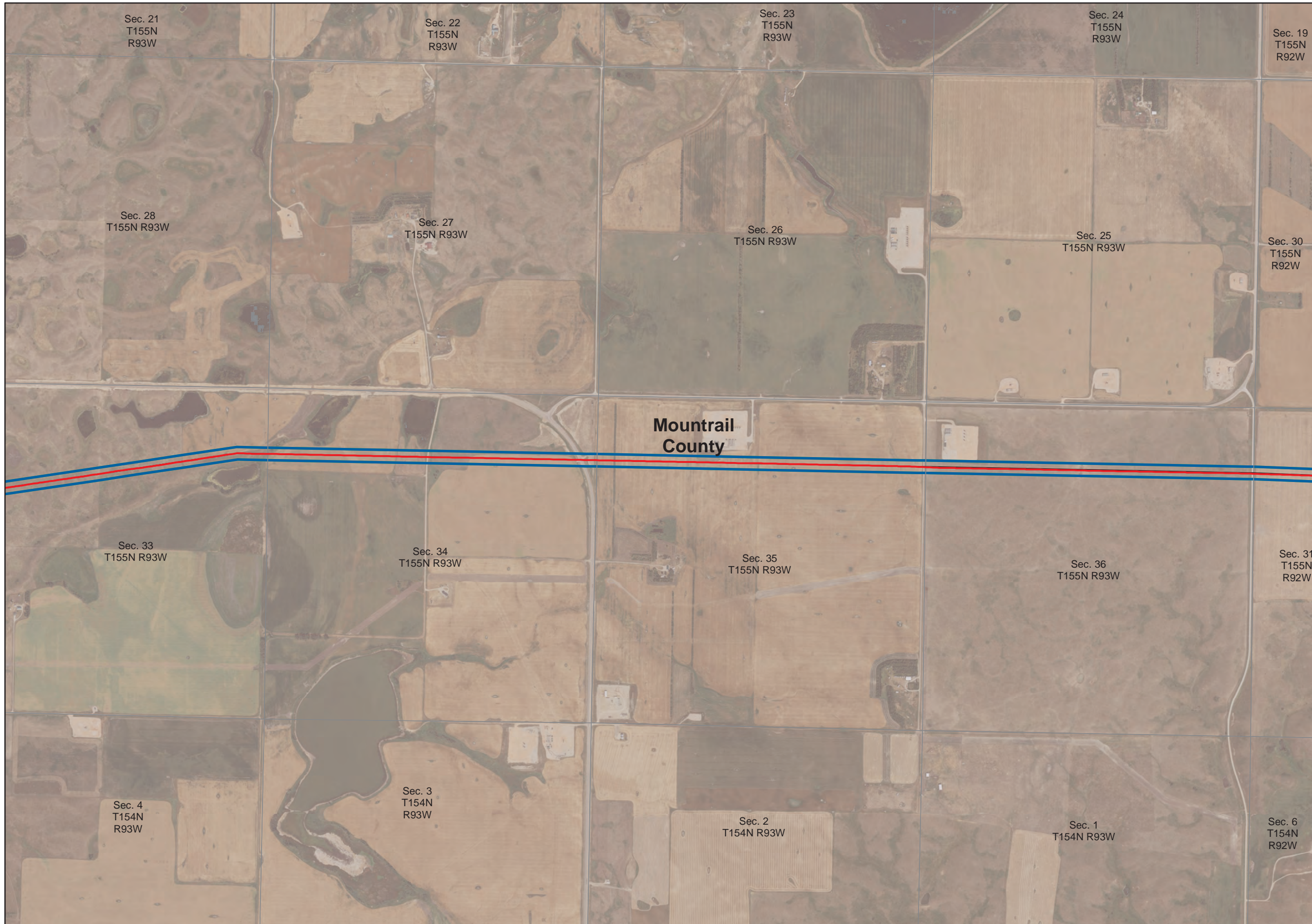


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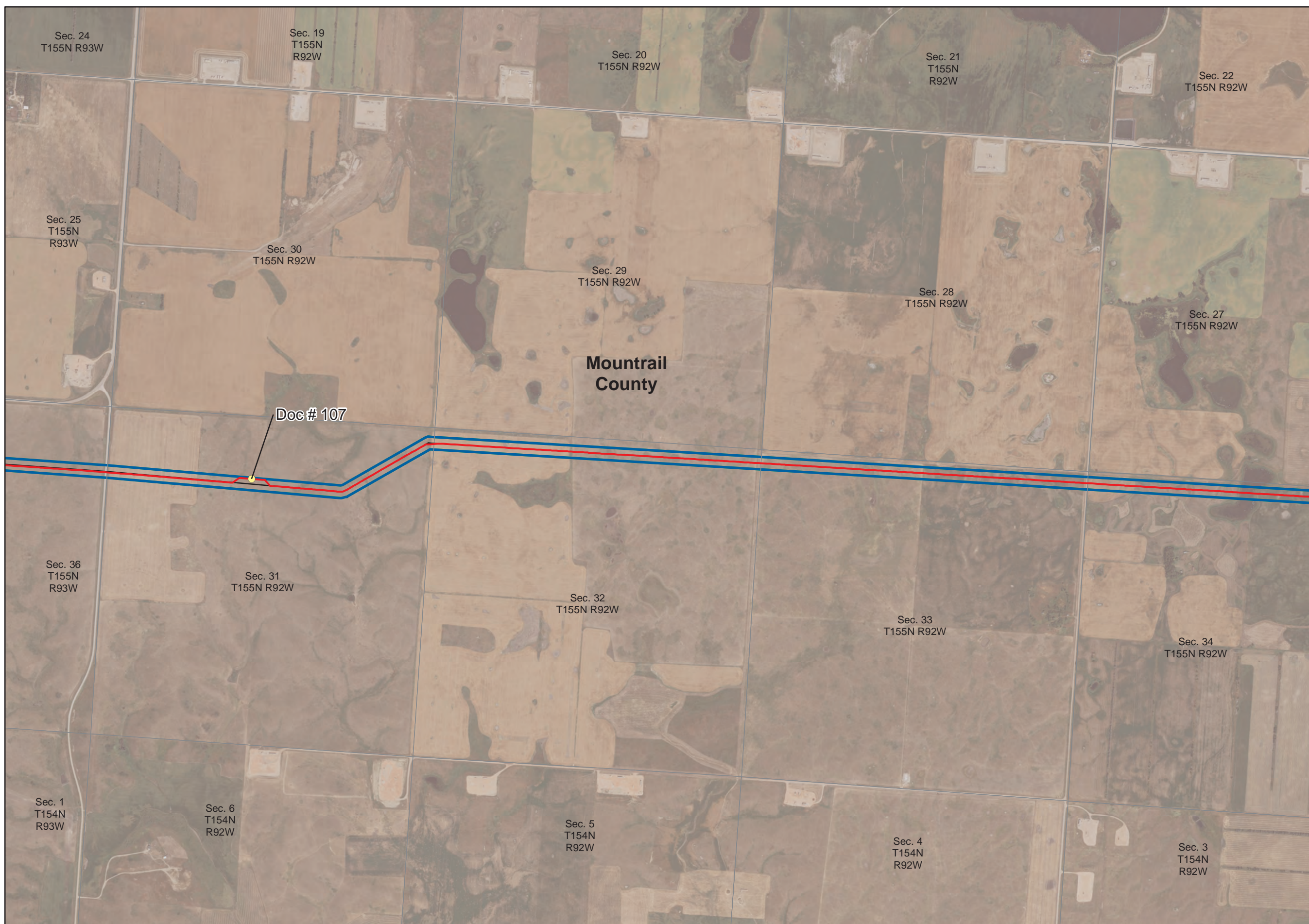


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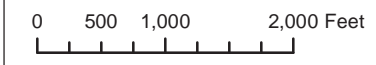


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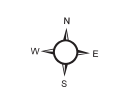
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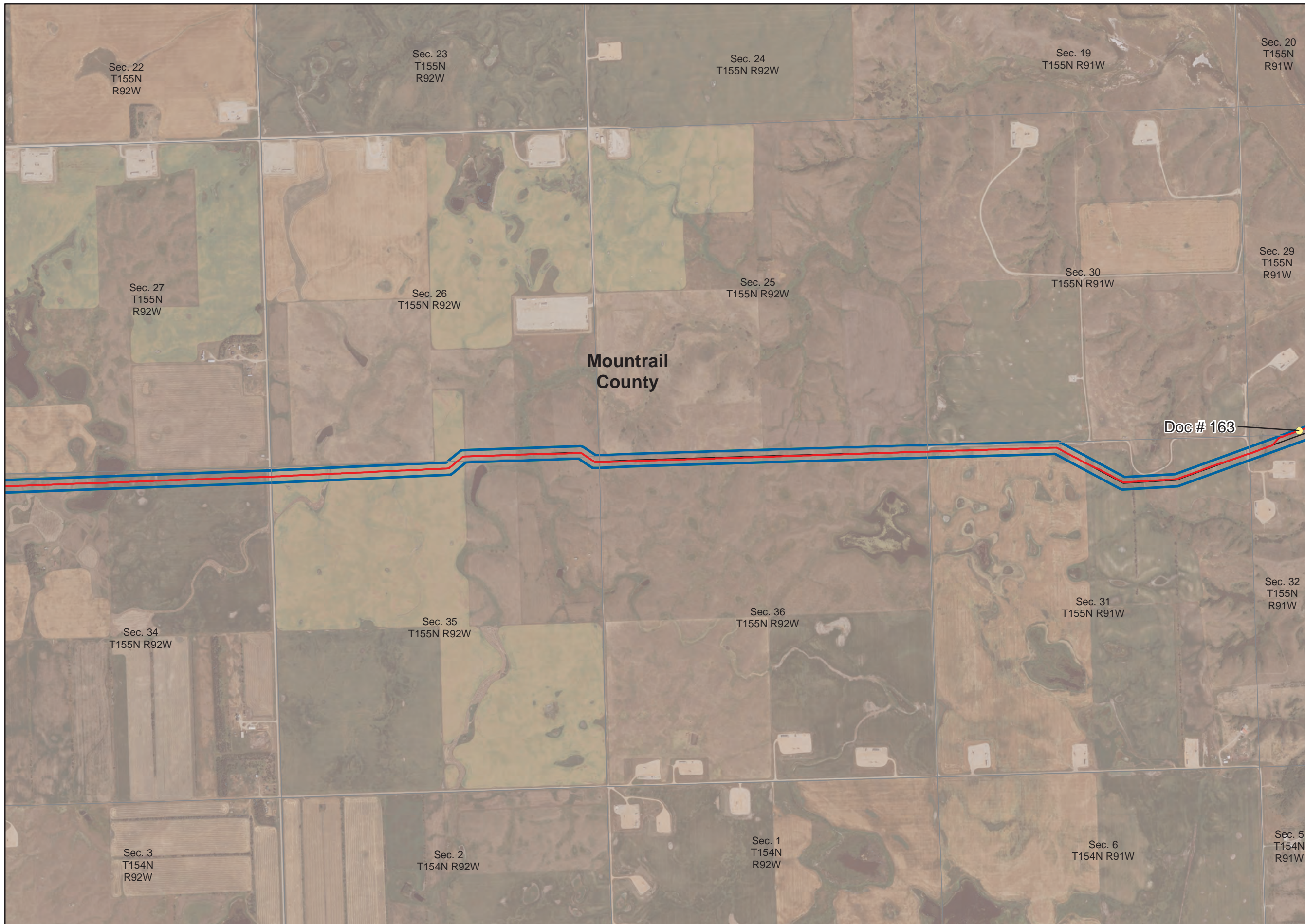


