

NORTH DAKOTA PUBLIC SERVICE COMMISSION
CONSOLIDATED SITING APPLICATION
CALIBER NORTH DAKOTA, LLC
CALIBER PIPELINE PROJECT



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INTRODUCTION

Caliber North Dakota LLC (“Caliber”) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline in McKenzie County, North Dakota (“Project”). The Project originates at the tailgate of Caliber’s mechanical refrigeration natural gas processing plant (Hay Butte Plant) and terminates at an interconnection with the Northern Border Pipeline.

Caliber constructed the pipeline in August of 2014. The Project does not currently have an issued North Dakota Public Service Commission (“PSC”) siting certificate or permit. On October 15, 2021, Caliber submitted a request to the PSC (Case No. PU-21-406, Docket No. 1) seeking temporary approval under North Dakota Century Code Section 49-22.1-23 to continue beneficial operation of the Project, and to make certain minor modifications to facilitate bi-directional flows on the Project while the Project undergoes siting in compliance with Chapter 49-22.1. Additional information regarding the Project and the bi-directional flow modification are discussed herein.

On November 3, 2021, the PSC issued an Order granting temporary authorization to operate and modify the Project, and ordered Caliber to submit a siting application by November 30, 2021.

Caliber submits to the PSC this single consolidated application for a Certificate of Corridor Compatibility and Route Permit for the Project.

The application provides the requisite information as stipulated by:

- North Dakota Century Code, Energy Conversion and Transmission Facility Siting Act, Chapter 49-22.1; and
- North Dakota Administrative Code, Chapter 69-06-05, Transmission Facility Permit.

SECTION 1: TRANSMISSION FACILITY DESCRIPTION

1.1 TYPE, SIZE, AND DESIGN OF TRANSMISSION FACILITY

The Project is an 8-inch diameter natural gas transmission pipeline, which complies with PHMSA 49 CFR 192.

Project specifications include: 8.625 OD, 0.219" wall thickness, X52 with 14-16 mils FBE coating. Maximum design operating pressure of 1600 PSIG. Maximum design operating temperature of 120 degF. Daily average flow rate of 2-8 MMSCFD, design flow rate of 80 MMSCFD.

1.2 PURPOSE AND NEED FOR PROJECT

Caliber owns and operates a gas gathering system in McKenzie County that delivers raw natural gas from various Bakken producers to Caliber's mechanical refrigeration natural gas processing Hay Butte Plant for processing. The Project provides a connection to deliver gas from the Hay Butte Plant to the Northern Border Pipeline.

An existing compressed natural gas ("CNG") truck fueling facility is located adjacent to Caliber's Hay Butte Plant. In addition to supplying Northern Border, residue gas from the Hay Butte Plant also flows directly to the truck fueling facility via a separate non-jurisdictional facility piping connection. Caliber's requested temporary approval authorizing the Project's continued operation, and to make minor modifications to the Project at the existing interconnection with Northern Border, to allow gas to flow bi-directionally on the Project. Bidirectional flow capability enhances the Project by allowing it to transport gas received from Northern Border for delivery to the CNG trucking facility. Upon delivery to the trucking facility, gas from the Project would be loaded into trucks and CNG would be delivered to production facilities for use as fuel in hydraulic fracturing operations within North Dakota.

The Project's continued operation and bidirectional flow capability support continued operations in the Bakken. The Project minimizes flaring from the state's oil and gas production in support of meeting the gas capture goals of the North Dakota Industrial Commission, and facilitates additional operational flexibility on Northern Border. Additionally, the Project's operation and modification will permit clean burning CNG to be used as fuel for hydraulic fracturing equipment in North Dakota, replacing diesel fuel.

1.2.1 Location of Facility

The Project is located in McKenzie County, North Dakota in Township 150 North, Range 101 West Section 36 and in Township 150 North, Range 100 West, Sections 31 and 32. The Project originates at Caliber's Hay Butte Plant and terminates at an interconnection with Northern Border. Project maps are provided in Appendix A.

1.3 TECHNOLOGY TO BE DEPLOYED

Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, and do not require construction of a new pipeline.

To facilitate bidirectional flow of the Project, approximately 10 to 20-feet of above-ground piping will need to be installed at the Northern Border interconnect located in NESE of Section 32 150N 100W and approximately three connection valves including one pressure regulator. Northern Border operates the interconnect and Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback at the interconnection, and Caliber will need to install a regulator, a tee, and valving to connect the buyback. The pipeline begins at the Caliber Hay Butte Gas Plant located in SWSE Section 36 150N 101W.

1.4 TYPE, SOURCE, AND FINAL DESTINATION OF PRODUCT

Caliber owns and operates a gas gathering system in McKenzie County that delivers raw natural gas from various Bakken producers to the Hay Butte Plant for processing and delivery. The Project currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of residue or treated natural gas to Northern Border for further transport to markets across the United States. Natural gas flows on the Project are intermittent.

As referenced, an existing CNG truck fueling facility is also located adjacent to the Hay Butte Plant, and gas also flows from the processing plant directly to the truck fueling facility. Bidirectional flow capability allows the Project to take volumes from Northern Border for delivery to the CNG plant. Gas flows from Northern Border to the Project would be seasonal and intermittent with minimal volumes, anywhere between 0.1 and 5 mcf/d. Caliber anticipates these volumes will be delivered by actual flows of gas, and by displacement. Caliber does not own the CNG trucking facility and would not take title to any gas flowed from Northern Border.

1.5 WIDTH OF RIGHT-OF-WAY

The Project generally utilized a typical construction right-of-way (“ROW”) of 100 feet (50 feet on either side of centerline). Caliber maintains an approximate permanent ROW of 75 feet on lands crossed by the Project that are not otherwise owned by Caliber.

1.6 LENGTH OF FACILITY

The Project is approximately 2.62-miles in length.

1.7 ABOVEGROUND FACILITIES

The Project will tie into existing aboveground facilities/block valves located at each terminus of the Project. No new aboveground facilities will be constructed for the Project.

Project tie-ins will occur within the existing facility fence line at each terminus.

1.8 PROJECT SCHEDULE

1.8.1 Certificate of Corridor Compatibility

Caliber seeks a Certificate of Corridor Compatibility at the PSC's earliest convenience.

1.8.2 Route Permit

Caliber seeks a Route Permit at the PSC's earliest convenience.

1.8.3 Completing Right-of-Way Acquisition

Caliber possesses the necessary easements for the Project's construction and operation. Reconfiguration of Caliber's facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners.

1.8.4 Construction Commencement

Construction of the Project originally commenced in August 2014 and the line was put in service in April 2014. Construction activities to facilitate bi-directional flow capabilities will commence in early December 2021, and Caliber anticipates placing the facilities in-service by December 15, 2021.

1.8.5 Additional Project Permits or Authorizations

The Project will be completed in compliance with applicable federal, state, and local laws, regulations, or plans. Caliber will obtain necessary permits or approvals for the completion and operation of the Project.

SECTION 2: CORRIDOR, SURVEY CORRIDOR, AND ROUTE

2.1 CORRIDOR

Caliber seeks a Certificate of Corridor Compatibility for a corridor that is a 100-foot area centered upon the existing pipeline alignment (*i.e.*, 50-feet on either side of the existing alignment) (hereinafter referred to as either, “Corridor” or “Survey Corridor”). This alignment was selected utilizing the existing centerline and the location of existing facilities. The Corridor is illustrated on the maps in Appendix A.

2.2 SURVEY CORRIDOR

Field studies have been conducted of the Survey Corridor. The Survey Corridor was a 100-foot corridor centered upon the Project centerline. The maps in Appendix A depict the Survey Corridor for the Project.

2.3 ROUTE

For the purpose of this application, the Route is the approximate centerline of the existing pipeline. The maps in Appendix A depict the Route.

SECTION 3: STUDIES

To assess the potential Project impacts to sensitive environmental resources, WSP USA, Inc. (WSP) consulted with agencies, completed desktop studies of the Corridor, and augmented these efforts with field surveys of the Survey Corridor. The results of these efforts are discussed in more detail in the subsequent sections.

3.1 AGENCY CONSULTATIONS

A comprehensive desktop analysis of the Corridor included consultations with the federal, state, and local agencies identified below. These consultations were conducted for the purpose of an environmental resource assessment as stipulated by the PSC's siting requirements for a Transmission Facility. The results of the desktop environmental analysis are summarized below. Appendix B contains the Agency Consultation Summary Table as well as records of the agency consultations to date.

3.2 FEDERAL AVIATION ADMINISTRATION

The Federal Aviation Administration ("FAA") regulates all aspects of civil aviation in the country as well as over surrounding international waters. The FAA's powers include air traffic management. On October 27, 2021, WSP on behalf of Caliber sent a Project notification letter to the Bismarck, North Dakota FAA office, providing an opportunity for review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending.

3.2.1 U.S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service ("USFWS") administers several programs designed to identify and protect special status plant and animal species, critical habitats, and lands managed by the agency including administrative responsibilities for the Endangered Species Act ("ESA"), the Migratory Bird Treaty Act ("MBTA"), and the Bald and Golden Eagle Act ("BGEA"). Additionally, the USFWS administers National Wildlife Refuges and Waterfowl Production Areas ("WPAs"), as well as wetland and grassland easements throughout North Dakota.

WSP, on behalf of Caliber, submitted a Project notification letter to the USFWS on October 27, 2021. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending.

3.2.1.1 Federally Protected Species Review

The USFWS identifies and maintains a list of species and critical habitats that have been afforded protection by the ESA. The ESA provides a program for the conservation of threatened and endangered plants and animals and their critical habitats. WSP reviewed USFWS published data and identified the following listed species with the potential to occur within the Corridor.

- Northern Long-eared Bat (*Myotis septentrionalis*) - Threatened
- Red knot (*Calidris canutus rufa*) – Threatened; proposed critical habitat
- Piping plover (*Charadrius melodus*) – Threatened; final designated critical habitat
- Whooping Crane (*Grus americana*) – Endangered; final critical habitat
- Dakota skipper (*Hesperia dacotae*) – Threatened; proposed critical habitat
- Monarch Butterfly (*Danaus plexippus*) - Candidate

WSP reviewed available information describing these species’ life history, critical habitats, and conservation measures associated with each species to assess the potential effects of the Project on these resources. The results of the assessment are discussed in Section 3.2 of this application.

3.2.1.2 Migratory Bird Treaty Act

The management of MBTA concerns corresponds with the regional timing associated with annual phenology of migratory species. In North Dakota, species protected under the MBTA may be present throughout the year. However, it is generally acknowledged that the majority of protected species are seasonal migrants present in North Dakota during the annual breeding season which occurs from February 1 through July 15. WSP determined the Project would not result in impacts to migratory birds and raptors reviewed the potential for migratory birds and raptors to nest at the Project. The results of the review are discussed in Section 3.2 of this application.

3.2.1.3 Bald and Golden Eagle Protection Act

The BGEPA prohibits anyone without a permit from taking a bald or golden eagle, including its parts, nests, or eggs. The BGEPA defines “take” as to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest, or disturb. The BGEPA also addresses impacts resulting from human-induced alterations occurring around previously used nesting sites. WSP reviewed the potential for eagles to nest at the Project and determined there is no nesting habitat. The results of the review are discussed in Section 3.2 of this application.

3.2.1.4 U.S. Fish and Wildlife Service Managed Lands

The USFWS administers National Wildlife Refuges and WPAs as well as wetland and grassland easements throughout North Dakota. A desktop review of information available in the public domain, including U.S. Geological Survey (“USGS”) 7.5-minute topographic quadrangle maps, USGS PAD-US dataset, and the USFWS Information for Planning and Consultation (“IPaC”) system has been completed for the Corridor. Desktop analysis indicates no USFWS managed lands are located within the Corridor.

3.2.2 U.S. Department of Defense-Cable Affairs

The U.S. Department of Defense - Cable Affairs (“USDOD”) administers various programs including missile defense systems. WSP, on behalf of Caliber, submitted a Project notification letter on October 27, 2021, requesting information regarding the presence or absence of USDOD assets within the Project area. An addendum letter clarifying the Project location and components

was sent on November 9, 2021. A response from the agency is pending. Refer to Appendix B for a copy of the correspondence.

3.2.3 U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (“USACE”) administers various programs related to federally regulated wetlands or waterbodies. WSP, on behalf of Caliber, submitted a Project notification letter on October 27, 2021, to the agency offering the opportunity to comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. Communication with the U.S. Army Corps of Engineers, Omaha District, Bismarck office, has confirmed that wetland permitting will not be required for the Project. Refer to Appendix B for a copy of the correspondence.

3.2.4 U.S. Department of Agriculture-Natural Resources Conservation Service-Bismarck Office

The U.S. Department of Agriculture (“USDA”) administers various conservation programs that are related to agriculture. WSP, on behalf of Caliber, submitted a Project notification letter on October 27, 2021, to the agency offering the opportunity to comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. The agency responded on November 2, 2021 with no concerns about the project. Refer to Appendix B for a copy of the correspondence.

3.2.5 USDA-North Dakota Farm Service Agency

The USDA Farm Service Agency (“FSA”), assist’s farmers and ranchers secure the greatest possible benefit from programs administered by the FSA such as farm loans, commodity price support, disaster relief, conservation and other available resources. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. A response from the agency is pending. Refer to Appendix B for a copy of the correspondence.

3.2.6 Job Service of North Dakota

The Job Service of North Dakota provides workforce and unemployment services across the state. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date, a response is pending. Refer to Appendix B for a copy of the correspondence.

3.2.7 North Dakota Aeronautics Commission

The North Dakota Aeronautics Commission supports aviation activities in the state through communication with state, local and the FAA officials, congressional offices and national aviation groups. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter

clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. Refer to Appendix B for a copy of the correspondence.

3.2.8 North Dakota Attorney General

The Attorney General represents the state in all legal matters where the state is named as a part or the state may have an interest in the outcome of the litigation. Additionally, the Attorney General provides legal services and opinions to state officials, agencies, boards and commissions. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. Refer to Appendix B for a copy of the correspondence.

3.2.9 North Dakota Department of Career and Technical Education

The North Dakota Department of Career and Technical Education provides career awareness, work readiness skill, occupational preparation and retraining of workers throughout the state. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. Refer to Appendix B for a copy of the correspondence.

