

June 16, 2022

Via Electronic Mail & Hand Delivery

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

**In re: Notice of Intent to Commence Construction and
Pre-Construction Meeting Minutes
Bridger Pipeline LLC
16-inch South Bend Crude Oil Pipeline
Case No. PU-21-048
Our File No. 016265-000018**

Dear Mr. Kahl:

I am writing on behalf of Bridger Pipeline LLC (“Bridger”) regarding the above-referenced matter. On June 10, 2022, Bridger, Commission staff, and Stantec Inc., the Commission’s construction inspector, held a pre-construction meeting. Minutes from this meeting are enclosed for filing. During this meeting, Bridger indicated it anticipated commencing construction on June 27, 2022. Notice is hereby provided that construction is now anticipated to commence on June 23, 2022. Bridger has communicated this update to Stantec Inc.

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

Sincerely,


Casey A. Furey

CAF/lh
Enc.

cc:	Brian Johnson, NDPSC	(via email)	Tyler Reece, Bridger	(via email)
	Adam Renfandt, NDPSC	(via email)	Ken Dockweiler, Bridger	(via email)
	Matt Retka, Stantec	(via email)	Robert Stamp, Bridger	(via email)
	Kevin Cook, Bridger	(via email)		

Bridger Pipeline LLC - Case No. PU-21-048

North Dakota Public Service Commission Preconstruction Call

Meeting Minutes

Call Date: June 10, 2022

Subject: 16-inch South Bend Crude Oil Pipeline, McKenzie & Golden Valley Counties

Attendees:

NDPSC:

- Adam Renfandt, Public Utility Analyst - 701-328-4153, arenfandt@nd.gov
- Matthew Retka, Stantec, NDPSC Construction Inspector – matthew.retka@stantec.com

On behalf of Bridger Pipeline LLC (“Bridger”):

- Tyler Reece, Bridger, Engineering, Tyler.Reece@Truecos.com
- Ken Dockweiler, Bridger, Safety & Compliance, Government Relations, and Control Room Operations
- Robert Stamp, Bridger, Engineering
- Bob Dundas, Bridger, Environmental Coordinator
- Don Clark, Bridger, Operations
- Doug Thacker, Bridger, Compliance
- Tommy Massengale, Bridger, Construction Coordinator
- Tim Branson, Bridger, Land Department
- Tom Litman, Bridger, Land Department
- Casey Furey, Crowley Fleck Attorneys, Local Counsel
- Jaimee Antognazzi, Keitu Engineering & Consultants, Environmental
- Zach Peterson, Keitu Engineering & Consultants, Environmental
- Jacob Friez, KLJ, Project Manager
- Travis Gillett, Loenbro, Project Manager
- Corey Halter, Loenbro, Project Manager
- Phillip Law, Avery Technical Resources, Third Party Inspector
- Dana Curtis, Avery Technical Resources, Third Party Inspector
- Rob Carrey, Diamond Resources Co, Land
- Skip Evanson, Diamond Resources Co., Land
- Ben Scheeler, Diamond Resources Co., Land

Minutes:

Meeting commenced at 9:31 am CT with introductions of call participants.

The call was turned over to NDPSC staff Adam Renfandt who led the discussion referencing the NDPSC’s June 8, 2022 Findings of Fact, Conclusions of Law and Order with attached Certification

Relating to Order Provisions (“Order”). With respect to the Order, Adam Renfandt specifically reviewed:

- Order Finding of Fact No. 11 relating to raptor nests and avoidance.
- Order Finding of Fact No. 12 relating to sharp tailed grouse and associated avoidance.
- Order Finding of Fact No. 21 relating to geologically unstable areas, avoidance, and monitoring of the same.
- Order Finding of Fact No. 38 relating to Bridger’s voluntary commitment to conduct a third-party audit and corresponding Ordering Provision No. 9 directing Bridger to file a copy of the same with the NDPSC.
- Ordering Provision No. 6 directing Bridger to file all licenses and permits with the Commission prior to construction on project segment requiring said license or permit, including filing of railway and crossing permits.
- Ordering Provision No. 7 directing Bridger to notify the Commission within 24 hours of spills that require other state or federal agency notification by leaving a message at the NDPSC’s toll free number 877-245-6685 and following up via email to the NDPSC’s Executive Secretary.

Discussion regarding topsoil removal, associated Certification Provisions, and the PSC inspector being present for first topsoil stripping.

Construction is anticipated to commence on or around June 27, 2022. Matt Retka requested a five-day notice of schedule changes, and requested to meet with operators within the first days of the site visit to discuss expectations regarding topsoil removal.

Discussion regarding status of the project’s Storm Water Pollution Prevention Plan (SWPPP). Bridger indicated the SWPPP has been filed with the ND Dept. of Environmental Quality and coverage automatically begins seven days after it is submitted. Bridger will provide notice of coverage prior to commencing construction.

Matt Retka inquired about status of permits and work to be completed across National Grasslands. This segment will be constructed by Loenbro. Bridger is in the process of securing bids for construction along the last 26 miles of the Project. Matt Retka requested another topsoil meeting if a new contractor other than Loenbro is hired to construct the last segment of the project. Staff Adam Renfandt requested an email providing notice if a separate contractor is hired.

The group discussed winter construction generally. Bridger indicated it anticipates having construction completed prior to the end of 2022 and is targeting to have construction completed prior to heavy winter conditions. Adam Renfandt indicated there are supplemental requirements for winter construction if it occurs including NDPSC authorization. Bridger inquired when the NDPSC considers winter construction to commence. Adam Renfandt noted there is no particular date, timing is subjective and condition related, and read associated Certification Provision No. 12.

Matt Retka noted erosion control and soil segregation are the major items evaluated during inspections.

Bridger is required to file monthly construction reports which can be filed with the NDPSC at ndpsc@nd.gov.

Adam Renfandt reviewed various Certification Provisions, including:

- Certification Provision Nos. 11, 12, & 13 relating to installation and burying of pipe.
- Certification Provision No. 14 relating to staging areas and equipment.
- Certification Provision No. 16 requiring construction to be suspended when weather conditions would cause construction activities to cause irreparable damage to roads or land.
- Certification Provision No. 19 relating to township and county road restoration.
- Certification Provision No. 20 relating to reclamation, fertilization, and reseeding standards.
- Certification Provision No. 24 relating to tree and shrub sampling and mitigation plan.
- Certification Provision No. 27 requiring permittee to contact landowners prior to construction to provide contact information of company representative responsible for resolving landowner issues.
 - Tom Litman, Bridger, Director of Land 307-266-0289.
- Certification Provision No. 30 requiring permittee to notify the NDPSC as soon as reasonably possible of any extraordinary events occurring on site, including injuries.
- Certification Provision No. 31 requiring notification related to species and habitat.
- Certification Provision No. 33 requiring as-builts to be filed within three months of construction completion.
- Certification Provision No. 34 relating to One-Call requirements and compliance.
- Certification Provision No. 35 relating to requirements for route adjustments and associated filings. Route permit includes a route deviation buffer of 20 feet immediately adjacent to either side of the route excluding avoidance areas. Bridger will provide Stantec with project GIS.

Discussion regarding topsoil stripping methods. Loebro will utilize dozers and blades to remove topsoil to one side of corridor and subsoil will be moved during trenching to other side.

Stantec will perform approximately four separate inspections: topsoil inspections during initial construction; construction inspection to evaluate trenching, pipe depth, and soil; as-built inspection after soil has been replaced; and a revegetation inspection.

Call concluded at 10:11 am CT.