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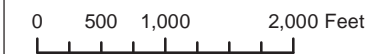
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Doc # 163



Project Overview



1 inch = 1,500 feet
Created Date: 10/28/2020

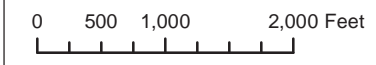
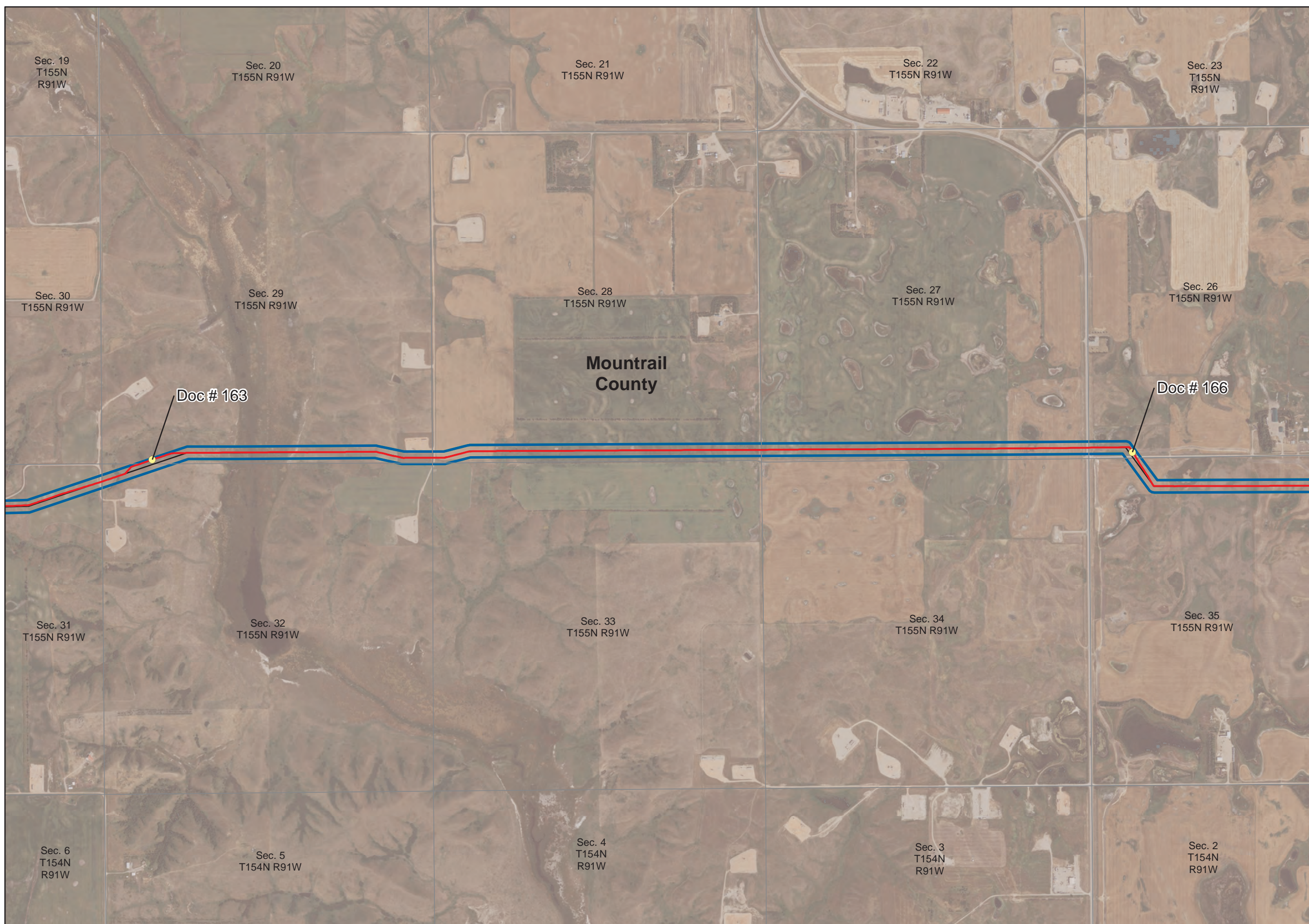
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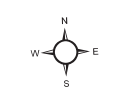
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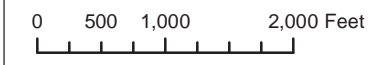


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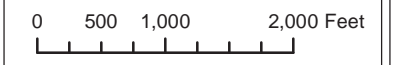


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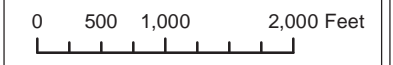


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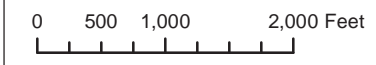


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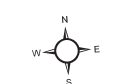
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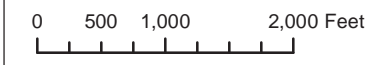


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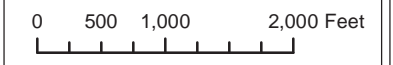


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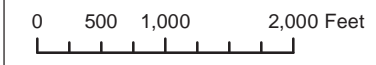


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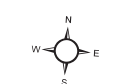
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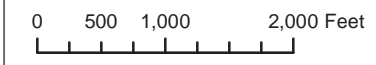


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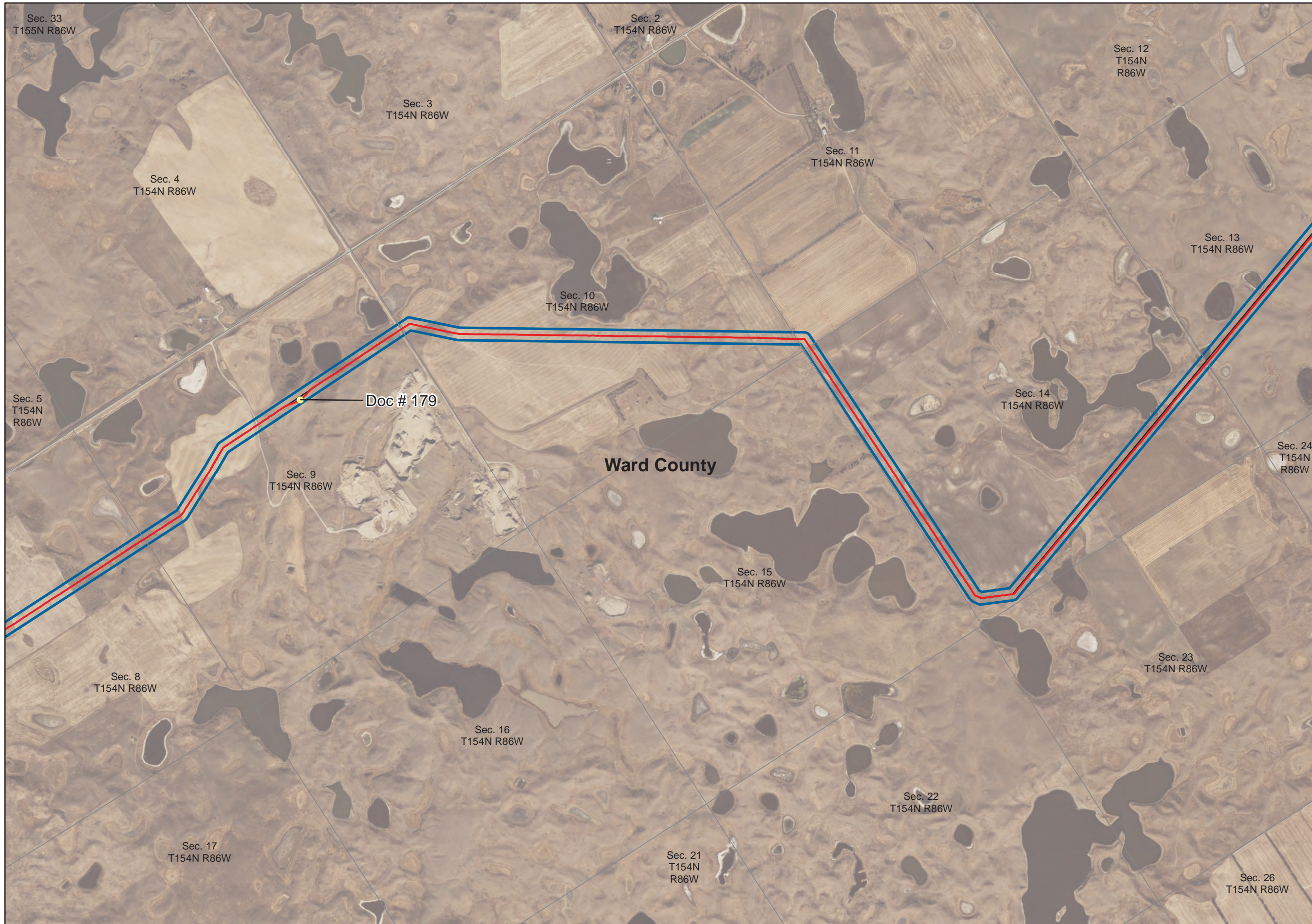


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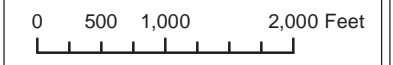