3.2.10 North Dakota Department of Commerce

The North Dakota Department of Commerce works to improve the quality of life for citizens by leading efforts to attract, retain and expand wealth. The department serves businesses and communities statewide through committed people and partners who offer valuable programs and services. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. Refer to Appendix B for a copy of the correspondence.

3.2.11 North Dakota Department of Environmental Quality

The North Dakota Department of Environmental Quality (“NDDEQ”) administers regulatory programs that monitor and enforce compliance with state and federal laws related to air and water quality. WSP, on behalf of Caliber, submitted a Project notification letter on October 27, 2021 to the NDDEQ offering the opportunity to comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. The agency responded on November 1, 2021 stating they believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota. Refer to Appendix B for a copy of the correspondence.

3.2.11.1 NDDOH Pollution Discharge Elimination System

The North Dakota Pollution Discharge Elimination System (“NDPDES”) is the regulatory program administered by NDDEQ that regulates water discharges such as construction stormwater, site dewatering, and hydrostatic discharge permits.

Construction Stormwater: Due to the limited nature of the Project improvements, a construction stormwater permit will not be required.

Hydrostatic test water discharges: No hydrostatic test water discharges will occur in conjunction with the Project.

3.2.12 North Dakota Department of Human Services

The North Dakota Department of Human Services provides aging, behavioral health, and children and family services to the state’s residents. On October 27, 2021, WSP on behalf of Caliber, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. Refer to Appendix B for a copy of the correspondence.

3.2.13 North Dakota Department of Transportation-Williston District

The North Dakota Department of Transportation-Williston District are responsible for monitoring the conditions of bridges and highways, maintaining state roadways, snow and ice control activities, traffic engineering, utility permits and highway sign maintenance. The Williston District has seven section shops throughout the district. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. A response was received on November 18, 2021 stating the project would have no adverse effect on the DOT. Refer to Appendix B for a copy of the correspondence.

3.2.14 North Dakota Department of Trust Lands

The North Dakota Department of Trust Lands (“NDDTL”) is in charge of managing surface acres and mineral interests held in trust for various schools and institutions. On October 27, 2021, WSP on behalf of Caliber sent a Project notification letter to the NDDTL requesting comments regarding the presence of school trust lands within the Corridor. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. See Appendix B for a copy of this correspondence.

On October 27, 2021, WSP sent a Project notification letter to the NDDTL requesting comments regarding the presence or absence of state mineral trust lands within the Corridor. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date, an agency response is pending. Refer to Appendix B for a copy of this correspondence.

3.2.15 North Dakota Energy Infrastructure and Impact Office

The North Dakota Energy Infrastructure and Impact Office (“EIIO”), formerly known as the Energy Development Impact office is a division within the Department of Trust Lands. The EIIO provides financial assistance to local units of government that are impacted by oil and gas activity. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending.

3.2.16 North Dakota Game and Fish Department

The North Dakota Game and Fish Department (“NDGFD”) has oversight of the state’s game species. WSP, on behalf of Caliber, submitted a Project consultation letter on October 27, 2021, requesting information regarding the presence or absence of State Conservation Priority Species within the Corridor. An addendum letter clarifying the Project location and components was sent on November 9, 2021. A response was received on November 15, 2021 stating the project would pose no significant adverse effect on wildlife or habitat. Refer to Appendix B for a copy of the correspondence.

3.2.17 North Dakota Geologic Survey

The North Dakota Geologic Survey (“NDGS”) manages the geologic resources of the state. WSP, on behalf of Caliber, submitted a Project consultation letter on October 27, 2021, offering the NDGS the opportunity to comment on the geologic resources within the Project Corridor. An addendum letter clarifying the Project location and components was sent on November 9, 2021. A response from the agency is pending. Refer to Appendix B for a copy of the correspondence.

3.2.18 North Dakota Indian Affairs Commission

The North Dakota Indian Affairs Commission acts as the liaison between the Executive Branch and the Tribes of the state. Services include mediation between the Tribes and the State and when with other state agencies regarding protocol when working with Indian people and Tribal government. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. A complete record of this correspondence can be found in Appendix B.

3.2.19 North Dakota Industrial Commission-Pipeline Authority

The North Dakota Industrial Commission Pipeline Authority facilitates the development of pipeline infrastructure to support in the transportation and utilization of state energy-related commodities. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. A complete record of this correspondence can be found in Appendix B.

3.2.20 North Dakota Labor Department

The North Dakota Labor Department is responsible for enforcing the human rights and labor laws, and public education regarding these laws. Additionally, the department issues licenses to employment agencies operating in the state and can verify the status of independent contractor relationships. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. A complete record of this correspondence can be found in Appendix B.

3.2.21 North Dakota Office of the Governor

The governor is the chief executive of the state and is responsible to ensure that the state's business is well administered and that its laws are faithfully executed. Additionally, the governor supervises all necessary business of the state with the United States, the other states and the officers and officials of this state. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. A complete record of this correspondence can be found in Appendix B.

3.2.22 North Dakota Parks and Recreation Department

The North Dakota Parks and Recreation Department ("NDPRD") Natural Resource Division's scope of authority and expertise covers recreation and biological resources (in particular, rare species and ecological communities). The NDPRD also maintains a database comprised of the location and recorded occurrences of plant and animal species of special concern. The NDPRD authority includes management of state park lands and Land and Water Conservation funded recreation projects.

WSP, on behalf of Caliber, sent a Project notification letter on October 27, 2021, to the NDPRD seeking confirmation regarding the presence or absence of managed lands, ecological resources, rare species, or their critical habitats within the Corridor. An addendum letter clarifying the Project location and components was sent on November 9, 2021. A response from the agency is pending. Refer to Appendix B for a copy of the correspondence.

3.2.23 North Dakota State Soil Conservation Committee-North Dakota State University Extension

The North Dakota State Soil Conservation Committee provides assistance with administrative matters and provides program planning assistance to the soil conservation districts in the state. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. Refer to Appendix B for a copy of the correspondence.

3.2.24 North Dakota State Water Commission

The North Dakota State Water Commission (“NDSWC”) administers water appropriation, drainage, and sovereign lands permit programs and may have relevant information regarding rural water supply systems.

On October 27, 2021, WSP on behalf of Caliber, initiated consultations with the NDSWC requesting comments regarding the presence or absence of sovereign lands and/or rural water systems within the Corridor. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. A complete record of this correspondence can be found in Appendix B.

3.2.25 North Dakota State Historic Preservation Office

The North Dakota State Historic Preservation Office (“SHPO”) is responsible for managing the historic and archaeological resources of the state; as such, the SHPO maintains records of all previously recorded cultural inventories and resources within the state.

Class I and Class III field investigations have been completed of the Survey Corridor. The report was prepared and submitted to the SHPO on September 8, 2021; concurrence for the report and conclusion of “no significant sites affected” was received on October 5, 2021. On October 27, 2021, WSP on behalf of Caliber submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. Subsequent correspondence from the SHPO dated November 3, 2021 expressed concern with the timing of the survey and the Project’s construction. When the Project was constructed, a significant portion of the Survey Corridor was disturbed from prior agricultural use and cultivation. These uses continue today. Appendix B contains a record of this communication, and Appendix D contains the Cultural Resource Report.

3.2.26 Western Area Water Supply Authority

The Western Area Water Supply Authority (“WAWSA”) has jurisdiction over a five-county region which includes Burke, Divide, McKenzie, Mountrail, and Williams Counties. WAWSA utilizes a combination of the Missouri River water that is treated at the Williston Regional Water Treatment Plant and ground water treated by the R&T Water Supply Commerce Authority’s Water Treatment Plant in Ray, ND to supply and meet the needs of municipal, rural, and industrial water users in the five-county area.

On October 27, 2021, WSP on behalf of Caliber, initiated consultation with the WAWSA requesting comments regarding the presence of reservoirs or municipal water supplies within the Study Area. An addendum letter clarifying the Project location and components was sent on November 9, 2021. A response from the agency is pending. A full record of this correspondence is contained in Appendix B.

3.2.27 McKenzie County Commissioners

County commissioners are elected officials that have both executive and legislative duties. Additionally, they approve budgets, oversee spending and the hiring of county employees. On October 27, 2021, WSP on behalf of Caliber, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. Legal counsel for Caliber communicated with the County Commissioners on November 10, 2021 and included the order granting temporary operations and the correction to the project legal description. Refer to Appendix B for a copy of the correspondence.

3.2.28 McKenzie County Planning and Zoning Department

The McKenzie County Planning and Zoning Department (“MCPZ”) has various responsibilities including the management of developments within McKenzie County. On October 27, 2021, WSP on behalf of Caliber, provided notice of the Project to the MCPZ and offered the department the opportunity to comment on the Project. An addendum letter clarifying the Project location and components was sent on November 9, 2021. Agency response is pending. A full record of this correspondence is contained in Appendix B.

3.2.29 McKenzie County Water Resource District

The McKenzie County Water Resource District (“MCWRD”) is responsible for managing drains, ditches, and other drainage systems regulated by McKenzie County. On October 27, 2021, WSP on behalf of Caliber, initiated consultations with the MCWRD requesting comments regarding the presence or absence of MCWRD assets within the Corridor. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending. A complete record of this correspondence can be found in Appendix B.

3.2.30 McKenzie County Weed Control Board

The McKenzie County Weed Control Board (“MCWCB”) maintains records for the location and species of noxious weeds within McKenzie County. On October 27, 2021, WSP on behalf of Caliber, initiated consultations with the MCWCB. An addendum letter clarifying the Project location and components was sent on November 9, 2021. The agency requested a Weed Management Plan on October 27, 2021 and were supplied with the plan on October 28, 2021. Refer to Appendix B for a record of this correspondence.

3.3 WILDLIFE INVENTORY

WSP utilized various resources available in the public domain such as topographic maps, aerial photography, species life histories, agency websites, and databases to evaluate potential impacts to wildlife resources within the Project Corridor.

Desktop analysis of the Corridor found no USFWS managed lands within the Corridor.

The USFWS identifies and maintains a list of species and critical habitats that have been afforded protection by the ESA. The ESA provides a program for the conservation of threatened and endangered plants and animals and their critical habitats. IPaC consultation confirmed the absence of USFWS designated critical habitat within the Corridor.

Biological field studies of the Survey Corridor included surveys for potentially suitable habitat for threatened or endangered species. While the field studies did not include protocol-level presence/absence surveys for any threatened or endangered species, no incidental occurrences of threatened or endangered species were found within the Survey Corridor. An assessment of potential impacts to federally listed species is discussed below.

3.3.1 Federally Protected Species Review

WSP reviewed the USFWS IPaC system published data and identified the following listed species as having the potential to occur within McKenzie County, and assessed the potential for the species or their habitat to occur within the Corridor.

Table 3-1: Species List

Common Name	Scientific Name	Conservation Status
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Threatened
Red knot	<i>Calidris canutus rufa</i>	Threatened
Piping plover	<i>Charadrius melodus</i>	Threatened
Whooping Crane	<i>Grus americana</i>	Endangered
Dakota skipper	<i>Hesperia dactotae</i>	Threatened
Monarch Butterfly	<i>Danaus plexippus</i>	Candidate

Northern long-eared bat: The northern long-eared bat is a federally threatened species primarily due to the onset of white-nose syndrome, which affects multiple bat species in the United States. It is a forest-dwelling mammal, with a home range that covers much of the eastern and north-central United States, including all of North Dakota. Northern long-eared bats spend winter hibernating in caves and mines, using areas within these caves or mines that have constant temperatures, high humidity, and no air currents. In the summer, they roost singly or in colonies underneath bark, in cavities, or in crevices of both live trees and snags. No critical habitat has been designated for northern long-eared bat.

The Project does not contain trees or shrubs that would provide suitable habitat for this species or potential winter hibernacula. It is unlikely that the northern long-eared bat occurs in the Survey Corridor since there is a lack of suitable habitat. It is also reasonable to expect that the Project did

not adversely affect the northern long-eared bat during the time of the initial installation. As the Project does not include any additional changes in landcover that would result in new impacts, WSP determined the Project will have no effect on northern long-eared bat.

Red knot: The red knot is a seasonally transient shorebird that passes through North Dakota when migrating between its breeding and wintering grounds. It does not nest in North Dakota but may use areas along the Missouri River as stopover habitat. The observations of red knots in North Dakota are scattered throughout the state. There are no stopover sites consistently used by red knots. The USFWS has proposed critical habitat for red knot along the Atlantic coast and Gulf of Mexico. There are no inland areas proposed for critical habitat.

The Project is located approximately 15 miles south of the Lake Sakakawea/Missouri River system and does not have suitable shoreline stopover habitat for the red knot. It is unlikely that the red knot would occur within the Project and based on this, it is reasonable to expect that the Project did not adversely impact suitable habitat for the red knot at the time of installation. As the Project does not include any additional actions or changes in landcover that would result in new impacts, WSP determined the Project will have no effect on red knot.

Piping plover: In North Dakota, the piping plover is a seasonal resident that can be found nesting along alkali wetlands as well as along the shores and sand flats of both Lake Sakakawea and the Missouri River. The Project does not overlap designated critical habitat for the piping plover and the closest suitable habitat is located approximately 15-miles north along the shores of Lake Sakakawea and the Missouri River.

Due to the lack of breeding habitat at the Project, it is unlikely that the piping plover would occur at the Project and it is reasonable to expect that the Project did not adversely impact piping plover during initial installation. As the Project does not include any additional actions or changes in landcover that would result in new impacts, WSP determined the Project will have no effect on piping plovers.

Whooping crane: The Aransas Wood Buffalo Population of whooping cranes engages in semi-annual migration through North Dakota. This flock breeds in the Wood Buffalo National Park in Alberta and Northwest Territories, Canada, and winters in the Aransas National Wildlife Refuge in Texas. North Dakota provides migratory habitat for the species, offering roosting and feeding opportunities during migration. During migration, the species is most closely associated with larger wetland complexes for roosting habitat, typically using adjacent uplands to forage. Based on the desktop review of whooping crane overall habitat and documented stopover range, the Project does not overlap designated critical habitat or the current range for this species. The closest documented stopover habitat area within the range is 10 miles away, just northeast of Watford City, North Dakota. The Project does not overlap designated critical habitat for whooping crane.

