

April 20, 2022

*Via Hand Delivery & Electronic Mail*

*arenfandt@nd.gov; ndpsc@nd.gov*

Mr. Adam Renfandt  
Analyst, Public Utilities Division  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**In re: Response to 3-17-22 Request for Information  
Bridger Pipeline LLC  
16-inch South Bend Crude Oil Pipeline  
Case No. PU-21-048  
Our File No. 016265-000018**

Dear Mr. Renfandt:

On behalf of Bridger Pipeline LLC (“Bridger”), the following information is provided in response to your March 17, 2022 request for information (Docket No. 15). Five hard copies of the enclosed letter and Attachment Nos. 1 – 14 are enclosed for filing in Case No. PU-21-048. A ShareFile link to the below-referenced documents is provided in the associated electronic filing correspondence.

- Attachment No. 1 Route Comparison Map
- Attachment No. 2 U.S. Forest Service Special Use Permit
- Attachment No. 3 Environmental Assessment, Decision Notice, and Finding of No Significant Impact
- Attachment No. 4 Biological Assessment
- Attachment No. 5 Supplemental Exclusion and Avoidance Tables
- Attachment No. 6 ND Dept. of Transportation Hwy 16 Permit
- Attachment No. 7 Bureau of Land Management Correspondence – 03-14-2022
- Attachment No. 8 Geological Survey Correspondence – 03-14-2022
- Attachment No. 9 ND Game & Fish Renotification of Project – 03-23-2022
- Attachment No. 10 DOD Siting Clearing House Correspondence – 04-05-2022
- Attachment No. 11 ND Dept. of Health Notification of Project – 04-19-2022
- Attachment No. 12 ND Industrial Commission Notification of Project – 04-19-2022
- Attachment No. 13 ND Natural Resources Conservation Service – 04-19-2022
- Attachment No. 14 PHMSA Spill Response Plan Certification

**Request for Information No. 1:** The application indicates that the installed cost of the project is \$122 million. Is this the total cost of the project, including the portion in Montana? If yes, approximately how much of this installed cost will be attributable to the North Dakota segment?

**Response No. 1:** The total Project cost of \$122 million includes costs attributable to both the North Dakota and Montana segment of pipeline. Project costs specific to North Dakota total approximately \$61 million.

**Request for Information No. 2:** Was the route adjusted after the June/July 2020 timeframe from what is depicted in Exhibit A, Figure A.1?

**Response No. 2:** Yes. Bridger submitted the Amended Application (Docket No. 9) primarily to update information previously provided in the original application regarding the status of federal permitting, and to address and include information that was previously requested from PSC staff in response to the original application. In addition, the Amended Application reflects minor route adjustments and refinements that were made since the original Project application was filed. The extent of route adjustments encompassed by the Amended Application are minor and do not materially alter the nature of the Project. A Route Comparison Map, Attachment No. 1 hereto, reflects the minor scope of adjustments made to the route since the original application was filed. Bridger will provide additional information regarding the adjustments at hearing.

**Request for Information No. 3:** Please file copies of all reports and surveys, including copies of the reports and surveys conducted by Keitu Engineers & Consultants, Inc., and others, which would include all botany surveys, wildlife and habitat assessments and surveys, tree/sapling/shrub enumeration surveys, and noxious weed surveys. Please also include the Environmental Assessment and the Biological Assessment as referenced throughout the application.

**Response No. 3:** The U.S. Forest Service Special Use Permit issued for the Project is enclosed as Attachment No. 2, the Environmental Assessment, Decision Notice, and Finding of No Significant Impact is enclosed as Attachment No. 3, and the Biological Assessment is enclosed as Attachment No. 4.

**Request for Information No. 3(a):** Were all surveys, including the botany, wildlife and habitat, tree/sapling/shrub, and noxious weed ones, conducted across the "Project Survey Area" as identified in the Exhibit A, Figure A.1 map set?

**Response No. 3(a):** Yes.

**Request for Information No. 4:** Which of the proposed block valves will allow for remote shut down?

**Response No. 4:** All eight midline block valves located in North Dakota will allow for remote shut down.

**Request for Information No. 5:** Please update Tables 5.4 and 5.8 to indicate whether Avoidance and Exclusion Areas are in the Study Area.

**Response No. 5:** Supplemental tables reflecting the requested information are attached hereto as Attachment No. 5.

**Request for Information No. 6:** Section 5.5.1 indicates that a “qualified monitor will remain on-site during the life of construction”. Please explain the role of the monitor, and whether the monitor is a 3<sup>rd</sup> party monitor.

**Response No. 6:** Bridger will retain an environmental monitor who will remain on-site for Project construction that crosses U.S. Forest Service land. The role of the monitor is to ensure compliance with all design features requested by the U.S. Forest Service in its concurrence with the Environmental Assessment. Specifically, this includes ensuring compliance with the timing restrictions and various specifications required by the U.S. Forest Service as part of the Special Use Permit obtained by Bridger.