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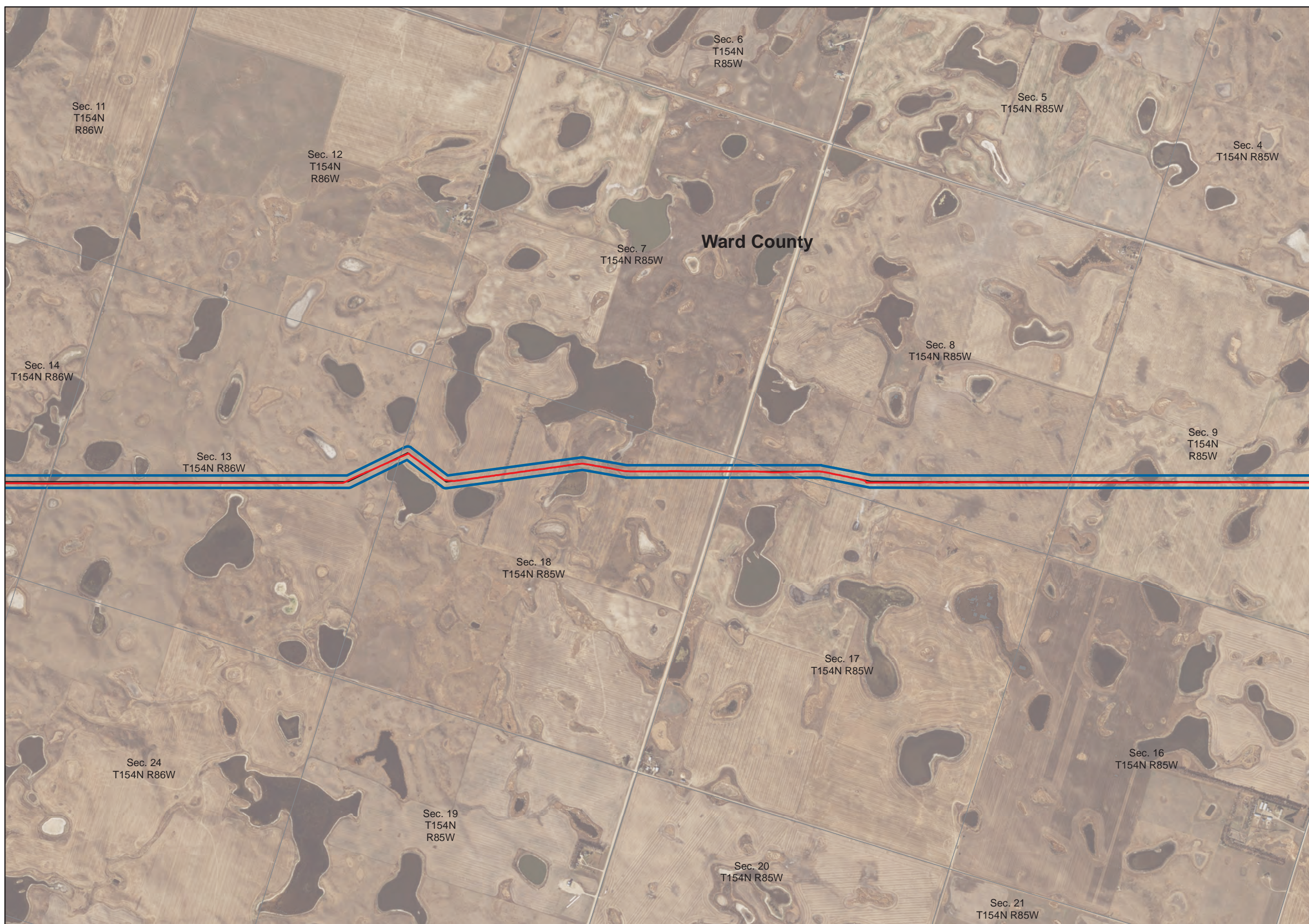


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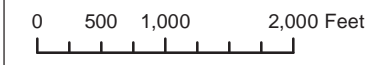


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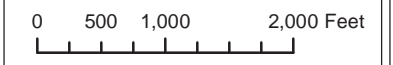


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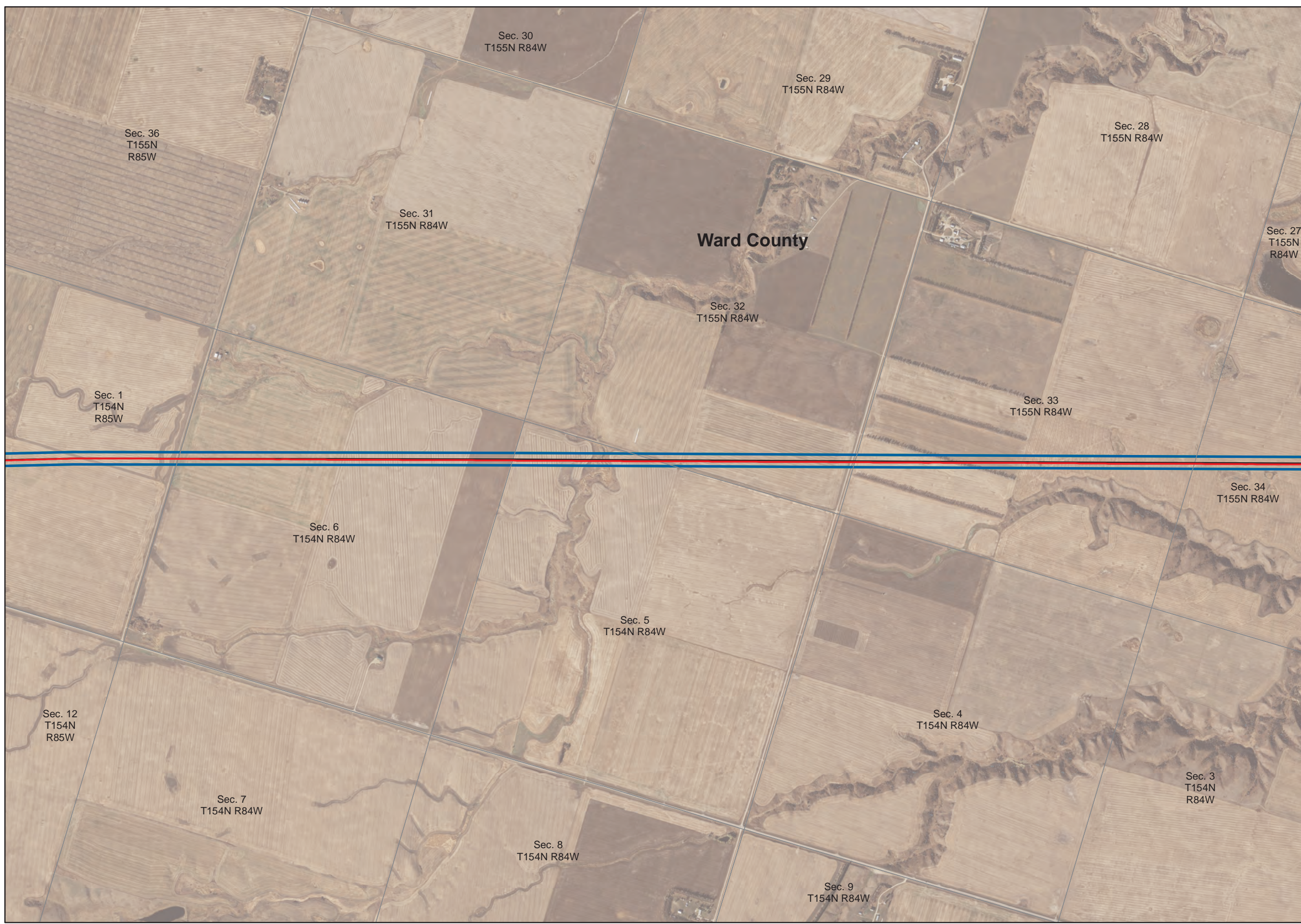


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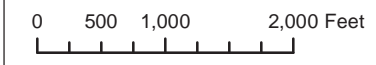


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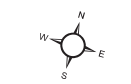
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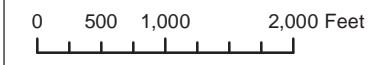


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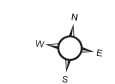
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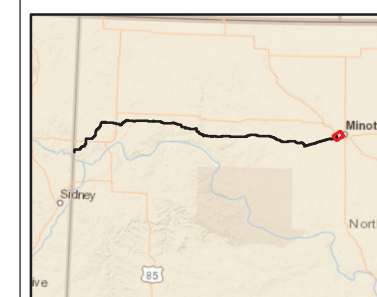


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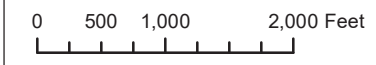


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Project Overview





4585 Coleman Street
 Bismarck, ND 58503-0431
 701 355 8400
 KLJENG.COM

Memorandum

Date: 11/16/2020
To: North Dakota Public Service Commission
Copy to: Mike Stahly, Cenex Pipeline, LLC; Robb Schwend, Cenex Pipeline, LLC; Casey Furey, Crowley-Fleck
From: Grady Wolf - KLJ
RE: Cenex Pipeline, LLC. Liquid Petroleum Pipeline
 Addendum to Certificate of Corridor Compatibility and Route Permit
 Case No. PU-17-97

Remarks

INTRODUCTION:

Cenex submitted a consolidated application for a Certificate of Corridor Compatibility and a Route Permit to the ND Public Service Commission (PSC) in March 2017 for the 149.7 miles of pipeline that would occur in ND. The ND PSC issued a Findings of Fact, Conclusions of Law and Order (Order) for the project (Case No. PU-17-97) on March 14, 2018, and as subsequently amended on September 26, 2018.

Construction of the pipeline began in June 2019 and was completed and commissioned in June of 2020. During construction of the pipeline, numerous onsite factors caused minor alignment deviations to occur within the certificated corridor which shifted the pipeline route from the centerline identified in Geographic Information System (GIS) files associated with the proposed route. Deviations varied depending on the constructability issue encountered with most being less than 20 feet in distance from the initial GIS centerline. Seventeen instances of a deviation of 21 feet or greater were identified when comparing the GIS of the proposed and as-built routes however, none of these deviations extend outside of the approved corridor. Eight of these instances are associated with the portion of the pipeline alignment that parallels the existing Cenex pipeline and required offsets from the existing pipeline for safe construction of the new pipeline. The other nine deviations are associated with avoidance of a resource such as a wetland or were required as constructability adjustments for conditions identified during construction.

Below is a list of instances where the as-built route deviates from the proposed GIS route by 21 feet or greater.

- Sec. 29, T155N, R83W – 41 feet, Paralleling existing centerline, offset in field.
- Sec. 35, T155N, R84W – 21 feet, Paralleling existing centerline, offset in field.
- Sec. 5, T154N, R84W – 22 & 25 feet, Paralleling existing centerline, offset in field.
- Sec. 11, T154N, R85W – 28 feet, Paralleling existing centerline, offset in field. Constructability adjustments near a point of interconnect south of 54th Ave SW.
- Sec. 10, T154N, R85W – 21 feet, Field adjustment for constructability.
- Sec. 8, T154N, R85W – 32 feet, Paralleling existing centerline, offset in field.
- Sec. 18, T154N, R85W – 26 feet, Paralleling existing centerline, offset in field.
- Sec. 13, T154N, R86W – 22 & 33 feet, Paralleling existing centerline, offset in field.
- Sec. 14, T154N, R86W – 30 feet, Paralleling existing centerline, offset in field.