While it is possible that whooping crane would use landcover types found within the Project during migration, there are no known historic observations near the Project Corridor. Therefore, it is reasonable to expect that the Project did not adversely impact whooping cranes or its habitat at the time of installation. As the Project does not include any additional actions or changes in landcover

that would result in new impacts, WSP determined the Project will have no effect on whooping crane.

Dakota skipper: The Dakota skipper is a butterfly species listed as federally threatened due to habitat conversion from native prairie to agricultural. The Dakota skipper is identified by its one-inch wingspan and thick body, with an orange-brown color and brown characteristic wing markings. The Dakota skipper is a low mobility species and therefore has short dispersal ranges. Suitable Dakota skipper habitat is described as native prairie grasslands with minimal degradation due to anthropogenic disturbance or encroachment by invasive species.

The Project does not overlap designated critical habitat for the Dakota skipper. The closest critical habitat to the Project is 37 miles northeast along the Missouri River Basin and Lake Sakakawea. Although this species is known to occur in McKenzie County, no suitable habitat was observed within the Survey Corridor. While the Project contains very small areas of remnant prairie plant communities, these areas are along the edges of the Project corridor and comprise less than 5 percent of the total Corridor. Due to the limited availability of prairie plant communities within the Project, it is reasonable to expect that the Project did not adversely impact the Dakota skipper during installation. As the Project does not include any additional actions or changes in landcover that would result in new impacts, WSP determined the Project will have no effect on Dakota skipper.

Monarch Butterfly: The Monarch butterfly is listed as a candidate species for conservation due to the loss of native prairie habitat containing milkweed from anthropogenic factors as well as the use of herbicide on suitable habitats. The monarch butterfly requires healthy and abundant milkweed for oviposition and larval consumption. Throughout the breeding and migration seasons, they also need sufficient quality and quantity of nectar from flowers. The monarch can be identified by its distinctive orange wings with black and white markings along the wing margins. This butterfly occupies all counties in North Dakota during the summer and migrates south to its wintering grounds in Mexico.

Milkweed observed along the edges of the Project provide suitable habitat for monarch butterfly reproduction. While it is possible the survey corridor previously contained larger populations of milkweed than what was observed in 2021, the conversion of native grassland appears to be due to agricultural cultivation, based on the review of historic aerial imagery. It is possible that a small number of milkweed plants were disturbed during the Project installation in 2014; however, at the time, the monarch butterfly was not listed as a candidate species for protection under the Endangered Species Act. As the Project does not include any additional actions or changes in landcover that would result in new impacts, WSP determined the Project will have no effect on monarch butterfly.

3.3.2 Migratory Bird Treaty Act Consultation

The Project does not contain suitable nesting habitat for migratory birds and raptors. The Project area does not contain trees or shrubs, and land cover is dominated by agricultural crops. There are no raptor nests within 0.5 miles of the Project, based on line-of-sight raptor nest surveys. The Project does not include any additional actions or changes in landcover that would result in

potential disturbances to migratory birds and raptors. As such, the Project will not require Migratory Bird Treaty Act consultation.

3.3.3 Bald and Golden Eagle Protection Act Consultation

No bald or golden eagles or nests were identified during desktop analysis of the Project. The Project will not require Bald and Golden Eagle Protection Act consultation.

3.4 WATERWAYS, WATERBODIES AND WETLANDS

To evaluate the location and extent of mapped waterways, waterbodies and wetlands within the Corridor, a desktop analysis of aerial photography, National Hydrography Data set (“NHD”), and NWI maps was completed for the Corridor. Desktop analysis identified three mapped NWI waterways within the Corridor: one waterway classified as riverine habitat and two waterways classified as freshwater emergent wetland habitat.

Field surveys confirmed the presence of two seasonal streams with adjacent emergent wetlands within the Survey Corridor. No waterbodies were recorded during the field survey of the Project. All streams and wetland features are identified on the maps in Appendix A and discussed in detail in the Desktop Review and Biological Field Assessment Report contained in Appendix C.

At the time of Project installation, Caliber avoided impacts to these waterways and wetlands by horizontally drilling under these features. The Project does not entail any additional actions that would impact surface waters and wetlands. Communication with the U.S. Army Corps of Engineers, Omaha District, Bismarck office, has confirmed that wetland permitting will not be required for the Project (Appendix B). Refer to Appendix A for Project maps, Appendix B for a complete record of agency correspondence, and Appendix C for additional details provided in the Desktop Review and Biological Field Assessment Report.

3.5 TREES AND SHRUBS

The desktop analysis of 2014, 2017, and 2021 aerial photography indicated that the Corridor is primarily comprised of agricultural lands with no trees or shrubs. Review of aerial photography from 2014 also confirmed the Corridor did not contain trees or shrubs when the Project was constructed in 2021.

Field surveys confirmed the Survey Corridor does not currently contain any trees or shrubs. Thus, the Project resulted in no impacts to trees and shrubs.

3.6 NOXIOUS WEEDS

Noxious weeds are defined by the Federal Noxious Weed Act of 1974 as “a plant which is of foreign origin, is new to, or is not widely prevalent in the United States, and can directly or indirectly injure crops or other useful plants, livestock or the fish and wildlife resources of the United States, or public health.” The State of North Dakota defines noxious weeds as “weeds that are difficult to control, easily spread, and injurious to public health, crops, livestock, land, or other

property.” North Dakota has County Weed Boards in all 53 counties, each of which has the opportunity to add noxious weeds to the state list for regulation only within their jurisdiction. WSP, on behalf of Caliber, provided a consultation letter to the McKenzie County Weed Control Board. The agency requested a Weed Management Plan on October 27, 2021 and were supplied with the plan on October 28, 2021. A complete record of this correspondence can be found in Appendix B.

Field surveys conducted in September 2021 identified Canada thistle across the Survey Corridor. Kochia, while not a classified noxious weed by the state or county, is listed in adjacent states as such and is seen in very large populations throughout the Survey Corridor. Due to recent harvest of the wheat a full inventory of noxious weeds was not able to be determined. Refer to Appendix C for a complete record of noxious weeds as detailed in the Desktop Review and Biological Field Assessment Report.

While the Corridor was observed to contain areas of noxious weeds, the area is actively cultivated therefore origin of the weeds cannot be confirmed. The Project does not include any additional actions or changes in landcover that could result in increased spread of noxious weeds.

3.7 CULTURAL RESOURCES

In August of 2021, a Class I cultural resources inventory (literature review) was conducted of records from the State Historical Society of North Dakota to identify previously completed cultural resource investigations and recorded cultural resources within one-mile of the Corridor, with 0.5 miles on either side of the centerline. The Class I cultural resources inventory identified 13 previously completed investigations and documented seven previously recorded cultural resources within one mile of the Corridor. Of these seven previously recorded resources, four have been identified as “Not Eligible” for inclusion into the National Register of Historic Places (“NRHP”) and three are identified as “Unevaluated”. None of these previously recorded cultural resources intersect with the Project Survey Corridor. Refer to the Cultural Resource Report in Appendix D for a detailed accounting of these previously recorded resources.

Class I efforts were augmented with Class III Pedestrian Surveys of the Survey Corridor. The survey was conducted in August of 2021. Survey efforts did not find any cultural resources within the Survey Corridor. The North Dakota SHPO provided concurrence on October 5, 2021 to a finding of No Significant Sites Affected. Subsequent correspondence from the SHPO dated November 3, 2021 expressed concern with the timing of the survey and the Project’s construction. When the Project was constructed, a significant portion of the Survey Corridor was disturbed from prior agricultural use and cultivation. These uses continue today. Refer to Appendix B for all agency correspondence and to Appendix D for the complete Cultural Resource Survey Reports.

SECTION 4: SITING CRITERIA ANALYSIS

4.1 POLICIES AND COMMITMENTS TO LIMIT ENVIRONMENTAL IMPACT

Caliber is committed to conducting its business in compliance with all applicable environmental laws and regulations. These laws, regulations, and standards are designed to safeguard the environment, human health, wildlife, and natural resources. Caliber will conduct its activities with the objectives of providing a healthful and safe workplace for its employees and preventing accidents and environmental incidents. All persons and firms providing service to Caliber are required to conduct their work in compliance with environmental conditions, permit authorizations, and applicable regulations.

4.2 FACTORS ADDRESSED IN NORTH DAKOTA CENTURY CODE SECTION 49-22.1-09

4.2.1 Feasible Alternatives to the Proposed Corridor or Route

Given the Project's proximity to existing facilities and interconnection points, and its utilization of existing infrastructure, which minimizes new and additional impacts that would otherwise be associated with installation of a new pipeline, no alternatives were developed. The maps in Appendix A depict the Project's existing route, which is the preferred location for the Project.

4.2.2 Effects of the Location, Construction, and Operation of Transmission Facility on Public Health and Welfare, Natural Resources, and the Environment

Field studies were conducted to identify environmental, biological, and cultural resources along the Route; the results of this effort are discussed in Section 3 of this document. The Project will have no impacts on cultural resources as none were located, and minimal adverse effects on natural resources. All impacts to natural resources were mitigated with reclamation of the land after completion of construction and the use of HDD technology to avoid streams and wetlands. The Natural Resources Report is provided in Appendix C. Refer to Appendix D for the Cultural Resources Reports. The sections below discuss possible effects on the public health and welfare.

4.2.3 Effect of New Transmission Technologies and Systems Designed to Minimize Adverse Environmental Effects

The Project does not include new energy transmission technologies/systems specifically designed to minimize adverse environmental impacts. The Project currently utilizes pressure indication and pressure alarms via a local HMI and clear SCADA. Additionally, Caliber conducts weekly air patrol which can identify any changes in the ROW.

4.2.4 Adverse Direct and Indirect Environmental Effects that Cannot Be Avoided

The Project has been designed, and is operated, in a manner to minimize adverse environmental effects. Initial construction resulted in temporary land disturbance along the ROW which has subsequently been reclaimed. Should the Project be designated in the manner described herein, there will be no direct or indirect adverse environmental effects.

4.2.5 Irreversible and Irretrievable Commitments of Natural Resources Should the Proposed Corridor Be Designated

Caliber is not aware of any irreversible or irretrievable commitments of natural resources that will result from the requested approvals.

4.2.6 Direct and Indirect Economic Impacts

The Project's operation supports North Dakota's oil and gas industry by transporting and treating natural gas produced from Bakken development and production. The Project is beneficial to meeting the gas capture goals of the NDIC and to minimizing flaring from the oil and gas industry. Additionally, Caliber's project will permit clean burning CNG to be used as fuel for hydraulic fracturing equipment in North Dakota, replacing diesel fuel.

4.2.7 Existing Plans of the State, Local Government, and Private Entities for Other Developments at or in the Vicinity of the Proposed Corridor or Route

Caliber is not aware of any other future development plans within or in close proximity to the Project.

4.2.8 Effects of Route on Existing Scenic Areas, Historic Sites, and Structures, and Paleontological or Archaeological Sites

WSP conducted Class I and Class III Cultural Resource Surveys of the Route. The survey reports can be found in Appendix D. The Project will not adversely affect known cultural resources. See discussion in Section 3.6 above. To date, Project-specific consultations with various federal, state, and local agencies did not identify any designated scenic areas within the Corridor. Agency correspondence can be found in Appendix B.

4.2.9 Effect of the Proposed Route on Areas that Are Unique Due to Biological Wealth or Because the Route Is Habitat for Rare or Endangered Species

The Project has been sited to minimize adverse environmental impacts. The Corridor does not contain areas that are unique due to biological wealth. Additionally, no federally- or state-listed threatened or endangered species or their designated critical habitats were identified during field surveys. Please see Section 3 for a comprehensive discussion of Caliber's efforts to identify sensitive environmental resources within the Corridor. This analysis, which utilized agency inputs, desktop analysis, and field studies, has concluded that the Project will not result in impacts to listed

or sensitive species or their habitats. See Appendix B for a complete record of federal and state agency consultations. Detailed survey results can be found in Appendix C.

4.2.10 Problems Raised by Federal, State, or Local Agencies or Entities

WSP, on behalf of Caliber, has consulted with federal, state, and local agencies to identify possible environmental resources within the Corridor and to provide them with an opportunity to raise any related agency concerns. To date, no concerns have been raised by agencies. A complete record of these consultations is provided in Appendix B.

4.3 EXCLUSION AREAS (NDAC 69-06-08-02(1))

Exclusion areas are geographical areas that must be excluded in the consideration of a route for a transmission facility. A buffer zone of a reasonable width to protect the integrity of the area must be included. Additionally, natural screening may be considered in determining the width of the buffer zone. The following table and text identify and discuss exclusion areas identified within the Corridor.

Table 4-1: Exclusion Areas

	Within Corridor	Crossed by Route
Federal		
National Parks or Memorial Parks	No	No
Historic Sites, or Landmarks	No	No
Natural Landmarks or Monuments	No	No
Wilderness Areas	No	No
State		
Historic Sites, Monuments, or Historical Markers	No	No
Archaeological Sites	No	No
Parks	No	No
Nature Preserves	No	No
County		
Parks	No	No

Recreation Areas	No	No
Municipal Parks	No	No
Parks Owned/Operated by other Governmental Subdivisions	No	No
Other		
Areas Critical to the Life Stages of Threatened and Endangered Animal or Plant Species	No	No
Areas where Animal or Plant Species that are Unique or Rare to this State will be Irreversibly Damaged	No	No
Areas within 1,200 feet of a geographic center of an intercontinental ballistic missile ("ICBM") launch or launch control facility.	No	No
Areas within 30 feet on either side of a direct line between ("ICBM") launch or launch control facilities to avoid microwave interference.	No	No

4.3.1 Federal Exclusion Areas

WSP, on behalf of Caliber, has initiated consultations with appropriate federal agencies and conducted a comprehensive review of published information. WSP concluded no designated or registered national or memorial parks, natural landmarks, historic sites, archaeological sites listed on the NRHP, monuments, or wilderness areas are located within the Corridor or affected by the Project.