**Request for Information No. 7:** Under what circumstances will the company conduct surveys for Dakota skippers during construction, operation, and maintenance of the project to avoid adverse impacts to the species?

**Response No. 7:** Bridger, through its environmental consultant, has already conducted Dakota skipper surveys and no additional surveys are necessary. Bridger has extensively consulted with the U.S. Fish and Wildlife Service and the U.S. Forest Service to determine appropriate mitigation measures, which have been approved by the respective federal agencies. Bridger will provide additional information regarding Dakota skipper avoidance and mitigation at hearing.

**Request for Information No. 8:** Regarding potentially geologically unstable areas, will the company periodically assess Area B’s slope for indications of slope movement associated with slumping and erosion near the toe of the slope? If yes, please describe the frequency of such assessments.

**Response No. 8:** The scope, extent, and frequency of assessments will ultimately depend on the specific construction technique utilized. Bridger will provide additional information during testimony at hearing.

**Request for Information No. 9:** For all agencies in Table 6 that have not received notification of the amended application, please send such notifications, and please file copies of the correspondence with the Commission.

**Response No. 9:** Project notification letters have been sent to the entities and agencies listed in North Dakota Administrative Code Section 69-06-01-05. As previously referenced, the scope of the Project’s route adjustments reflected in the Amended Application are minor (see Route Comparison Map marked as Attachment No. 1 hereto). The minor nature of the

adjustments do not materially alter the Project in a manner that would otherwise warrant duplicating the notification process. Bridger notes that since the Amended Application was filed, additional agency notifications and/or response letters have either been sent or received for the following entities, which are attached hereto as follows:

- Attachment No. 6: ND Dept. of Transportation Hwy 16 Correspondence and Crossing Permit – February 25, 2022
- Attachment No. 7: Bureau of Land Management Correspondence – March 14, 2022
- Attachment No. 8: Geological Survey Correspondence – March 14, 2022
- Attachment No. 9: ND Game & Fish Renotification of Project – March 23, 2022
- Attachment No. 10: Dept. of Defense Siting Clearing House Correspondence – April 5, 2022
- Attachment No. 11: ND Dept. of Health Notification of Project – April 19, 2022
- Attachment No. 12: ND Industrial Commission Notification of Project – April 19, 2022
- Attachment No. 13: ND Natural Resources Conservation Service – April 19, 2022

**Request for Information No. 10:** Please file copies of the following, if available:

- a. SPCC Plan referenced in Section 8.2 of the application

**Response No. 10(a):** The SPCC referenced in the Amended Application refers to a document generated by the construction contractor, who will be required to maintain a SPCC for fuel as applicable.

- b. Emergency procedures plan

**Response No. 10(b):** The U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) has approved Bridger's Operated Systems Oil Spill Response Plan. The Plan contains confidential information regarding system operations. Therefore, a copy of PHMSA's Spill Response Plan Certification and Information is being filed in lieu of the Plan and is attached hereto as Attachment No. 14.

- c. Construction and environmental program plan

**Response No. 109(c):** The Project has been sited to avoid and minimize adverse environmental impacts. The scope of information sought by Request No. 10(c) is unclear.

- d. Erosion control plan

**Response No. 10(d):** Erosion will be controlled through the use of best management practices such as slope breakers, water bars and revegetation and implemented as part of the Project's storm water pollution prevention plan.

- e. Storm water pollution prevention plan

**Response No. 10(e):** In accordance with North Dakota Dept. of Environmental Quality requirements pertaining to North Dakota Pollutant Discharge Elimination System (NDPDES) General Construction Stormwater Permit, a SWPPP will be completed prior to the start of construction activities. A copy of Bridger's NDPDES General Permit will be filed with the Commission when obtained.

- f. Horizontal directional drilling inadvertent release control and mitigation contingency plan

**Response No. 10(f):** See response to 10(b) above.

- g. Weed management plan

**Response No. 10(g):** Per the request of McKenzie County, Bridger has adopted McKenzie County's Weed Management Plan, which is located in Exhibit D of the Amended Application (Docket No. 9), for the entire North Dakota Project subject to any applicable limitations pertaining to U.S. Forest Service lands.

- h. Dust control plan

**Response No. 10(h):** Best management practices will be employed as necessary to control dust emissions. Project related traffic speeds will be controlled on the construction right-of-way and along unimproved roads. Dust abatement techniques on unpaved or un-vegetated areas or other areas susceptible to wind erosion will be utilized as necessary and as determined by Bridger.

- i. Environmental training plan

**Response No. 10(i):** The Project has been sited to avoid and minimize adverse environmental impacts. Construction personnel will employ best management practices to minimize impacts during construction of the Project. Environmental requirements will be reviewed in weekly meetings with the contractor.

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

Sincerely,



Casey A. Furey

CAF/lh

Enc.

cc: ALJ Timothy Dawson (via hand delivery)  
Brian Johnson (via email)  
Ken Dockweiler (via email)  
Robert Stamp (via email)  
Tom Litman (via email)  
Tyler Reece (via email)  
Jaimee Antognazzi (via email)