- Sec. 6, T154N, R86W – 24 feet, Field adjustment for constructability.
- Sec. 6, T154N, R87W – 24 feet, Field adjustment for constructability.
- Sec. 31, T155N, R90W – 24 feet, Field bore and constructability adjustments near a point of interconnect.
- Sec. 31, T155N, R92W – 22 feet, Field bore of undeveloped section line. Constructability adjustments near a point of interconnect.
- Sec. 26, T155N, R94W – 35 feet, Approximately 1,400 foot bore with deviation and constructability adjustments near a point of interconnect.
- Sec. 12, T155N, R96W – 21 feet, Field adjustment around reclaimed well pad.
- Sec. 34, T156N, R96W – 23 feet, Bore of 60th Street NW. Constructability adjustments near a point of interconnect.
- Sec. 3, T155N, R102W – 25 feet, Field bore and constructability adjustments near a point of interconnect.

ANALYSIS:

The purpose of this analysis is to document changes of potential impacts to avoidance and exclusion areas and additional resources as a result of the pipeline reroutes. The reroutes occur within the previously approved 200-foot wide corridor (environmental study area).

The PSC regulations include the following criteria as exclusion areas for transmission facility corridors and route criteria:

- Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas.
- Designated or registered state: parks; historic sites; monuments; historical markers; archeological sites; and nature preserves.
- County parks and recreation areas; municipal parks; and parks owned or administered by other governmental subdivisions.
- Areas critical to the life stages of threatened & endangered animal or plant species.
- Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged.
- Areas within 1,200 feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility.
- Areas within 30 feet on each side of a direct line between intercontinental ballistic missile (ICBM) launch or launch control facilities to avoid microwave interference.

The PSC regulations include the following criteria as avoidance areas for transmission facility corridors and route criteria:

- Designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands.



- Designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands.
- Historical resources which are not specifically designated as exclusion or avoidance areas.
- Areas which are geologically unstable.
- Within five hundred feet (152.4 meters) of a residence, school, or place of business. This criterion shall not apply to a water pipeline transmission facility.
- Reservoirs and municipal water supplies.
- Water sources for organized rural water districts.
- Irrigated land. This criterion shall not apply to an underground transmission facility.
- Areas of recreational significance which are not designated as exclusion areas.

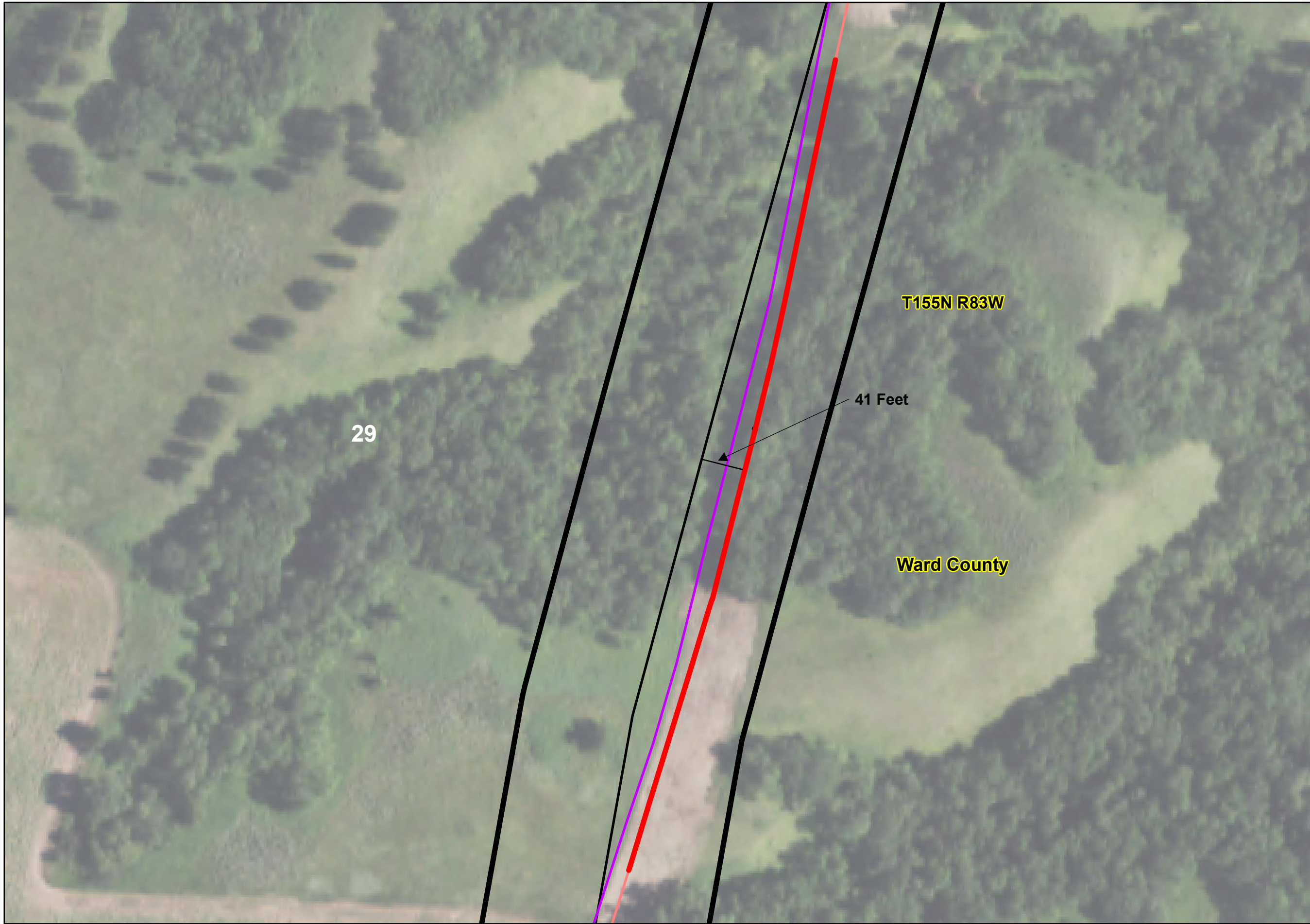
Avoidance and exclusion areas were identified through available data via coordination with resource agencies and through state and agency Geographical Information System (GIS) data hubs. Several resource agencies provided confidential information used to identify potential avoidance and exclusion areas as part of this project. The purpose of the confidentiality of certain data is to protect the integrity of sensitive areas from intentional disturbance. Due to the confidential nature of this information, specific details regarding the nature and locations of these sensitive areas should be excluded from public documents. In addition to GIS digital and agency provided data, environmental staff from KLJ completed additional field inspections of the proposed project areas during the 2016-2017 field season.

The following resources were analyzed as part of the reroute.

- Demography and Economy
- Land Use
- Public Services – Electrical and Local Services, Roads and Traffic, Telephone, Radio, Antenna, Communication, and Microwave Structures, and Water Supply
- Human Health and Safety – Hazardous Materials/Hazardous Waste, Security, and Noise
- Aesthetics
- Wetlands
- Cultural and Archaeological Resources
- Recreational Resources
- Agriculture and Farmland
- Soils
- Geologic and Groundwater Resources
- Wildlife
- Rare and Unique Natural Resources

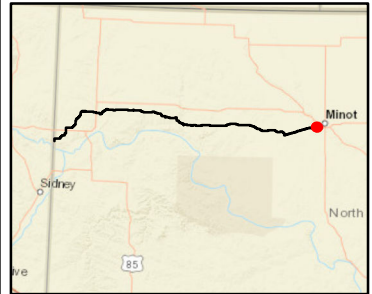
CONCLUSION:

Analysis of the deviations did not identify any significant changes to resource impacts when compared to the analysis discussion included in the February 2017 Consolidated Application for a Certificate of Corridor Compatibility and Route Permit applications. No additional avoidance or exclusion areas were identified within the identified deviations, therefore no impacts to avoidance or exclusion areas occurred during construction.



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Refined Fuels Pipeline**

**Route Changes
Within Corridor**



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- As-Built Corridor - September 2020
- Section Lines



Exclusion & Avoidance



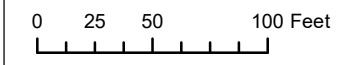
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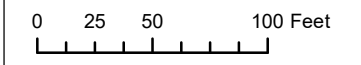
**Cenex Pipeline, LLC
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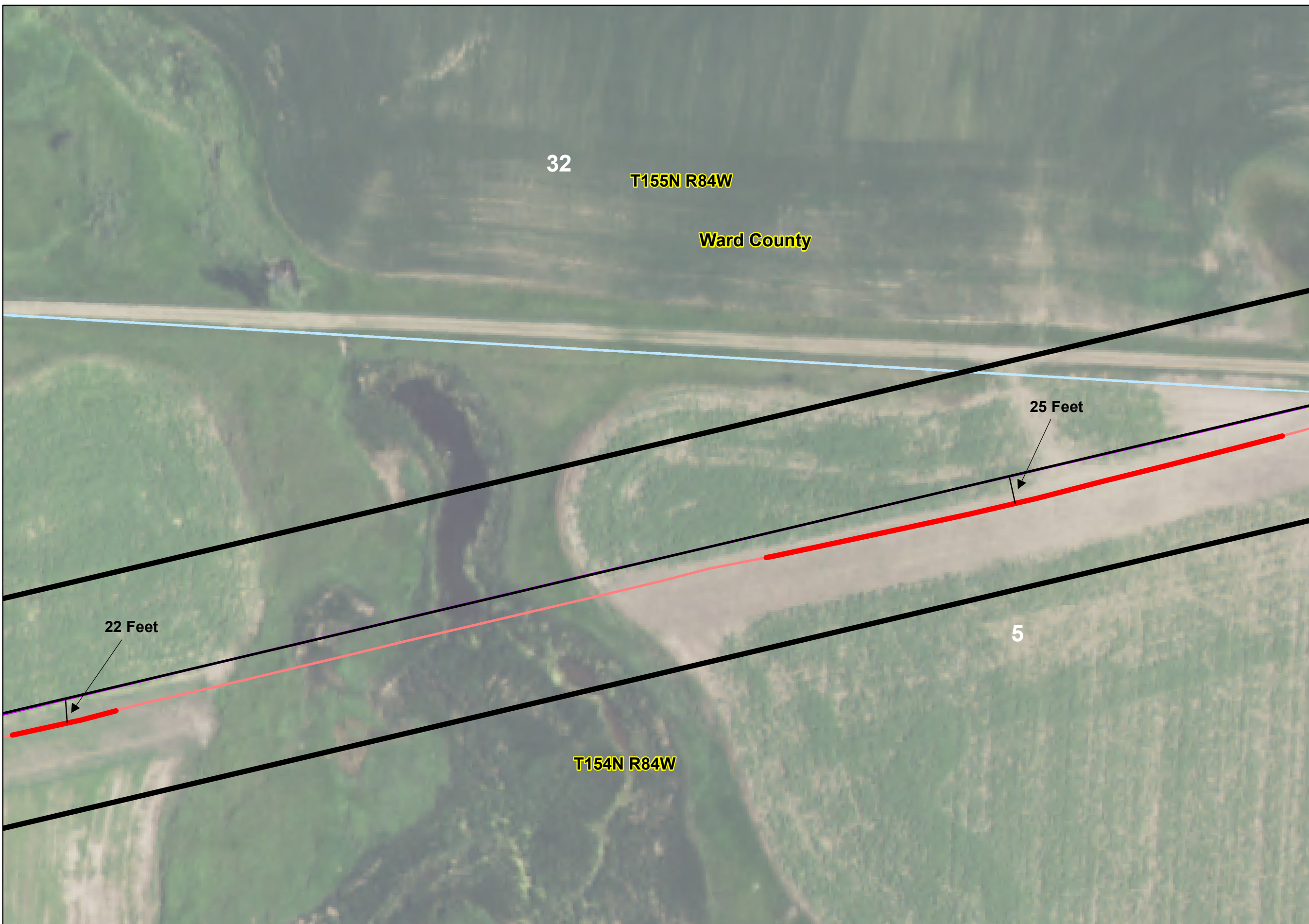