4.3.2 State Exclusion Areas

WSP, on behalf of Caliber, has initiated consultations with appropriate state agencies and conducted a comprehensive review of published information. WSP confirmed the absence of designated or registered state parks, monuments, historical markers, nature preserves and archeological sites within the Corridor.

4.3.3 County Exclusion Areas

WSP, on behalf of Caliber, has confirmed, through a combination of agency consultations and review of publicly available information, the absence of county parks and recreation areas, municipal parks, and parks owned by other subdivisions of government bodies within the Corridor. Refer to Section 3 of this document for a comprehensive discussion of WSP's consultations, and Appendix B for documentation of agency correspondence.

4.3.4 Other Exclusion Areas

Areas Critical to the Life Stages of Threatened and Endangered Animal or Plant Species: WSP, on behalf of Caliber, conducted a comprehensive desktop review of the Corridor; these

efforts were augmented with agency consultations and additional field surveys to confirm the absence of federally designated critical habitat within the Corridor.

Areas where Animal or Plant Species That are Unique or Rare to this State will be Irreversibly Damaged: WSP, on behalf of Caliber, conducted a comprehensive desktop review of the Corridor; these efforts were augmented with agency consultations and additional field surveys of the Survey Corridor. Based on these studies and surveys, the Project will not result irreversible impacts that are detrimental to animal and plant species or their habitats that are unique or rare to the state. Refer to Appendix B for documentation of the agency consultations, and Section 3 of this Application for details of desktop and field studies.

Areas Within 1,200-Feet of the Geographic Center of an ICBM Launch or Launch Control Facility: Upon review of tabular location data and aerial imagery compiled by the University of Wyoming, there are no areas of the Project within 1,200-feet of the geographic center of an ICBM launch or launch control facility. A Project notification letter was sent to the US DOD- Cable Affairs on October 27, 2021. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending.

Areas Within 30-Feet on Either Side of a Direct Line Between ICBM Launch or Launch Control Facilities to Avoid Microwave Interference: Upon review of tabular location data and aerial imagery compiled by the University of Wyoming, it was confirmed that the Route is not within 30-feet on either side of a direct line between ICBM launch or launch control facilities within the Survey Corridor or crossed by the Route. A Project notification letter was sent to the US DOD- Cable Affairs on October 27, 2021. An addendum letter clarifying the Project location and components was sent on November 9, 2021. To date a response is pending.

4.4 AVOIDANCE AREAS (NDAC 69-06-08-02(2))

Avoidance areas are geographical areas that may not be considered in the routing of a transmission facility unless the applicant shows that under the circumstances there is no reasonable alternative. The following table and text identify and discuss avoidance areas identified within the Corridor.

Table 4-2: Avoidance Areas

Federal	Within Corridor	Crossed by Route
Historic Districts	No	No
Wildlife Areas	No	No
Wild, Scenic or Recreational Rivers	No	No
Wildlife Refuges	No	No
Grasslands	No	No

State		
Wild, Scenic, or Recreational Rivers	No	No
Game Refuges or Game Management Areas	No	No
Forests or Forest Management Areas	No	No
Grasslands	Yes	Yes
Other		
Other Historic Resources not meeting Exclusion or Avoidance Areas Criterion	No	No
Areas of Geologic Instability	No ¹	No
Areas within 500 Feet of a Residence, School, or Place of Business	No	No
Reservoirs and Municipal Water Supplies	No	No
Water Sources for Organized Rural Water Districts	No	No
Irrigated Land (not applicable to underground facilities)	Yes	Yes
Areas of Recreational Significance which are not designated as Exclusion Areas	No	No
¹ - Within a "Moderate susceptibility / Low incidence" area for landslide susceptibility but does not cross any mapped landslides.		

4.4.1 Federal Avoidance Areas

WSP, on behalf of Caliber, conducted agency consultations and a comprehensive review of publicly available information. This review indicated the absence of designated or registered historic districts; wildlife areas; wildlife refuges; wild, scenic, or recreational rivers; and national grasslands as designated by the U.S. Department of Agriculture, Forest Service within the Corridor. Refer to Appendix B for documentation of agency consultations.

4.4.2 State Avoidance Areas

WSP, on behalf of Caliber, conducted a review of publicly available information and initiated project-specific agency consultations and through these efforts, has concluded there are no state-designated or registered management areas, forests, forest management lands, or wild, scenic, or recreational rivers within the Corridor. Refer to Appendix B for documentation of agency consultations.

4.4.3 Other Avoidance Areas

Historical Resources not Meeting Exclusion Area Criteria: WSP, on behalf of Caliber, conducted a review of publicly available information, initiated project specific agency consultations, and augmented agency review with field studies. Through these efforts, WSP has concluded there are seven historic resources not meeting exclusion area criteria within one mile of the Corridor, with 0.5 miles on either side of the centerline. None of these resources are located within the Survey Corridor or are intersected by the Route. Refer to Appendix B for documentation of agency consultations and Appendix D for additional Cultural Resource Reports information.

Areas of Known Geologic Instability: Geologic instability generally refers to surface geology and areas where landslides have occurred. The NDGS landslide mapping data was consulted for information regarding areas of landslides within the Project Area. Review of landslide deposit data from the NDGS confirmed the absence of landslide deposits within the Corridor or crossed by the Route. According to a review of the USGS abandoned mine data, no mining activities are located in the Corridor.

Areas Within 500-Feet of a Residence, School or Place of Business: Aerial photography was utilized to determine if there are structures located within the Corridor. No structures are present on aerial imagery within the Corridor, on which Caliber maintains an easement for the entire length of the ROW. In addition, no structures were present within 500 feet of the Corridor.

Reservoirs and Municipal Water Supplies: Desktop analysis did not identify the presence of reservoirs and municipal water supplies within the Corridor or crossed by the Route. To date, no known reservoirs or municipal water supplies have been identified by agencies.

Water Sources for Organized Rural Water Districts: To date, no known water sources for organized rural water districts were identified during the agency consultation process.

Irrigated Land: This criterion does not apply to underground transmission facilities; as such, it is not applicable to this Project.

Areas of Recreational Significance that are not Designated as Exclusion Areas: Desktop review and agency consultations have not identified areas of recreational significance to date.

4.5 SELECTION CRITERIA (NDAC 69-06-08-02(3))

The selection criteria require assessments of certain potential impacts as part of the corridor and route designation process. The Project will successfully avoid or minimize any significant adverse effects to the PSC's selection criteria.

4.5.1 Agricultural Impact

Agricultural Production: Ninety percent of the land located within the Project Corridor is currently cultivated agricultural land. The Project will not have a measurable impact to agricultural land. The Project has been in operation since 2014 and agricultural uses along the ROW have

continued since the Project's reclamation. Landowners were compensated through private agreements for any impacts that occurred during construction.

Family Farms and Ranches: Ground-disturbing activities have and will be minimized to the maximum extent practicable. Any impacts to family farms and ranches are anticipated to be negligible.

The location of pipeline markers is defined under 49 CFR 195 for pipelines. Caliber works with local landowners to ensure that pipeline markers are located where required but also in an acceptable location for these parties. These markers are to be placed in full view so that they are not accidentally damaged by, nor cause damage to, landowner or county equipment.

Lands Suitable for Irrigation: To date, Caliber is not aware of areas within the Corridor that are considered economically suitable for irrigation.

Surface Drainage: As ground-disturbance will be minimized to the maximum extent practicable during installation activities for the Project's modification and there will be no change in surface drainage. It is Caliber's standard operating procedure throughout the construction process to minimize environmental impacts, including the avoidance of modifications to existing drainage patterns.

Ground Water: Ground disturbance will be minimized to the maximum extent practicable; as such, impacts on groundwater resources are not expected. No concerns, to date, have been raised by agencies during the consultation process regarding Project impacts to ground water.

4.5.2 The Impacts Upon Other Resources

Sound-Sensitive Land Uses: The Project is located in a rural setting, effectively isolating it from the majority of sensitive receptors. Activities associated with the Project will be relatively short in duration and once in service, pipeline operations are not audible. As such, the Project will have no permanent impact on noise-sensitive resources.

Visual Effect on Adjacent Areas: The Project does not include the addition of above-ground installations outside of existing facilities. The location of the pipeline is clearly marked with a small placard that details ownership and contact information (i.e. pipeline markers.) These features are common throughout the landscape and are not obtrusive. No other permanent aboveground features are to be installed outside of existing fenced in facilities.

Extractive and Storage Resources: This Project will not affect any extractive or storage resources.

Wetlands, Woodlands, and Wooded Areas: A comprehensive desktop review of published data, including aerial photography, NHD and NWI data, was conducted to assess the presence or absence of wetlands, woodlands, and wooded areas. The desktop review of the Corridor confirmed the presence of wetlands but no wooded areas. Caliber commissioned field surveys to identify and record the locations of these resources within the Survey Corridor. Refer to Section 3 in this document for a comprehensive discussion of the field study results, as well as Appendix B for

copies of agency consultations. For the reasons discussed therein, significant adverse impacts to these resources are not anticipated.

Radio and Television Reception, and other Communication or Electronic Control Facilities: Caliber is not currently aware of any existing radio, television, or other electronic control facilities located within the Corridor. The Project is not anticipated to adversely affect these facilities.

Human Health and Safety: Caliber's Health and Safety Plan meets or exceeds federal and state laws, rules, and regulations, and is enforced equally with respect to both Caliber and contractor employees. The implementation of this policy promotes a safe and healthy workplace during construction and operation of all Caliber assets. In addition, the operation of the pipeline will be monitored in accordance with all appropriate regulations.

Animal Health and Safety: It is likely that there are some common forms of wildlife currently inhabiting the Corridor; these species are mobile and typically roam the landscape freely. Local wildlife inhabitants may potentially be temporarily displaced by the Project during construction; however, this impact will have no measurable impact to the viability to local populations. Caliber does not anticipate species of special concern to experience significant adverse effects due to construction or operation of the Project.

Plant Life: There will be minimal impacts to plant life associated with the maintenance or operation of the pipeline. No species of special concern will be impacted by the Project.

4.6 POLICY CRITERIA (NDAC 69-06-08-02(4))

The Project avoids and minimizes adverse human and environmental effects. Caliber believes it has maximized the benefits of the PSC's policy criteria as applicable to the Project. Caliber will operate and maintain the Project in compliance with all applicable rules and regulations. Caliber is proud of its safety record in the operation of facilities in North Dakota and is prepared to meet any emergency that should arise in order to minimize the impact of any pipeline failure.

The operation of the pipeline conforms to DOT standards; as such, Caliber maintains a rigid pipeline integrity program and periodically runs internal line inspection tools to find anomalies, and perform repairs as required.

4.6.1 Location and Design

The Project is located in McKenzie County, North Dakota and will result in the modification of facilities at its existing interconnection with Northern Border to allow gas to flow bi-directionally. Project maps are provided in Appendix A.

The Project was designed to the minimum specifications outlined in Section 1 of this application. The pipeline meets DOT regulations.

4.6.2 Training and Utilization of Available Labor in this State for the General and Specialized Skills Required

Project modification will require a specialized niche construction market and the labor force needed to complete the Project will be primarily comprised of a specialized workforce. The primary labor force will be contracted, supplying specialized skilled labor. The workforce is anticipated to reach a peak of approximately 60 personnel.

4.6.3 Economies of Construction and Operation

Caliber has invested approximately \$5.6 million dollars to build the original pipeline project. The modifications will cost less than \$100k. The continued costs of maintenance and operation of the pipeline are minimal.

4.6.4 Use of Citizen Coordinating Committees

Caliber has established and maintains a good relationship with the local community officials and the local population which facilitates. Should concerns arise, Caliber will work with local officials to address those issues.

4.6.5 Commitment of a Portion of the Transmitted Product for use in this State

The Project transports natural gas to existing facilities in North Dakota for use in the Bakken region and for further transport to regional U.S. markets.

4.6.6 Labor Relations

Caliber maintains positive labor relations with its staff and contract work force and does not anticipate encountering any adverse labor relations on this Project. The labor market in the region is generally supportive of the oil and gas industry.

4.6.7 The Coordination of Facilities

The Project consists of 2.62 miles of existing pipeline infrastructure owned by Caliber which was recently modified to facilitate bidirectional flow capability with an interconnection to the Northern Border Pipeline. The Project's proximity to Bakken production and existing infrastructure allows the Project to coordinate with and connect to other existing facilities to effectuate natural gas processing, transportation, and delivery. See Section 1 for further discussion.

4.6.8 Monitoring of Impacts

Caliber has established and maintained positive landowner and community relationships throughout the region through its open communication and commitment to corporate citizenship standards that are based on integrity. Caliber actively monitors landowner and community concerns brought to its attention. Caliber follows a spill response plan and organizes bi-annual drill for spill preparedness.

4.6.9 Utilization of Existing and Proposed Rights-of-Way and Corridors

The Project alignment minimizes the Project's impact on existing environmental resources while achieving the Project objectives. As referenced, the Project utilizes Caliber's existing pipeline infrastructure and facilities. Project modifications to facilitate bidirectional flow at the Northern Border interconnect occurred within previously disturbed land owned by Caliber. The Project does not require acquisition of additional ROW.

Caliber and its affiliate companies engage in the business of crude oil and natural gas gathering, transportation, treating and processing in McKenzie County, ND. Caliber's affiliates own and operate several facilities previously sited by the PSC.

SECTION 5: MITIGATIVE MEASURES

5.1 LOCATION

The location of the Route is a function of the locations of the existing crude oil pipeline infrastructure. Caliber commissioned field surveys to address specific agency concerns expressed during consultations, inventory the resources present throughout the Survey Corridor, and define the location and boundaries of resources that intersect the Route. For the reasons discussed herein, the Project's location minimizes adverse human and environmental impacts.

5.2 CONSTRUCTION

Reconfiguration of Caliber's facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber's construction activities do not require construction of a new pipeline, nor would construction require the use of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

5.3 OPERATION

Normal pipeline operations are imperceptible to the public, as they are silent, buried, and therefore not visible and require only minimal aboveground activity. Ground disturbance is minimized to the maximum extent practicable during Project operations.

Standard operating procedures for the regulated portions of the system will conform to DOT standards and requirements and as such, periodic inspection and maintenance of the ROW will be required. Caliber follows its Operations and Maintenance Manual for such periodic inspections to include but not limited to ROW surveillance, cathodic protection surveys, and integrity management.

