



United States Department of the Interior



FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
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In Reply Refer To:
2021-CPA-0032
Cenex Pipeline- PU-20-488

February 17, 2021

Mr. Dean Moos, Director
Public Service Commission
Reclamation Division
600 East Boulevard, Department 408
Bismarck, North Dakota 58505-0480

Dear Mr. Moos:

This is in response to the Order issued on February 3, 2021, reference the Cenex Pipeline LLC 10-inch crude oil pipeline in Mountrail, Ward and Williams Counties, North Dakota, PSC Case PU-20-488.

The U.S. Fish and Wildlife Service (Service) offers the comments under the authority of and in accordance with the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*).

The Dakota skipper is a small prairie butterfly listed as a threatened species under ESA. Dakota skippers are obligate residents of high quality prairie ranging from wet-mesic tallgrass prairie to dry-mesic mixed grass prairie. In Northwestern North Dakota, Dakota skippers inhabit dry-mesic hill prairies with abundant purple coneflower (*Echinacea angustifolia*).

The Service would offer the following recommendations in relation to this proposed project. The coordinates provided for the proposed pipeline indicates that the alignment would cross undisturbed native prairie grasslands. Surveys for Dakota skipper butterflies with positive results for occupancy have been conducted near the project. The Service would recommend habitat surveys along the alignment to identify areas of suitable habitat per the 2018 Dakota skipper Survey protocol be completed. In the event that suitable habitat is observed, the Service would recommend occupancy surveys prior to construction. Information relative to positive occupancy surveys should be shared with the Service for consultation. Avoidance of impacts to native prairie habitat is recommended to reduce the risk of adverse effects to this species.

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Agency Correspondence

United States Department of the Interior, Fish and Wildlife Service
Drew Becker

The Service appreciates the opportunity to work with the PSC to ensure the conservation of natural resources. Should you have any questions regarding these comments, please have your Staff contact Jerry Reinisch of my staff at (701) 425-2133, or contact myself at (701) 319-0127.

Sincerely,

Drew Becker
ND Ecological Services Supervisor

Cc: Greg Link, ND Game and Fish Department