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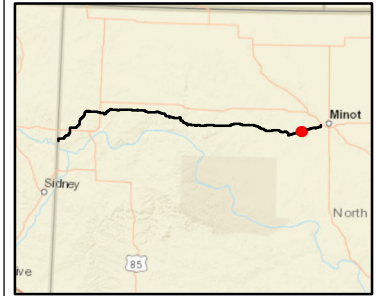


Exclusion & Avoidance



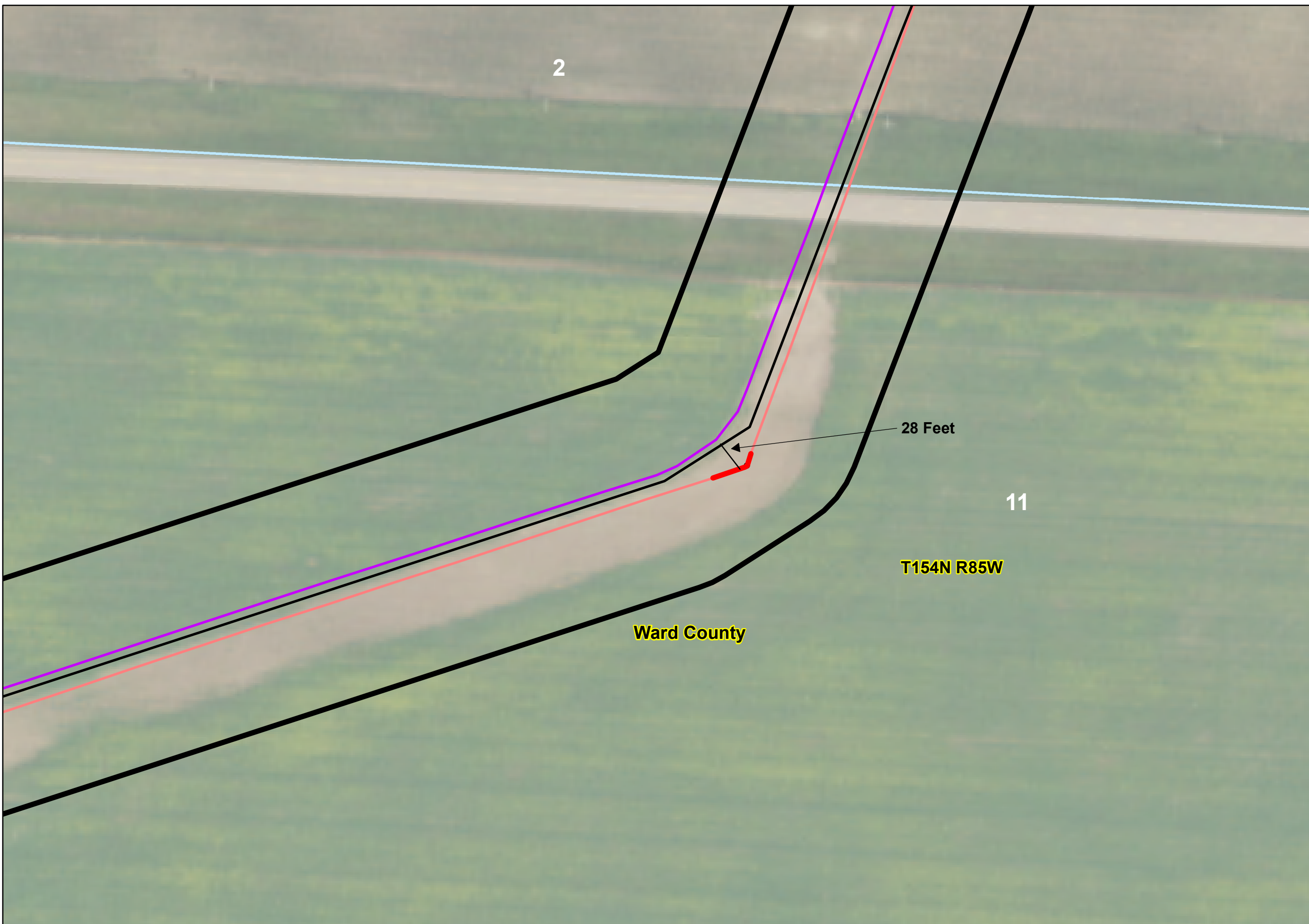
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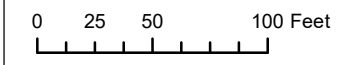


28 Feet

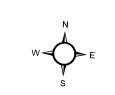
11

T154N R85W

Ward County

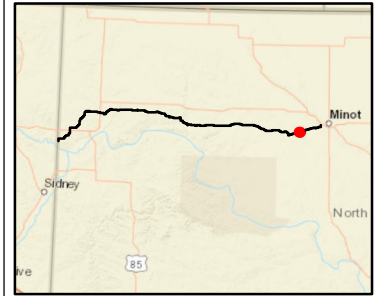


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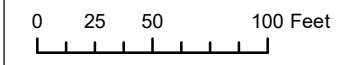
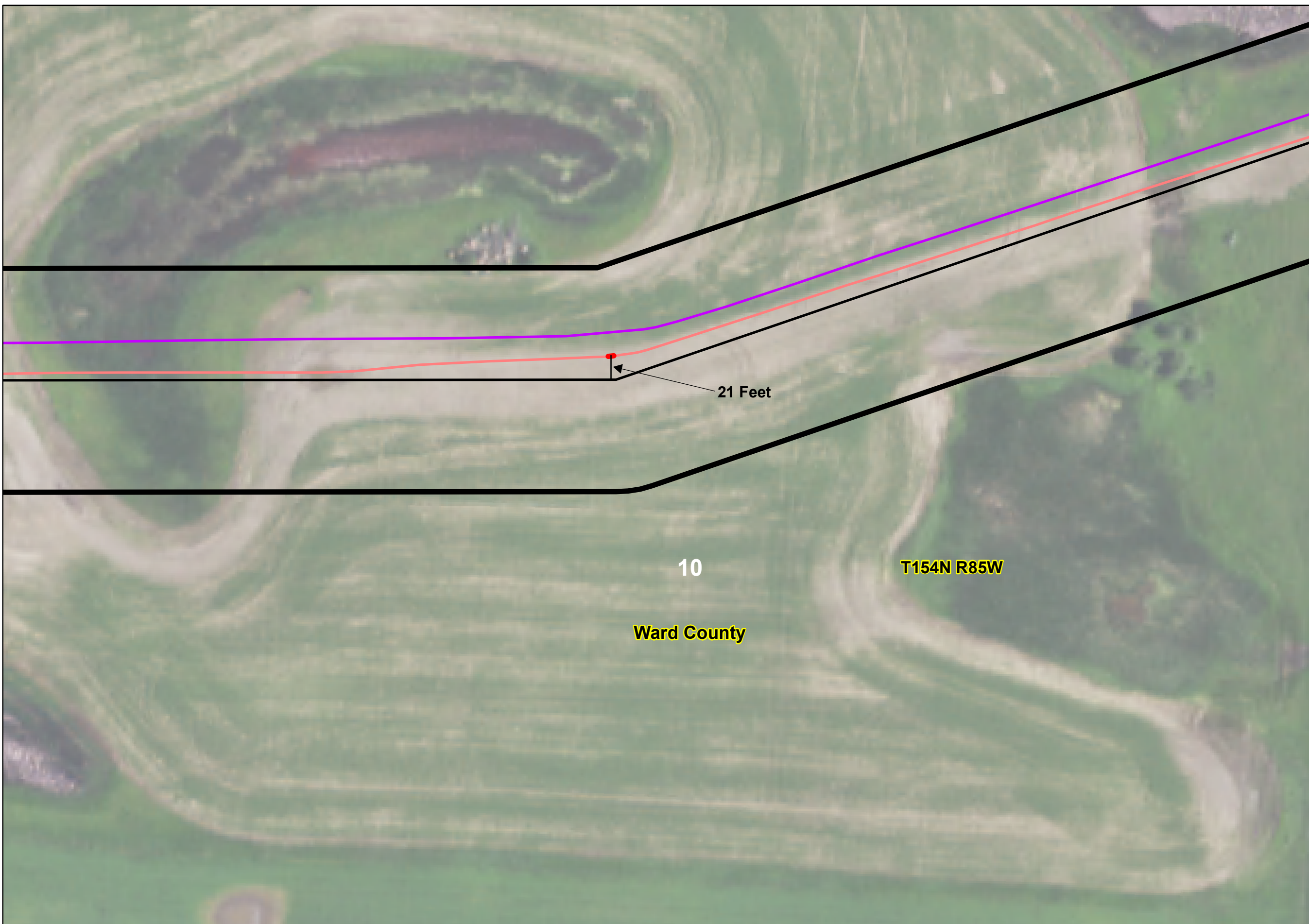
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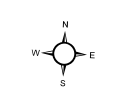