SECTION 6: DESCRIPTION OF RIGHT-OF-WAY PREPARATION, CONSTRUCTION, AND RECLAMATION PROCEDURES

6.1 PIPELINE MODIFICATION

As referenced, the Project utilizes Caliber's existing pipeline infrastructure and facilities. Project modifications to facilitate bidirectional flow at the Northern Border interconnect occurred within previously disturbed land owned by Caliber. The Project does not require acquisition of additional ROW. There are no outstanding reclamation issues from the original construction of the pipeline.

SECTION 7: EASEMENT ACQUISITION, LANDOWNER NOTIFICATION, AND EASEMENT COMPENSATION PLAN

All Project activities will take place on land owned by Caliber, thus there will be no impact on any landowners.

SECTION 8: LIST OF PREPARERS

Alecia Phillips

Senior Environmental Consultant

WSP USA, Inc., 5665 Flatiron Pkwy., Suite 250, Boulder, CO 80301

B.S. Environmental Design and Planning, University of Colorado – Boulder. Ms. Phillips is an ecologist specializing in natural resources permitting and compliance for energy, infrastructure, transportation, community development and open space planning projects. With 12 years' experience in natural resources management and planning, she is an experienced field technician, field team coordinator and project manager. Ms. Phillips has conducted a broad array of ecological studies across the western U.S. and regularly conducts natural resources inventories, biological assessments, biological evaluations, habitat assessments, threatened and endangered (T/E) species impact assessments, habitat conservation plans, vegetation monitoring, wetland delineations and wetland monitoring.

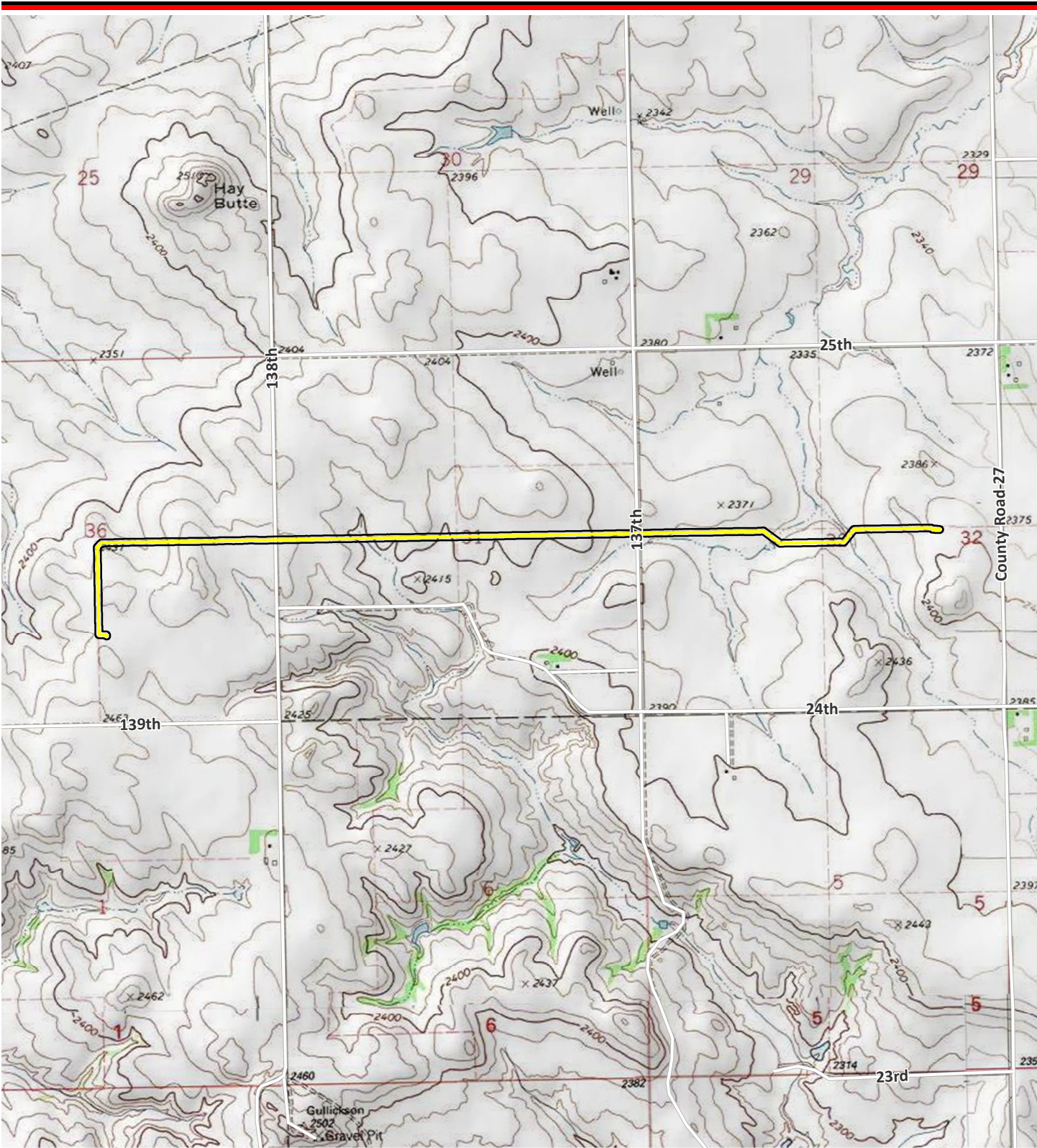
Bonnie Gibson, MBA, RPA

Project Manager

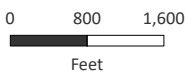
WSP USA, Inc., 5665 Flatiron Pkwy., Suite 250, Boulder, CO 80301

M.A. Archaeology and Ancient History, University of Leicester. Ms. Gibson has worked as a professional cultural resource specialist for nearly 20 years. Her project experience includes project management and technical expertise for archaeological and permitting support to development projects; cultural resource inventories; and the National Environmental Policy Act (NEPA) support, including EAs and EISs. She served as the project manager for numerous environmental support and permitting projects throughout the Intermountain West and High Plains.

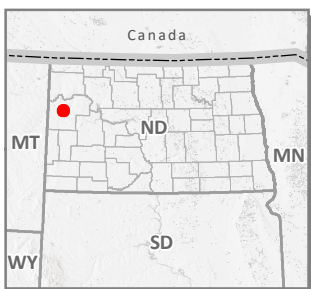
Appendix A: Project Maps



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B: Agency Consultations and Consultation Summary Table

Agency	Date Emailed	Agency Response Date	Email	Agency Comments	Response to Agency	Response Summary
Federal Aviation Administration	10/27/2021; 11/8/2021		david.p.anderson@faa.gov			
Job Service of North Dakota	10/27/2021; 11/8/2021		pahickel@nd.gov			
North Dakota Aeronautics Commission	10/27/2021; 11/8/2021		ndaero@nd.gov			
North Dakota Attorney General	10/27/2021; 11/8/2021		ndag@nd.gov			
North Dakota Department of Career and Technical Education	10/27/2021; 11/8/2021		cte@nd.gov			
North Dakota Department of Commerce	10/27/2021; 11/8/2021		commerce@nd.gov			
North Dakota Department of Environmental Quality-Environmental Health Section	10/27/2021; 11/8/2021	11/12/2021	deq@nd.gov	Minimize adverse impacts to waterways; require permit to discharge stormwater runoff if disturbing more than 1 acre; solid waste materials must follow hazardous waste rules		
North Dakota Department of Human Services	10/27/2021; 11/8/2021		dhseo@nd.gov			
North Dakota Department of Transportation-Williston District	10/27/2021; 11/9/2028	11/18/2021	dot@nd.gov	Project should have no adverse effect of the North Dakota DOT.		No further action is needed.
North Dakota Department of Trust Lands-Minerals Management	10/27/2021; 11/9/2028		DtlRequest@nd.gov			
North Dakota Department of Trust Lands-School/Surface Lands	10/27/2021; 11/9/2029		DtlRequest@nd.gov			
North Dakota Energy Development Impact Office	10/27/2021; 11/9/2030		DtlRequest@nd.gov			
North Dakota Game and Fish Department-Conservation and Communication Division	10/27/2021; 11/09/2021	11/15/2021	jdschumacher@nd.gov	No significant adverse effects on wildlife or habitat.		No further action is needed.
North Dakota Geological Survey	10/27/2021; 11/09/2021		bjunker@nd.gov	fjanderson@state.nd.us email undeliverable; bjunker@nd.gov undeliverable; jlefever@nd.gov undeliverable		
North Dakota Indian Affairs Commission	10/27/2021; 11/09/2021		sjdavis@nd.gov			
North Dakota Industrial Commission-Pipeline Authority	10/27/2021; 11/09/2021		jjkringstad@ndpipelines.com			
North Dakota Labor Department	10/27/2021; 11/09/2021		labor@nd.gov			
North Dakota Office of the Governor	10/27/2021; 11/09/2021		mnowatzki@nd.gov			
North Dakota Parks and Recreation Department	10/27/2021; 11/09/2021		parkrec@nd.gov			

Agency	Date Emailed	Agency Response Date	Email	Agency Comments	Response to Agency	Response Summary
North Dakota Soil Conservation Committee-NDSU Extension	10/27/2021; 11/09/2021		aaron.field@ndsu.edu			
North Dakota State Water Commission	10/27/2021; 11/09/2021		swc@nd.gov			
State Historical Society of North Dakota-Archaeology Historic Preservation Office	10/5/2021; 10/27/2021; 11/09/2021	10/5/2021; 11/3/2021	history@nd.gov	Received concurrence for determination of No Significant Sites Affected; subsequent letter notified that SHPO would not have concurred with the determination had the consultation taken place prior to construction.		No further action is needed.
U.S. Fish and Wildlife Services North Dakota Ecological Services Field Office	10/27/2021; 11/09/2021		drew_becker@fws.gov			
US Department of Defense-Cable Affairs	10/27/2021; 11/09/2021	11/1/2021	v35bw.pa@us.af.mil	Confirmation of receiving notification email; response expected in one to two weeks		
USACE-Regulatory Office Omaha District	10/27/2021; 11/09/2021	11/5/2021; 11/22/2021	CENWO-OD-RND@usace.army.mil	Section 404 permit may be required; Phone Call with Jason Renschler - no further action is needed due to action type and use of HDD during construction.		No further action is needed.
USDA-Natural Resources Conservation Service-Bismarck Office	10/27/2021; 11/09/2021	11/2/2021	mary.podoll@nd.usda.gov	No further action is needed		No further action is needed.
USDA-North Dakota Farm Service Agency	10/27/2021; 11/09/2021	10/27/2021	ndwatfordc-fsa@one.usda.gov	Confirmation of receiving notification email		
Western Area Water Supply Authority	10/27/2021; 11/09/2021	11/10/2021	waws@wawsp.com	Concern about proximity to water infrastructure	Returned call and left voicemail.	
McKenzie County Commissioners	10/27/2021; 11/09/2021; 11/10/21		hlawlar@co.mckenzie.nd.us			
McKenzie County Planning & Zoning Department	10/27/2021; 11/09/2021; 11/10/21; 11/22/21	10/29/2021	skimpel@co.mckenzie.nd.us	Agency was only able to locate utility permit, not approach permit.		
McKenzie County Water Resources Board	10/27/2021; 11/09/2021	10/27/2021	jshaffer@co.mckenzie.nd.us	Will need more time to comment		
McKenzie County Weed Board	10/27/2021; 11/09/2021	10/27/2021; 11/02/2021	mcweed@restel.net	Requested Weed Management Plan (sent 10/28/2021). Awaiting Agency response to plan	Weed Management plan sent to agency 10/28/2021	Final approval received 11/2/2021

Appendix B-1



October 25, 2021

David Anderson
Federal Aviation Administration
2301 University Drive #23B
Bismarck, ND 58504

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Anderson,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

Caliber proposes to modify facilities at its existing interconnection with Northern Border to allow gas to flow bi-directionally. Caliber proposes to transport gas from Northern Border to the adjacent trucking facility. The gas from the pipeline would be loaded into trucks, and from there the CNG would be delivered to production facilities for use as fuel in hydraulic fracturing operations and would be consumed wholly within North Dakota. Gas flows from Northern Border would be seasonal and intermittent with minimal volumes, anywhere between 0.1 and 5 mcf/d. Caliber anticipates these volumes will be delivered by actual flows of gas, and by displacement. Caliber does not own the CNG trucking facility and would not take title to any gas flowed from Northern Border.

Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber



estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

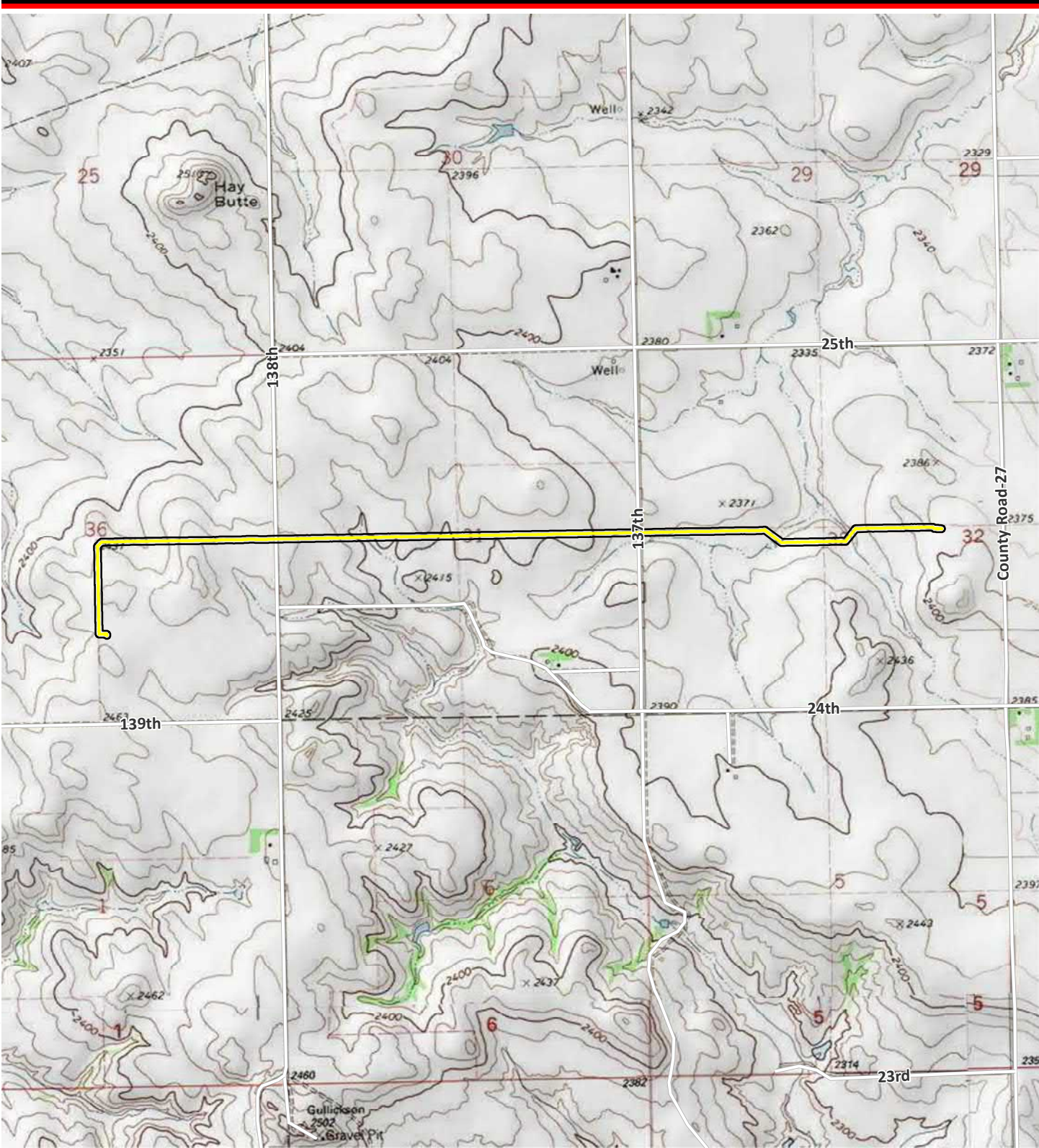
Sincerely,

WSP USA, Inc.

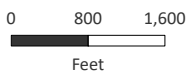
A handwritten signature in black ink that reads "Bonnie Gibson, RPA". The signature is written in a cursive style.

Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

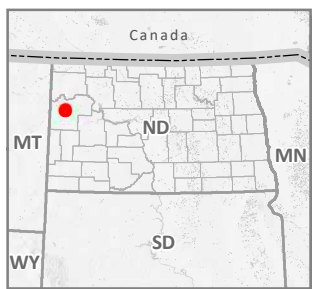
Attachment: Project Map



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

David Anderson
Federal Aviation Administration
2301 University Drive #23B
Bismarck, ND 58504

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Anderson,

Caliber North Dakota LLC (Caliber) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline (Project). WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for the Project. The purpose of this correspondence is to clarify WSP's prior correspondence regarding the Project and to solicit comments to assist in the Project's review.

The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

WSP USA, Inc.

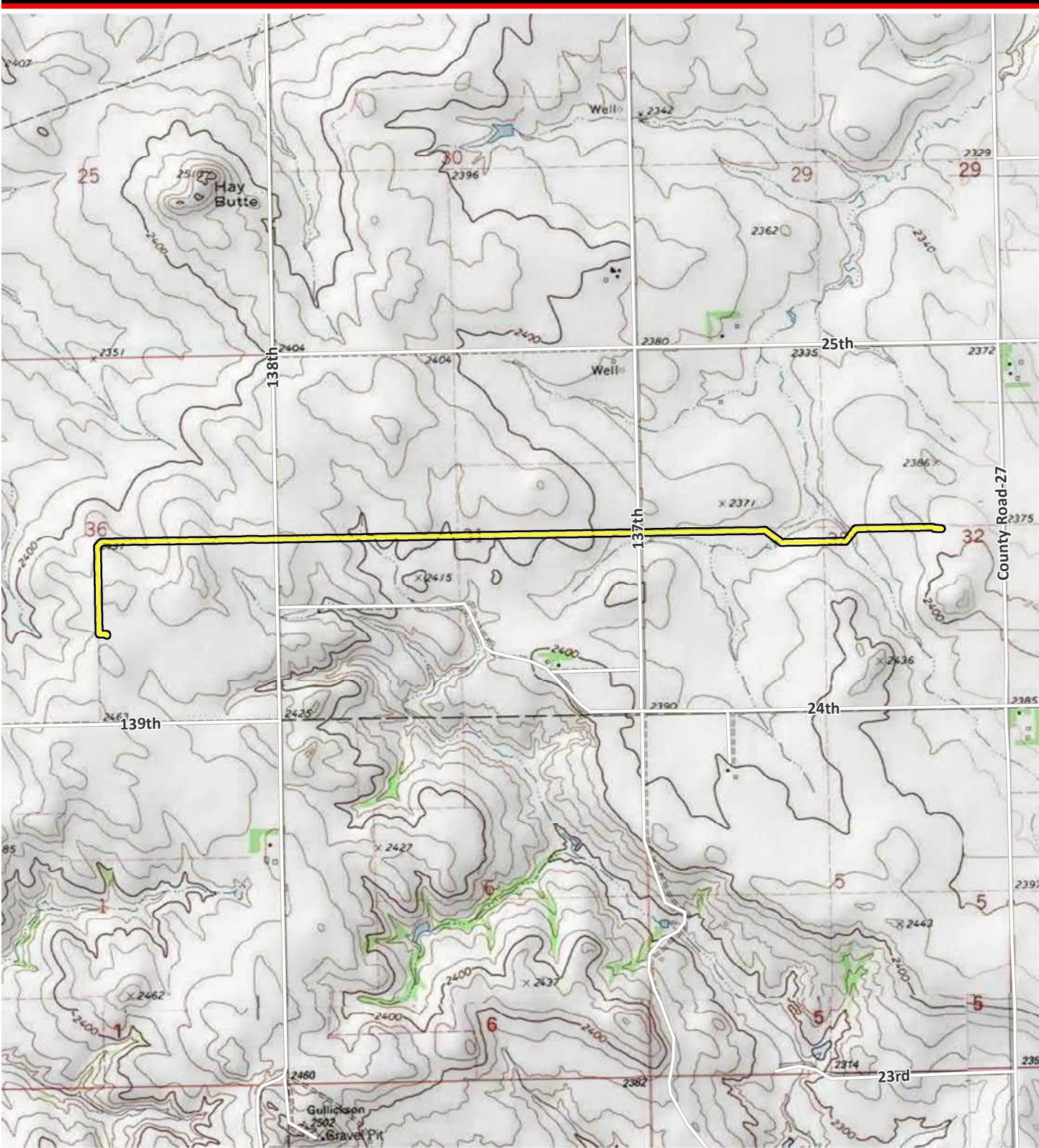
Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

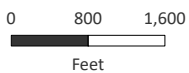
Tel.: 303-443-3282
wsp.com



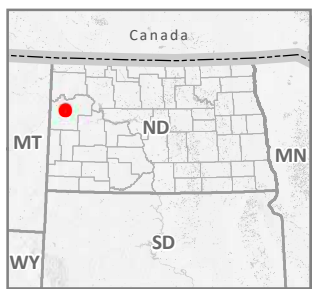
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-2



October 25, 2021

Paula Hickel
Job Service of North Dakota
442 1st Avenue West
Williston, ND 58801

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Ms. Hickel,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

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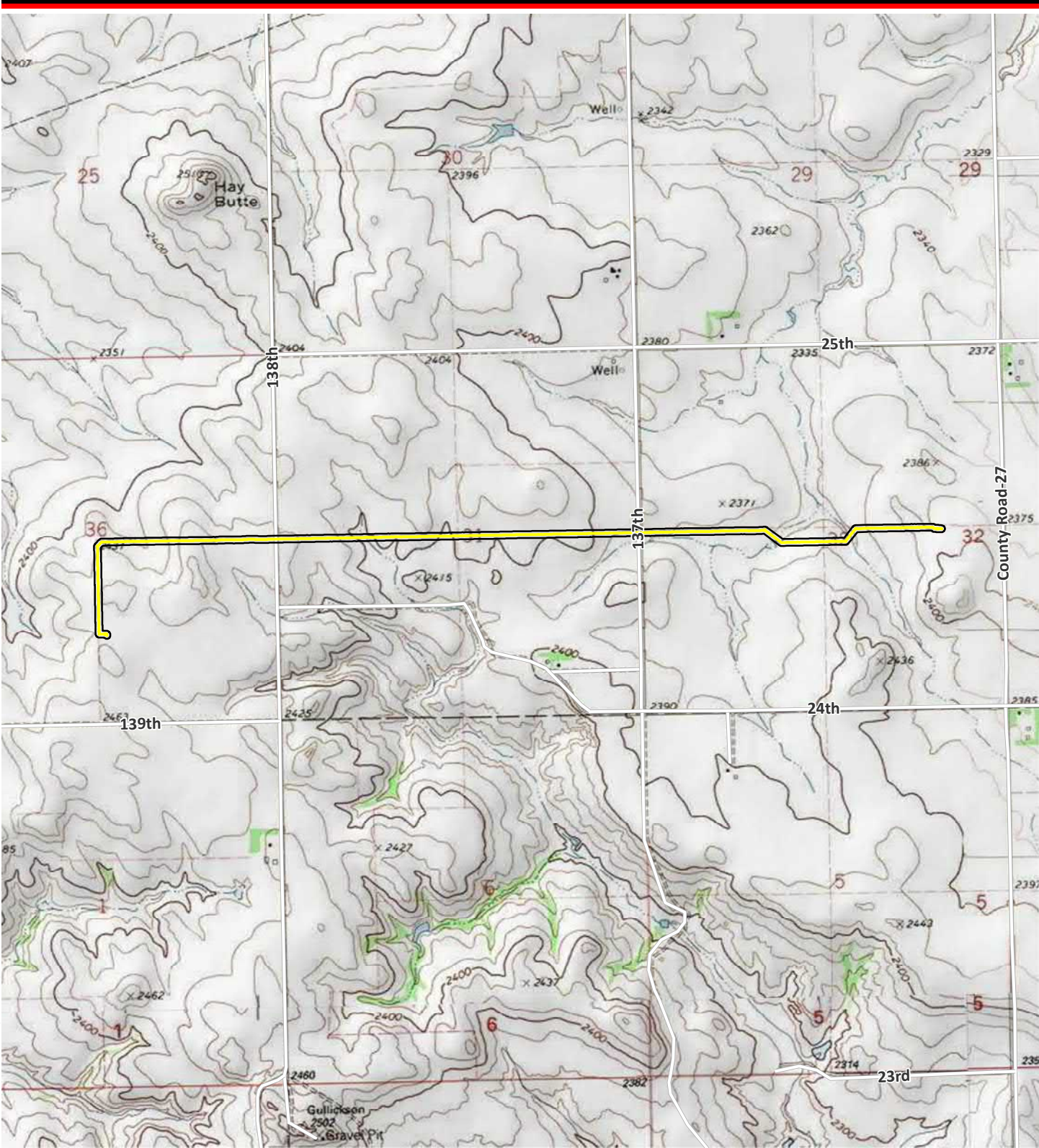
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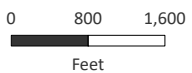
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

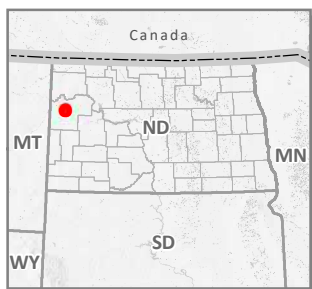
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- Study Area

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USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

Paula Hickel
Job Service of North Dakota
442 1st Avenue West
Williston, ND 58801

RE: Caliber North Dakota LLC
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Project Notification Letter and Review Request

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Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

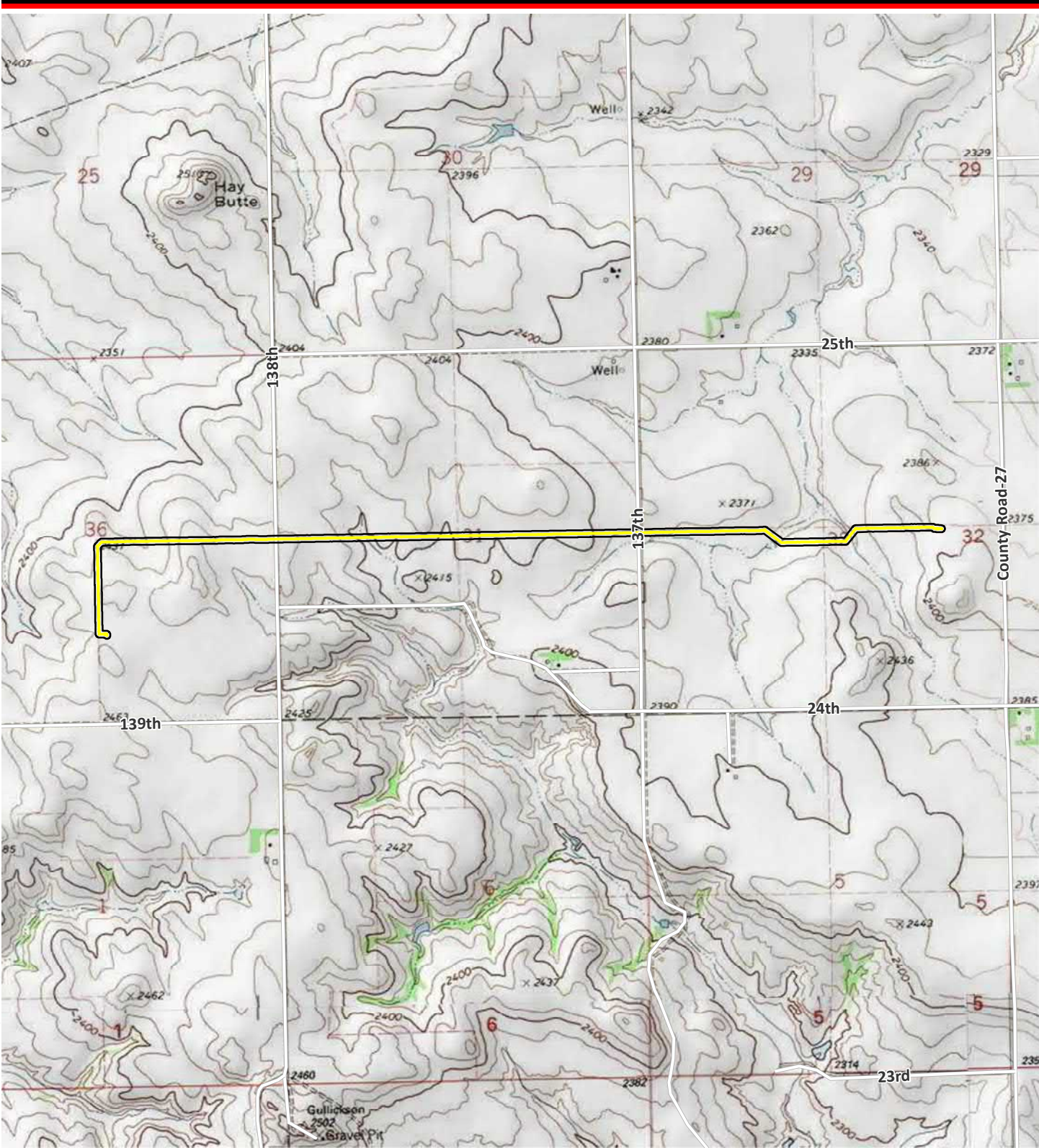
Sincerely,

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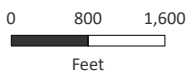
Bonnie Gibson, RPA



