

May 4, 2022

Via Hand Delivery & Electronic Mail

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

**In re: Bridger Pipeline LLC
16-inch South Bend Crude Oil Pipeline
Case No. PU-21-048
OAH File No. 20220094
Our File No. 016265-000018**

Dear Mr. Kahl:

On behalf of Bridger Pipeline LLC ("Bridger"), enclosed please find five hard copies of the documents listed below for filing in Case No. PU-21-048.

1. Agency Correspondence - Natural Resources Conservation Service dated April 27, 2022; and
2. Proposed Hearing Exhibit List.

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)
Adam Renfandt (via email)
Brian Johnson (via email)
Ken Dockweiler (via email)
Robert Stamp (via email)

38 PU-21-48 Filed 05/04/2022 Pages: 5
Agency Correspondence and Proposed Hearing Exhibit List
Bridger Pipeline LLC
Casey Furey, Crowley Fleck, PLLP



April 27, 2022

Natural Resources
Conservation Service

Bismarck State Office
PO Box 1458
Bismarck, ND
58502-1458

Voice 701.530.2000
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Jaimee Antognazzi
Keitu Engineers & Consultants, Inc.
1403 27th St NW
Mandan, ND 58554

Dear Ms. Antognazzi:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated April 19, 2022 concerning the Bridger 16" Crude Oil Pipeline in McKenzie and Golden Valley Counties, of North Dakota.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use when federal funding is utilized. It appears the Bridger pipeline is not supported by federal funding; therefore, FPPA does not apply and no further action is needed.

Wetlands

The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose or to have the effect of making agricultural production possible, loss of USDA benefits could occur. NRCS has developed the following guidelines for the installation of permanent structures where wetlands occur. If these guidelines are followed the impacts to the wetland will be considered minimal allowing USDA participants to continue to receive USDA benefits. Following are the requirements:

- Disturbance to the wetland must be temporary.
- No drainage of wetland is allowed (temporary or permanent).
- Mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained.
- Temporary side cast material must be placed in such a manner not to be dispersed in the wetland.
- All trenches must be backfilled to the original wetland bottom elevation.

Potentially impacted USDA participants that wish to request a certified wetland determination can be directed to the USDA Farm Service Agency (FSA) to request a Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification (AD-1026) or they may contact Darrick Ystaas, Designated Conservationist, NRCS, Minot, North Dakota at (701) 852-5434, Ext. 125, for information about conservation compliance provisions related to the project.

NRCS recommends that impacts to wetlands be avoided.

Helping People Help the Land

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota, at (701) 530-2021 or email to wade.bott@usda.gov.

WADE BOTT

Digitally signed by WADE BOTT
Date: 2022.04.27 14:32:38 -05'00'

WADE D. BOTT
State Soil Scientist

Bridger Pipeline LLC
16-inch South Bend Crude Oil Pipeline
PU-21-048
Hearing Exhibit List

Exhibit No.	Document	Docket No.
1	Amended Consolidated Application for Certificate of Corridor Compatibility and Route Permit (incorporating Replacement Exhibit A Project Maps filed as Docket No. 12)	9
2	Bridger’s Response Binder to Staff’s 3-17-22 Information Request Attachment 1 – Route Comparison Map Attachment 2 – U.S. Forest Service Special Use Permit Attachment 3 – Environmental Assessment, Decision Notice, and Finding of No Significant Impact Attachment 4 – Biological Assessment Attachment 5 – Supplemental Exclusion and Avoidance Tables Attachment 6 – ND Dept. of Transportation Hwy 16 Permit Attachment 7 – Bureau of Land Management Correspondence (03-14-2022) Attachment 8 – Geological Survey Correspondence (03-14-2022) Attachment 9 – ND Game & Fish Renotification of Project (03-23-2022) Attachment 10 – DOD Siting Clearing House Correspondence (04-05-2022) Attachment 11 – ND Dept. of Health Notification of Project (04-19-2022) Attachment 12 – ND Industrial Commission Notification of Project (04-19-2022) Attachment 13 – ND Natural Resources Conservation Service (04-19-2022) Attachment 14 – PHMSA Spill Response Plan Certification	26
3	Certification Relating to Order Provisions	30
4	ND Dept. of Transportation Hwy 85 Permit	31