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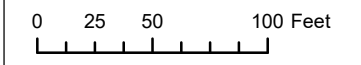
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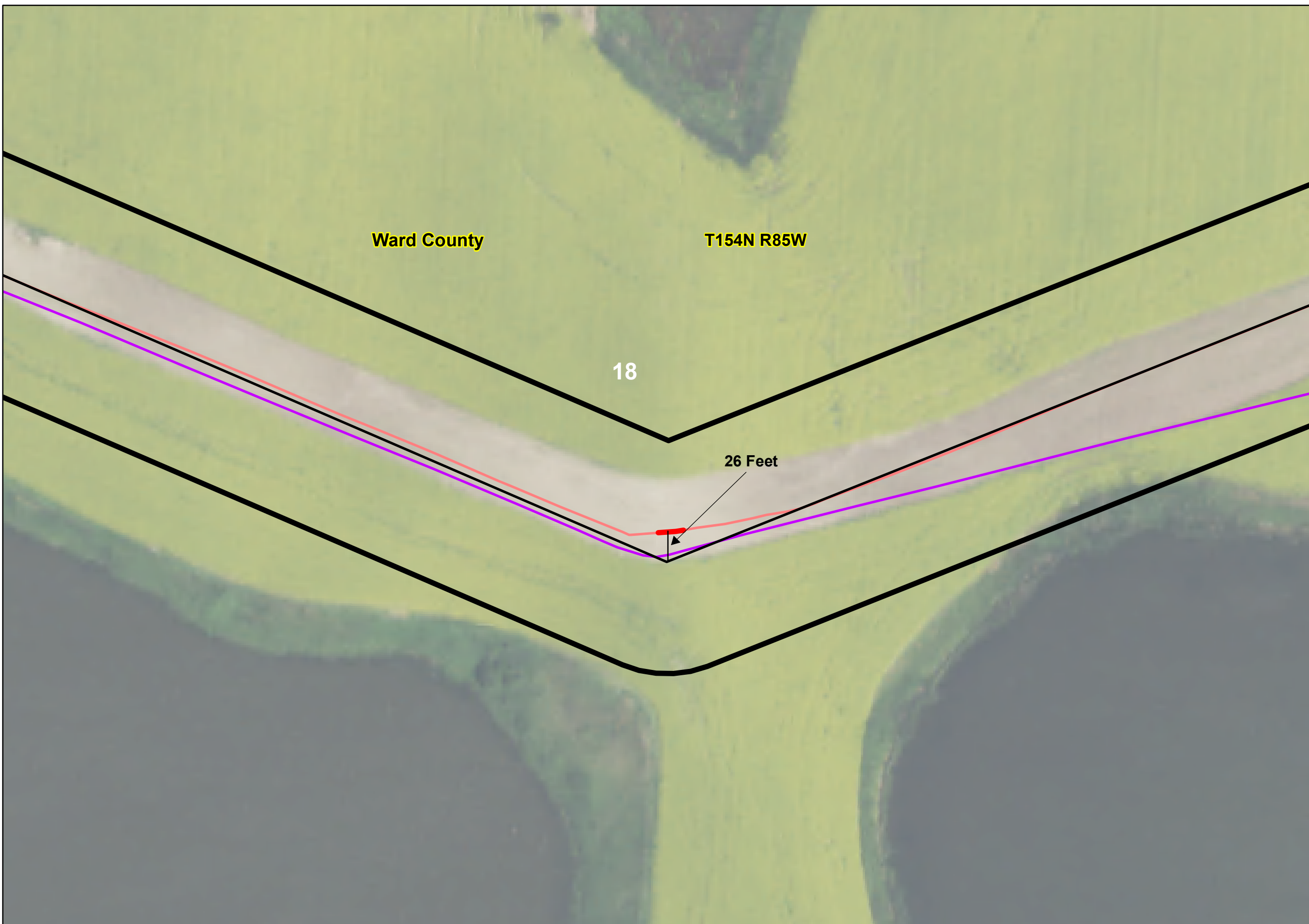


Exclusion & Avoidance



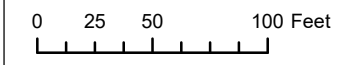
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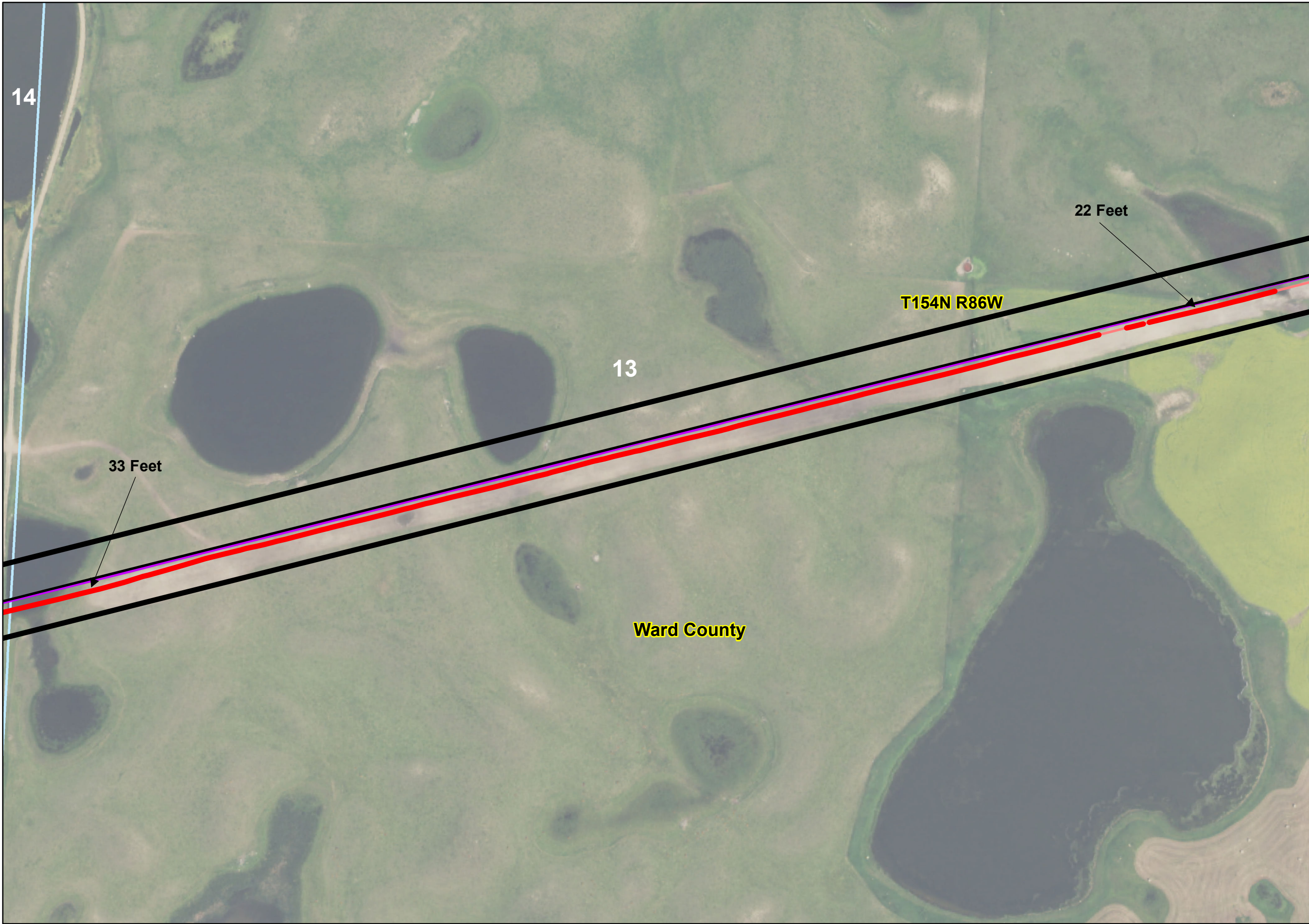
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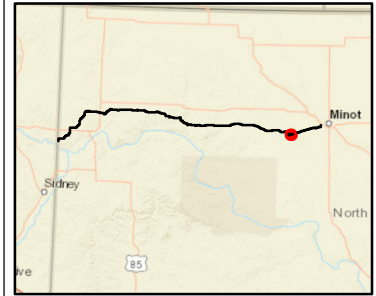
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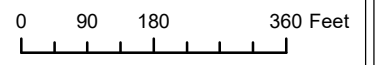
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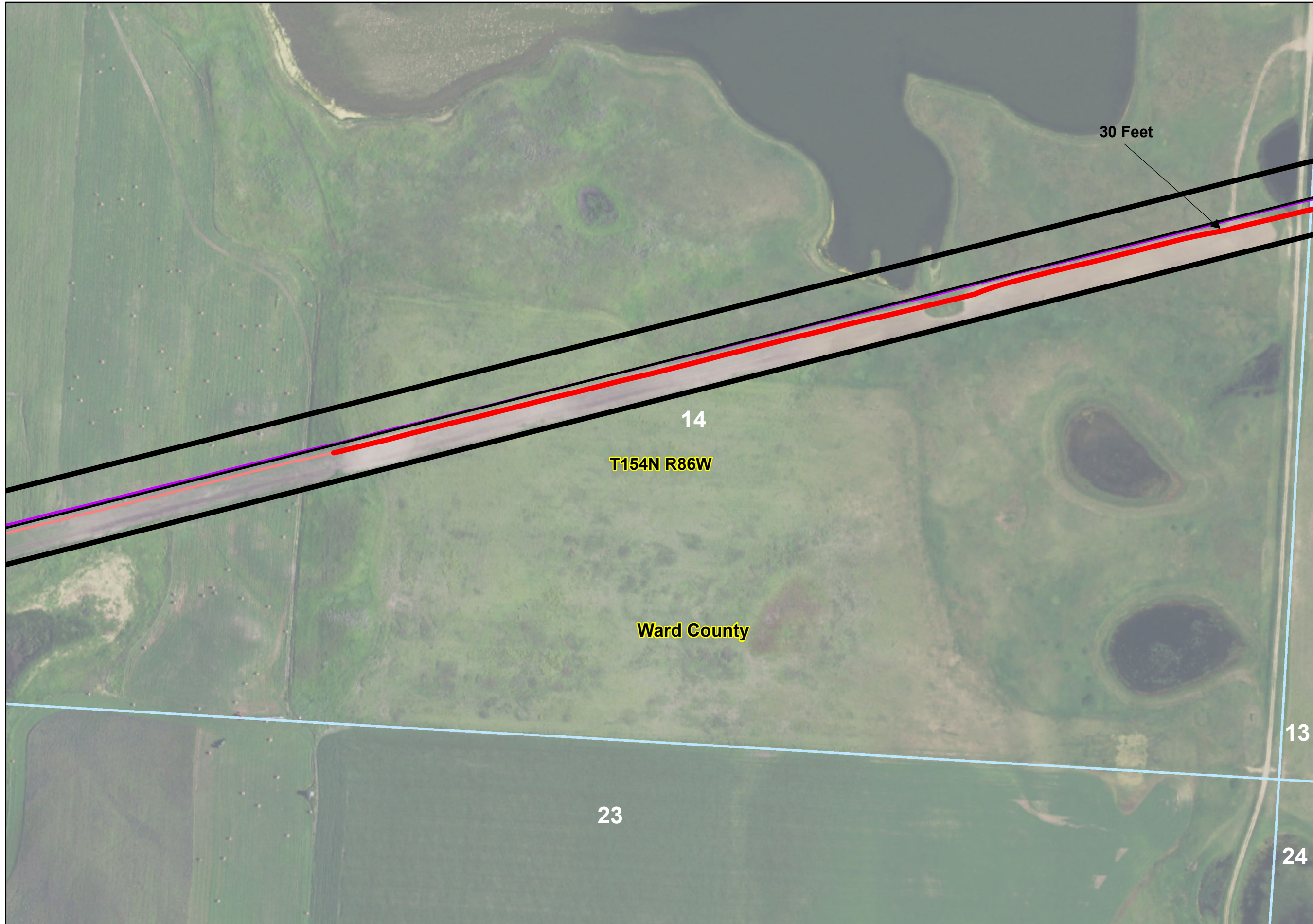
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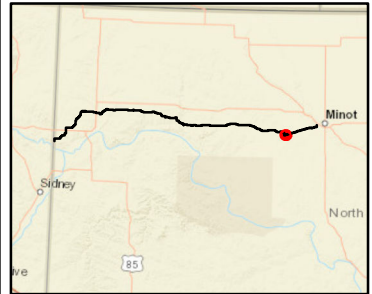
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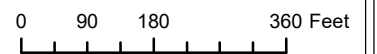
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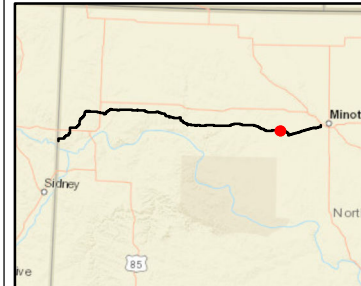