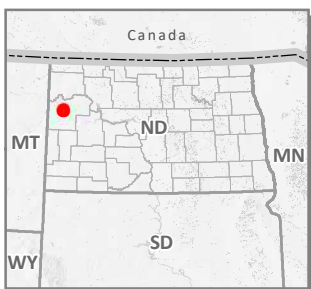
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-3



October 25, 2021

North Dakota Aeronautics Commission
PO Box 5020
Bismarck, ND 58502

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

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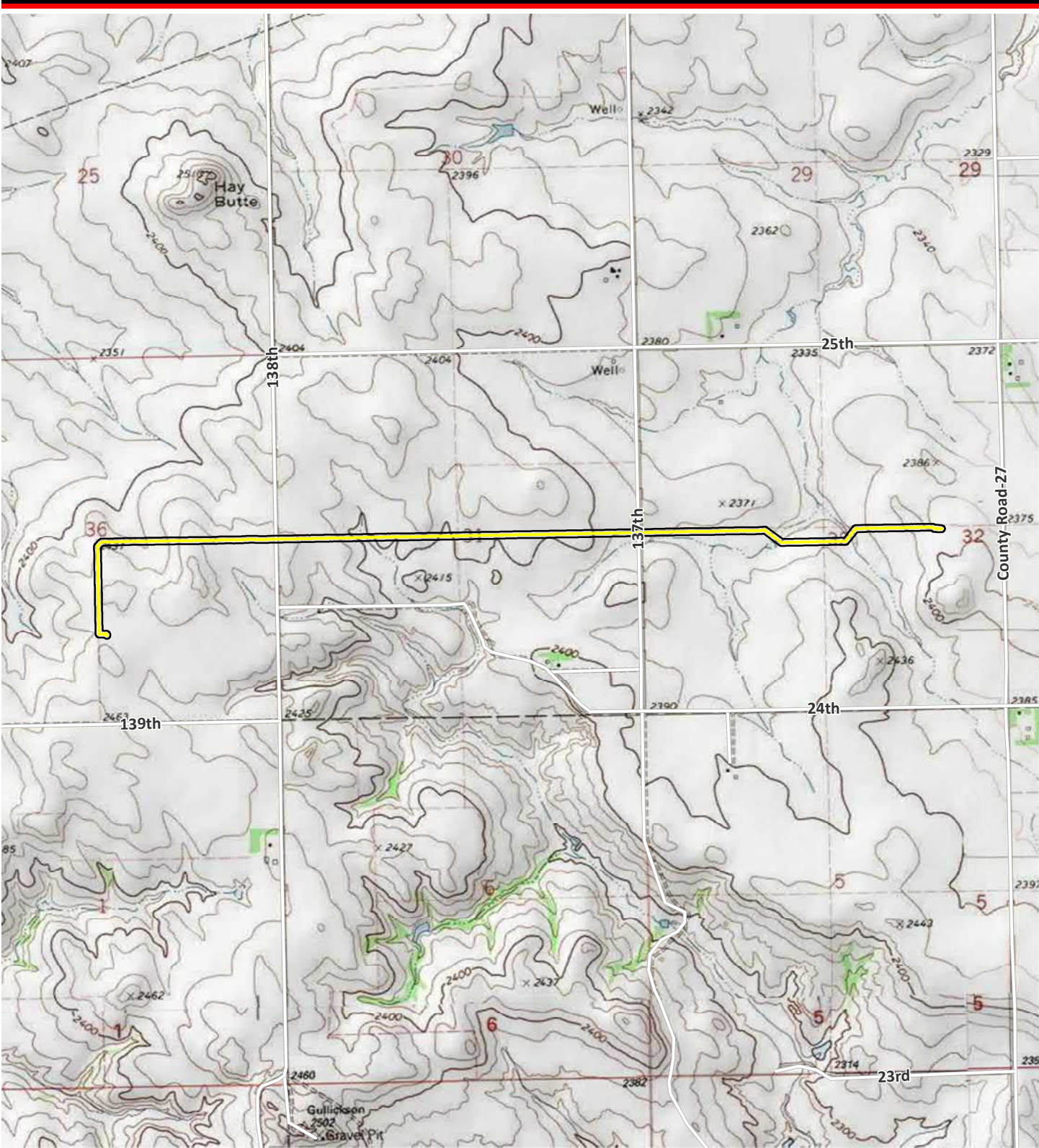
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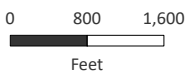
A handwritten signature in black ink that reads "Bonnie Gibson, RPA". The signature is written in a cursive, flowing style.

Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

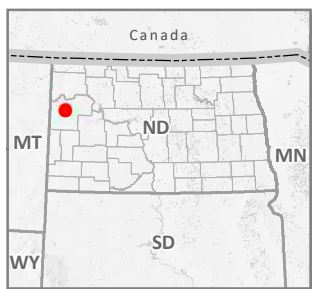
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

North Dakota Aeronautics Commission
PO Box 5020
Bismarck, ND 58502

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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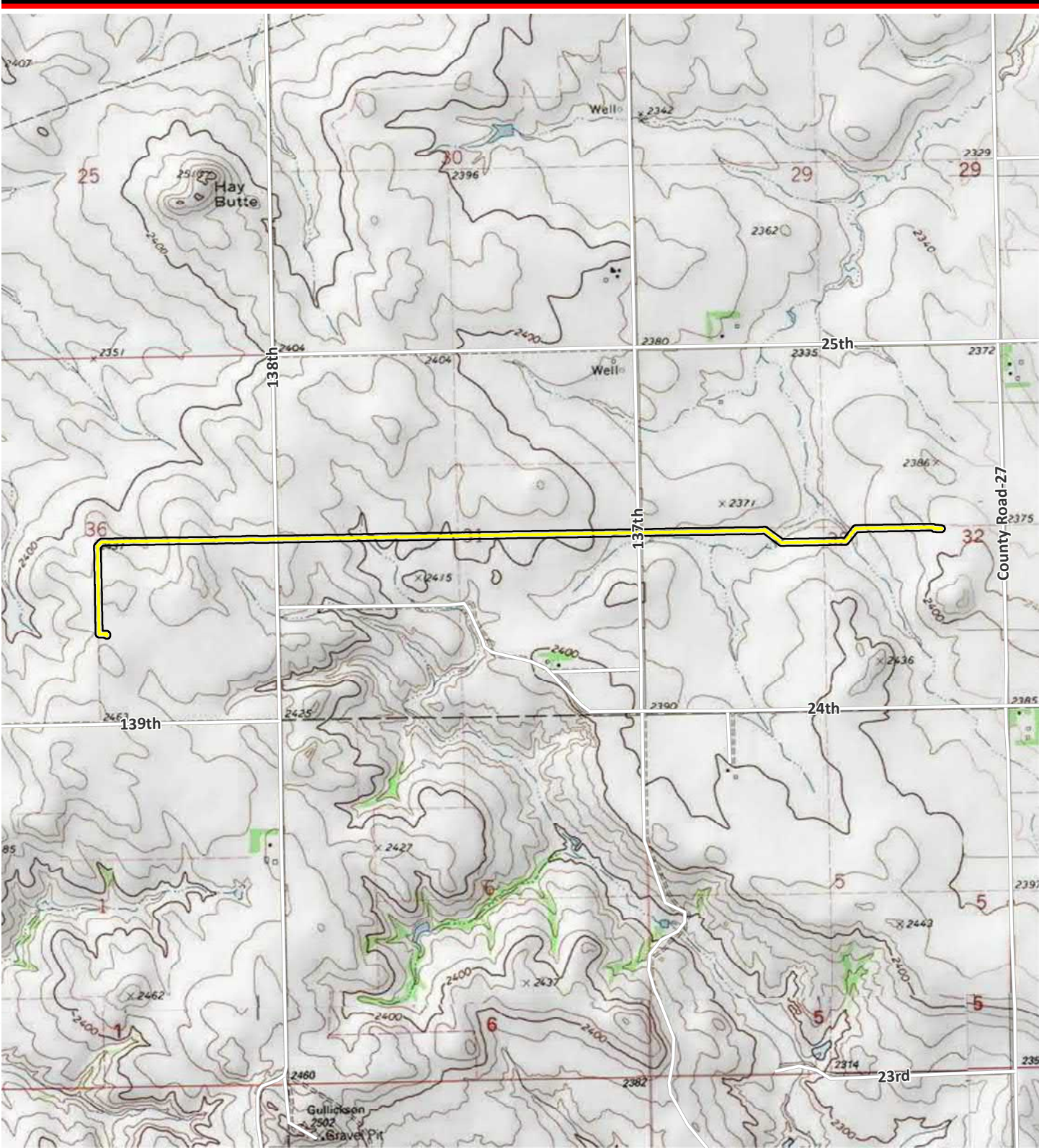
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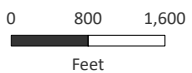
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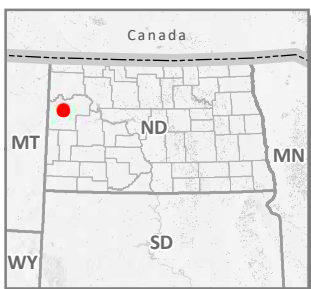
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-4



October 25, 2021

North Dakota Attorney General
600 East Boulevard Avenue Department 125
Bismarck, ND 58505

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

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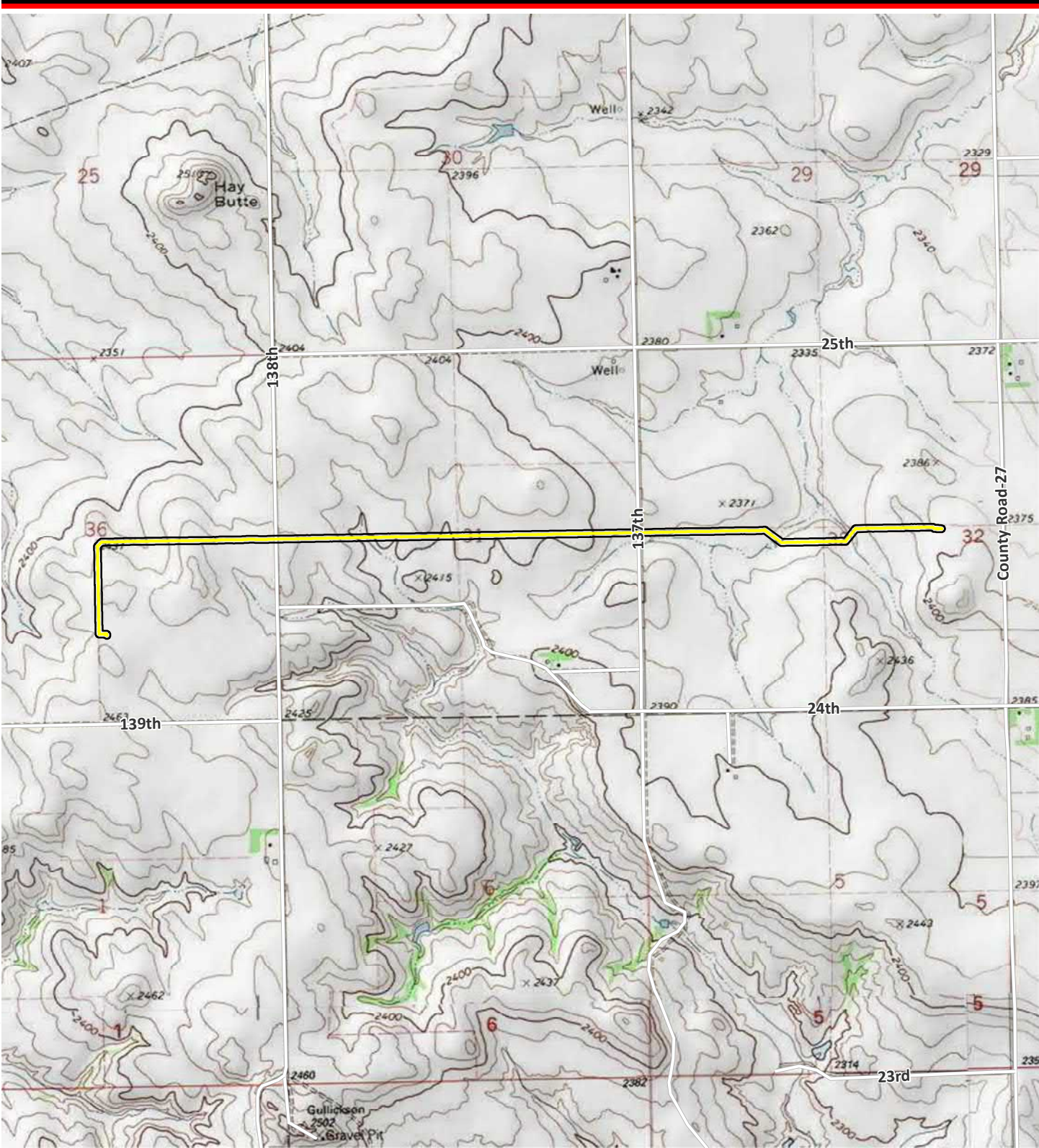
Sincerely,