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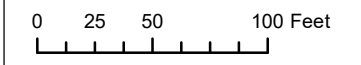
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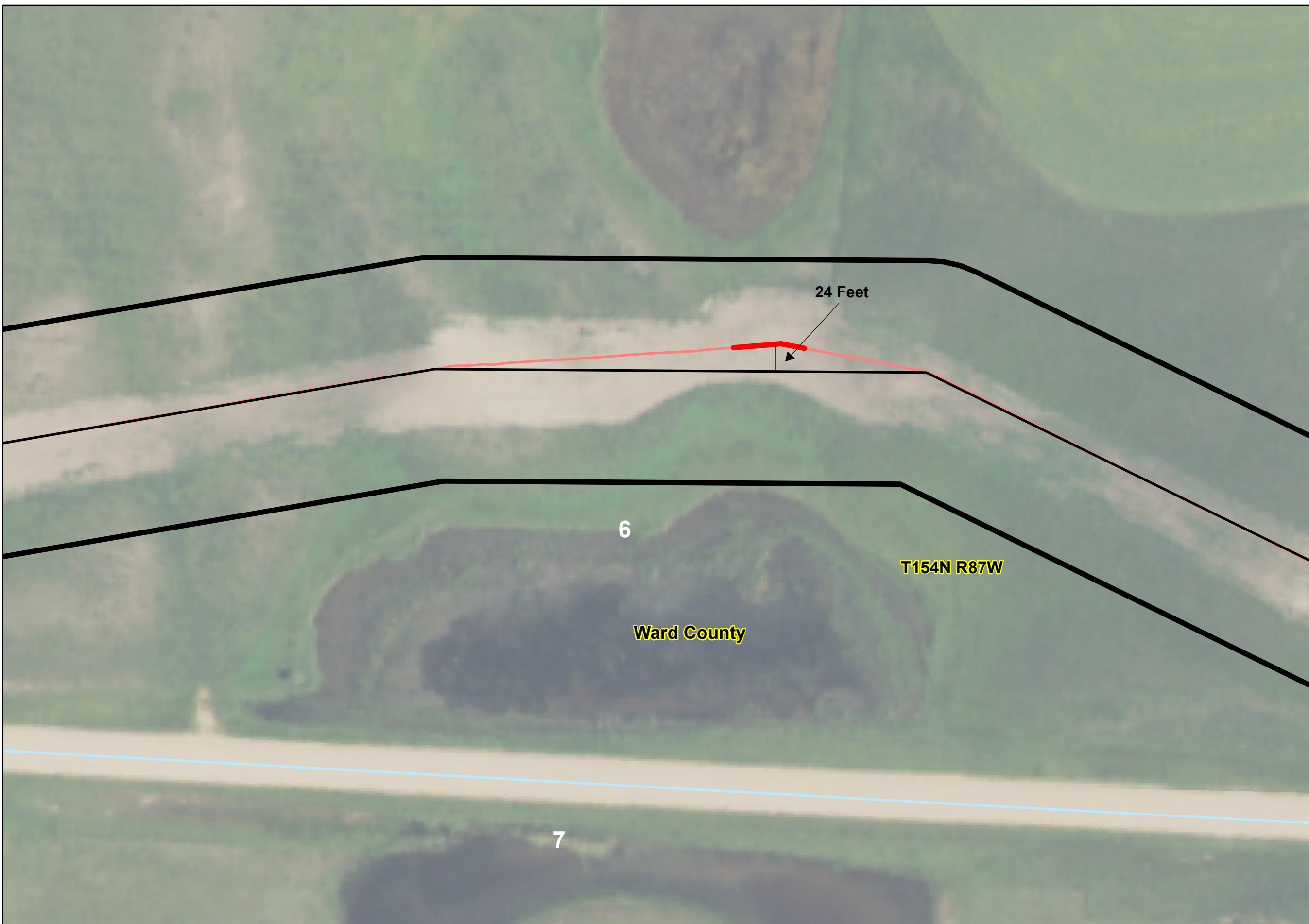


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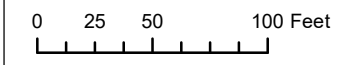
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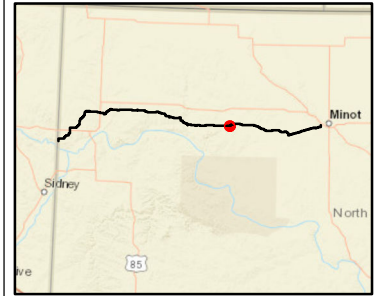


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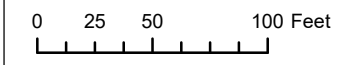
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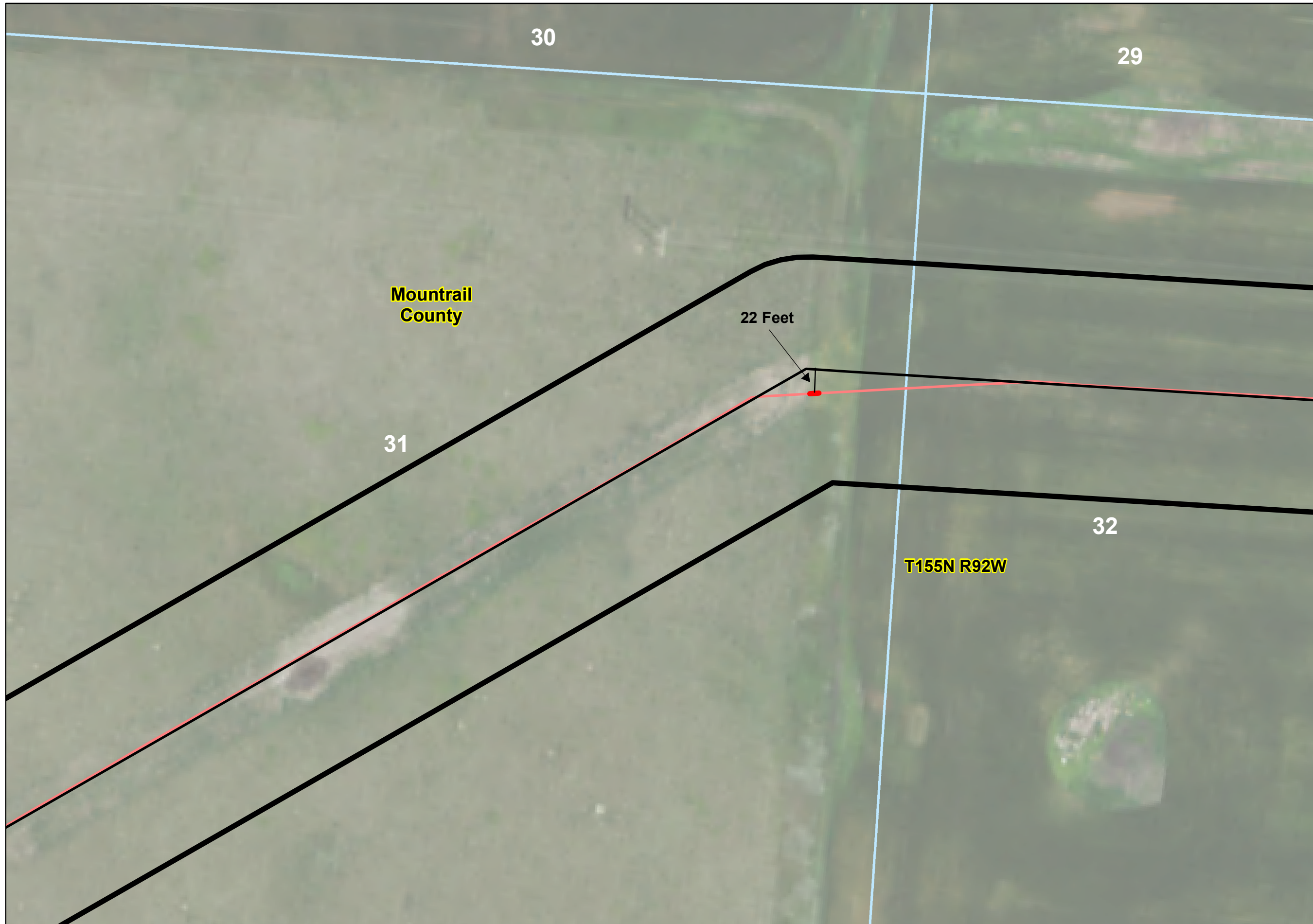
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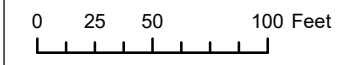
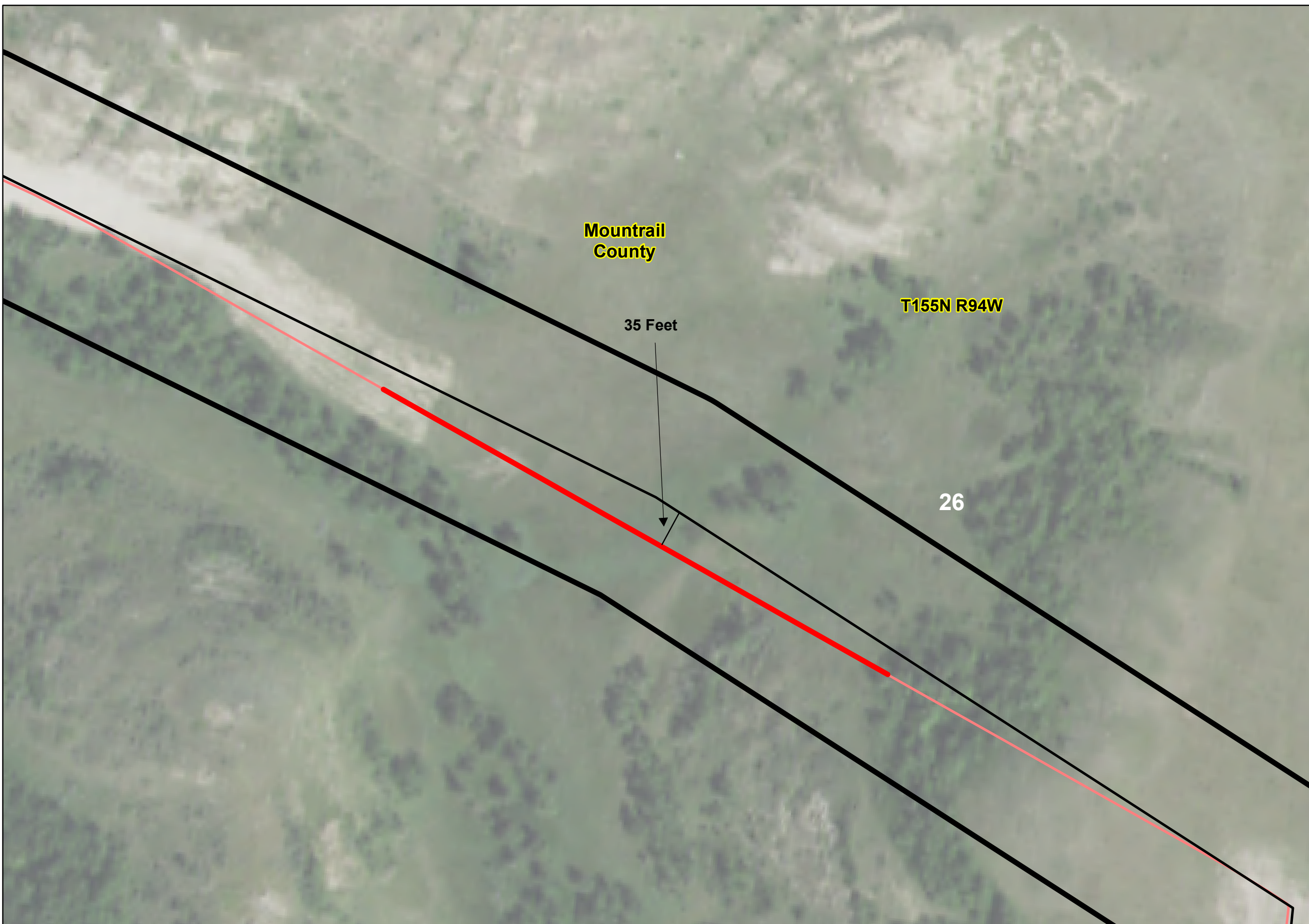
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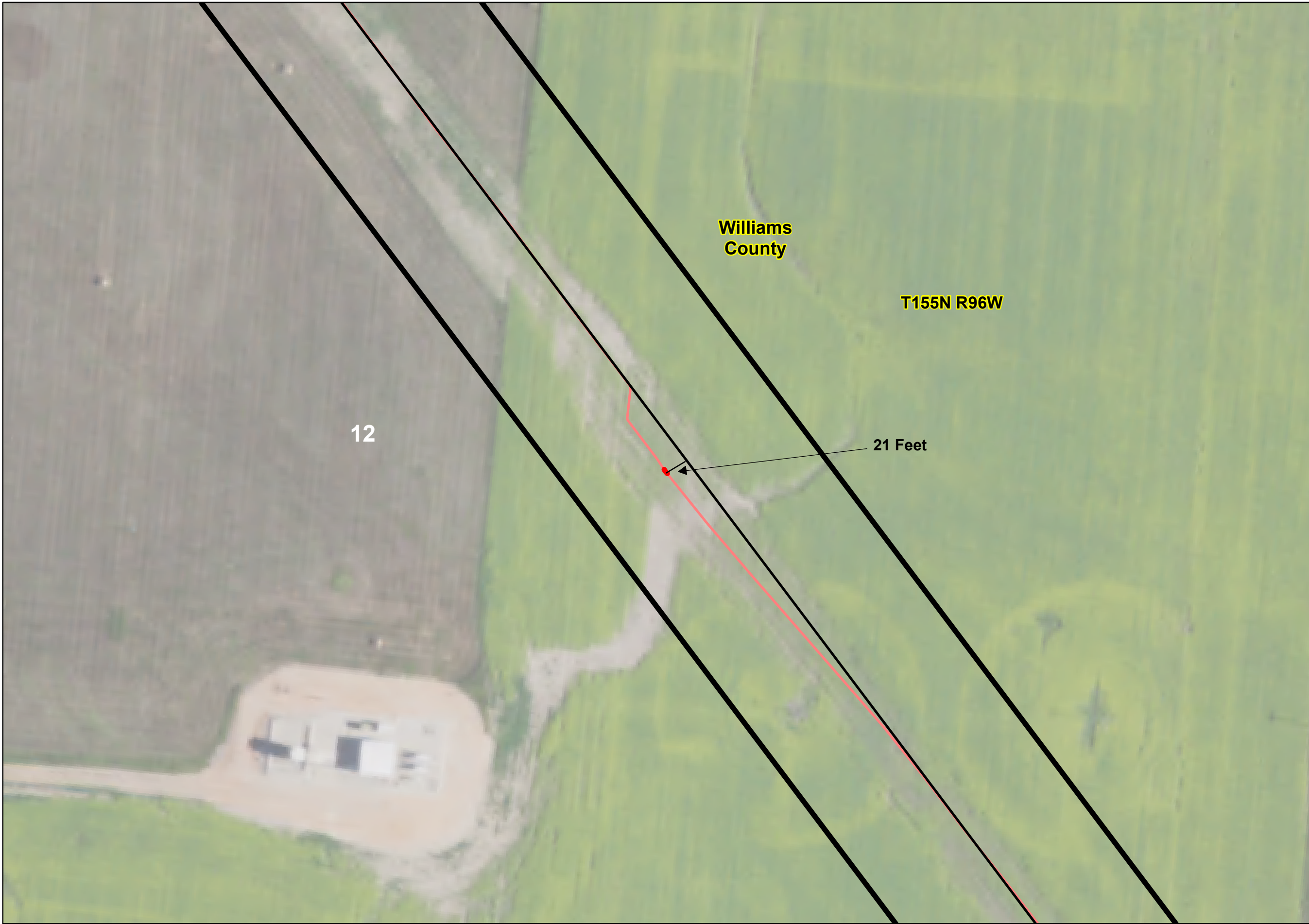
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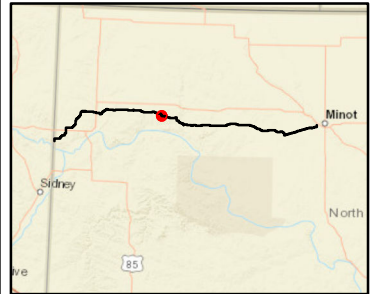
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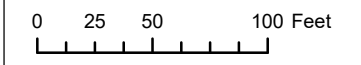
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Route Changes Within Corridor

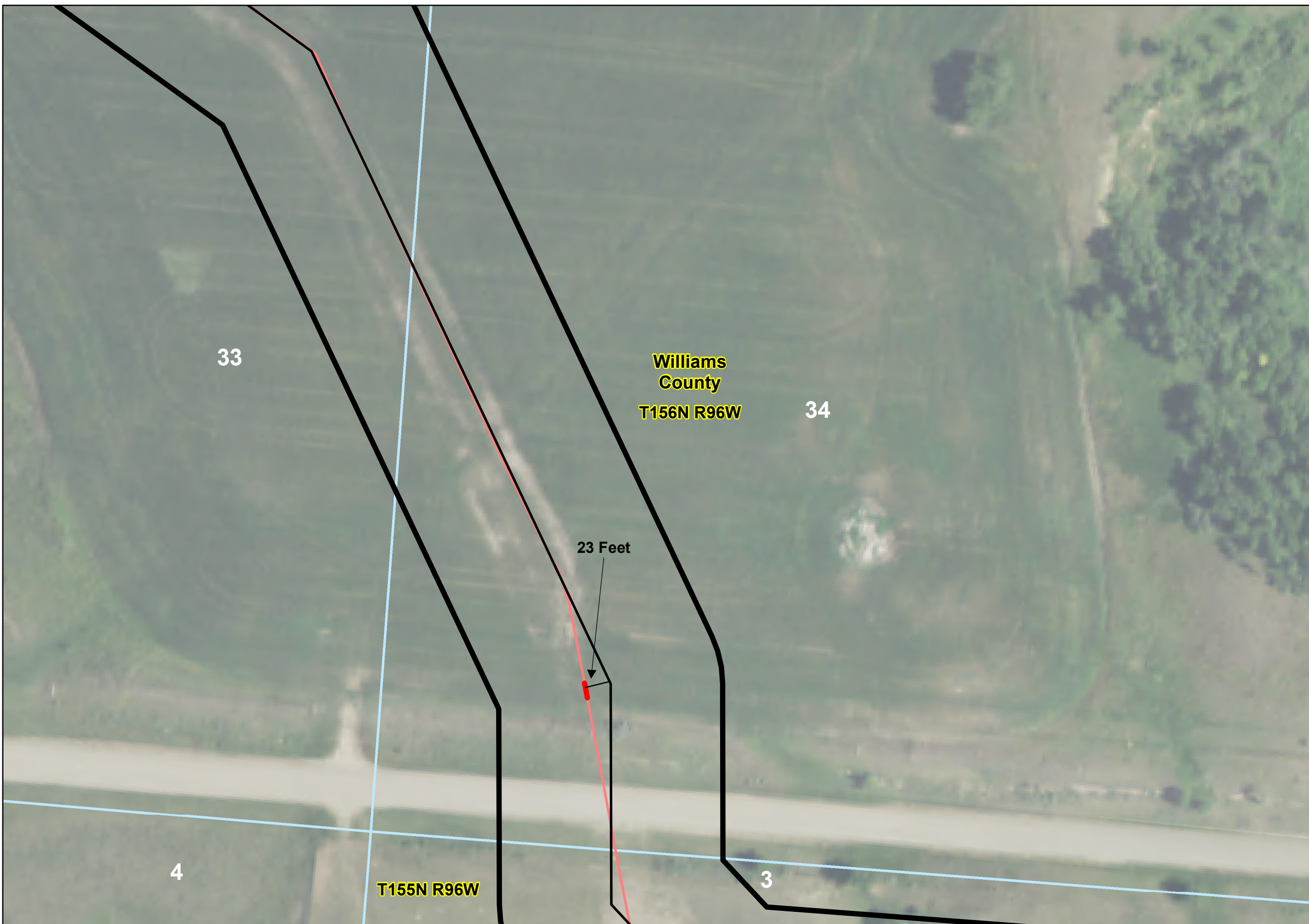


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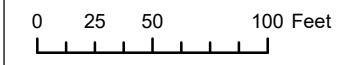
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