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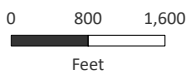
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

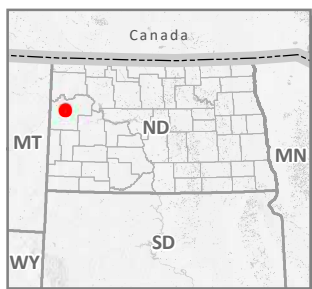
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

North Dakota Attorney General
600 East Boulevard Avenue Department 125
Bismarck, ND 58505

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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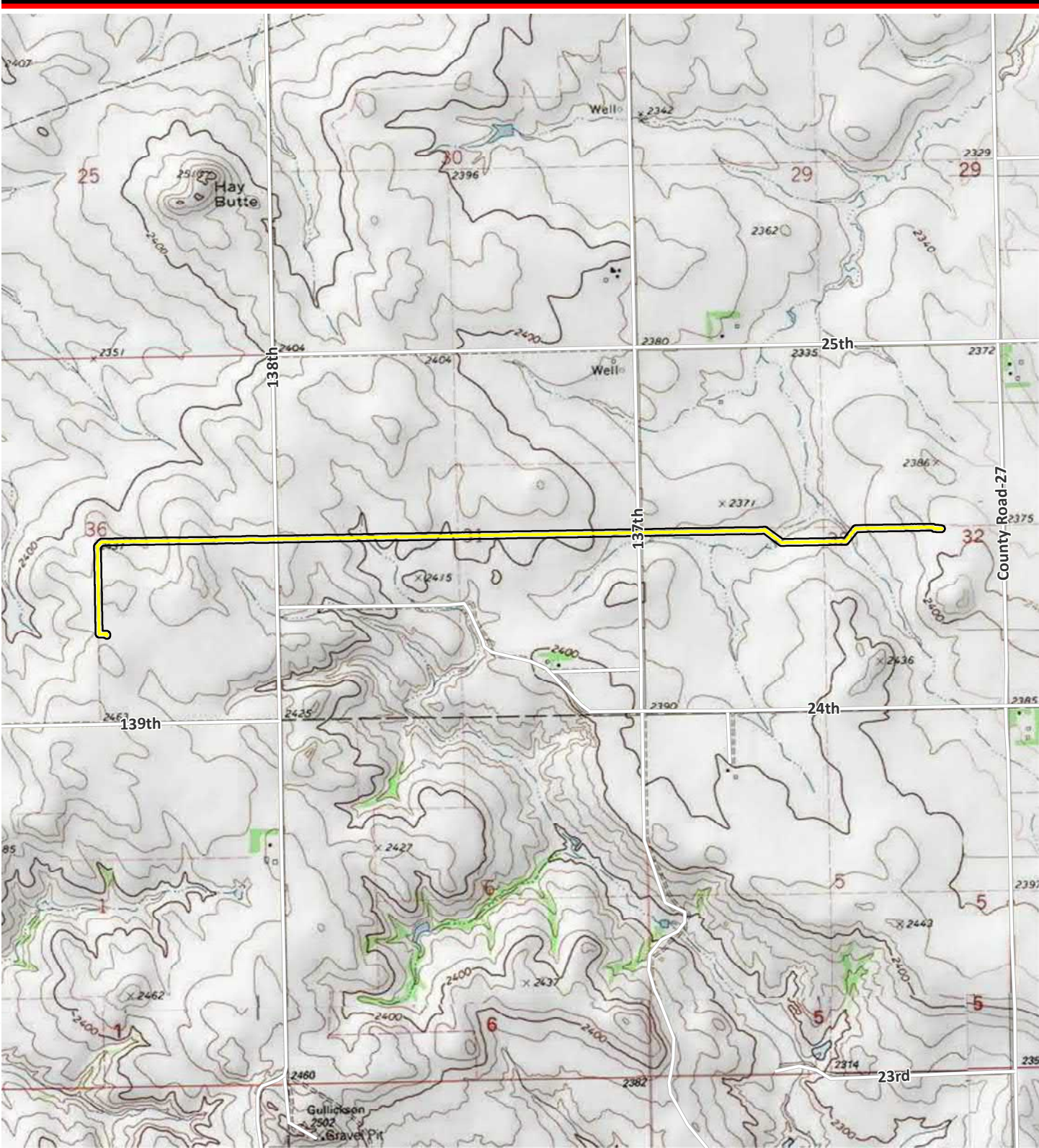
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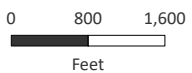
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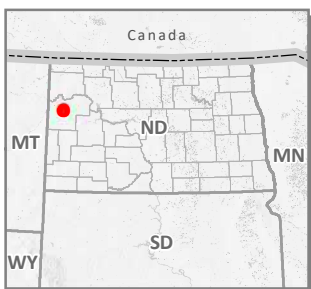
Senior Director – Local Business Lead



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-5



October 25, 2021

North Dakota Department of Career and Technical Education
600 East Boulevard Avenue, Department 270
Bismarck, ND 58505-0610

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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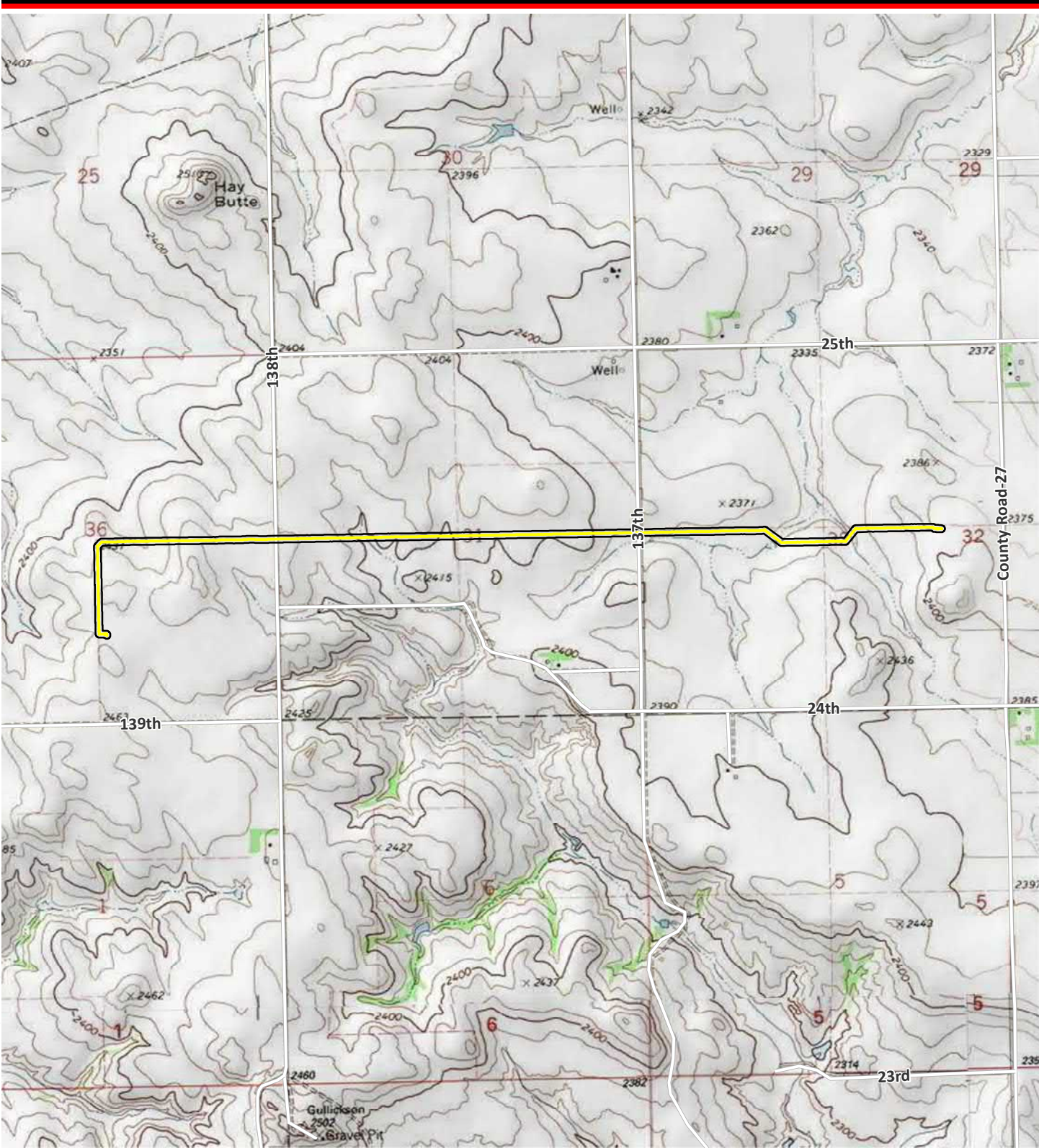
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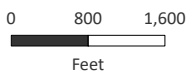
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Senior Director – Local Business Lead

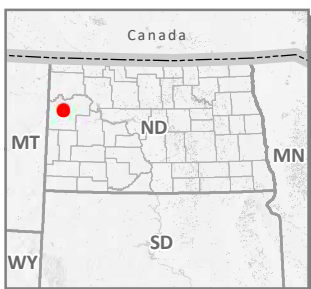
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

North Dakota Department of Career and Technical Education
600 East Boulevard Avenue, Department 270
Bismarck, ND 58505-0610

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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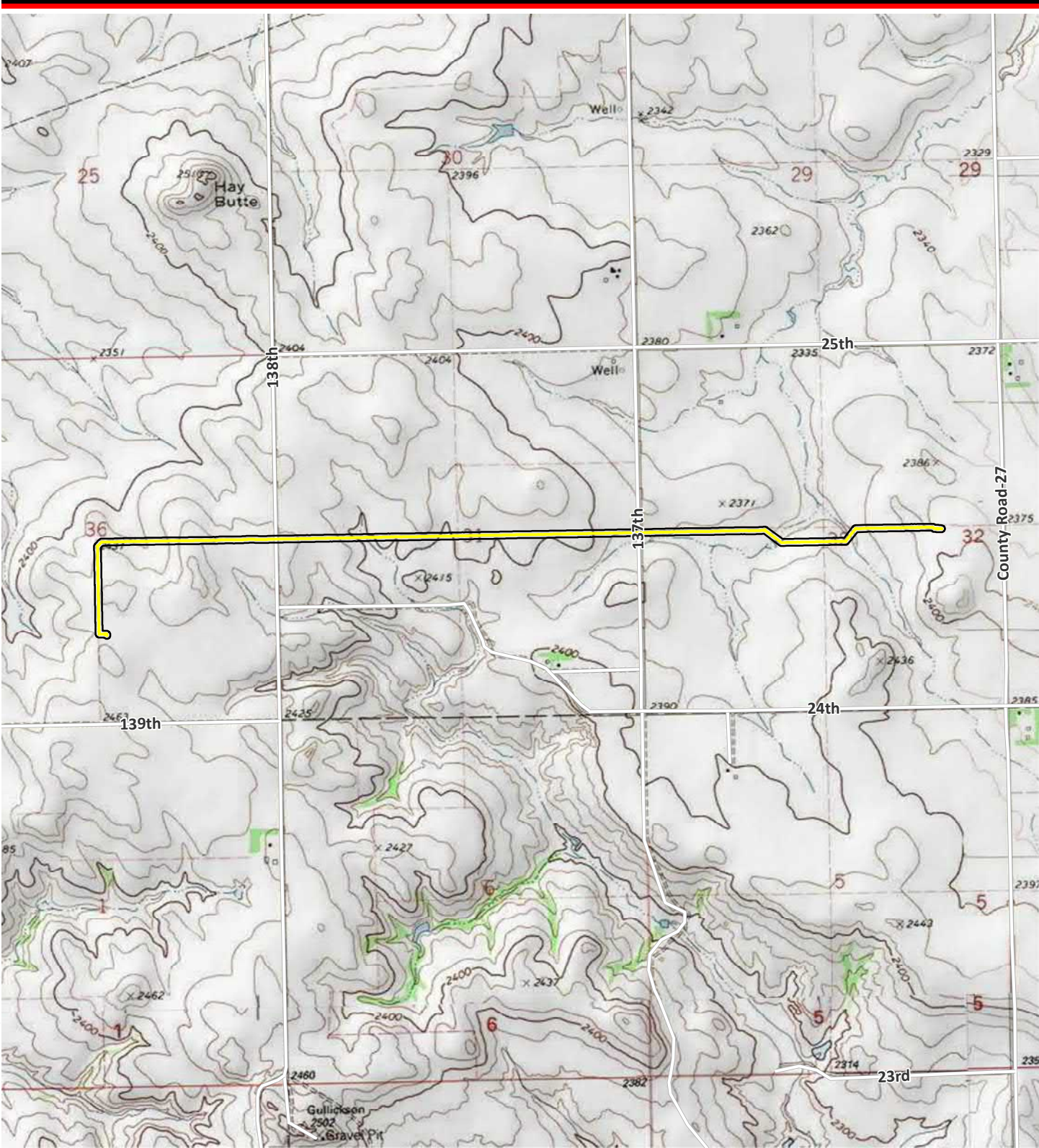
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WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

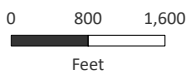
Tel.: 303-443-3282
wsp.com



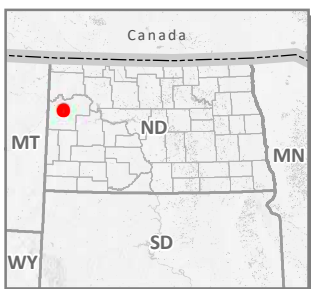
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-6



October 25, 2021

North Dakota Department of Commerce
1600 East Century Avenue, Suite 2
Bismarck, ND 58503

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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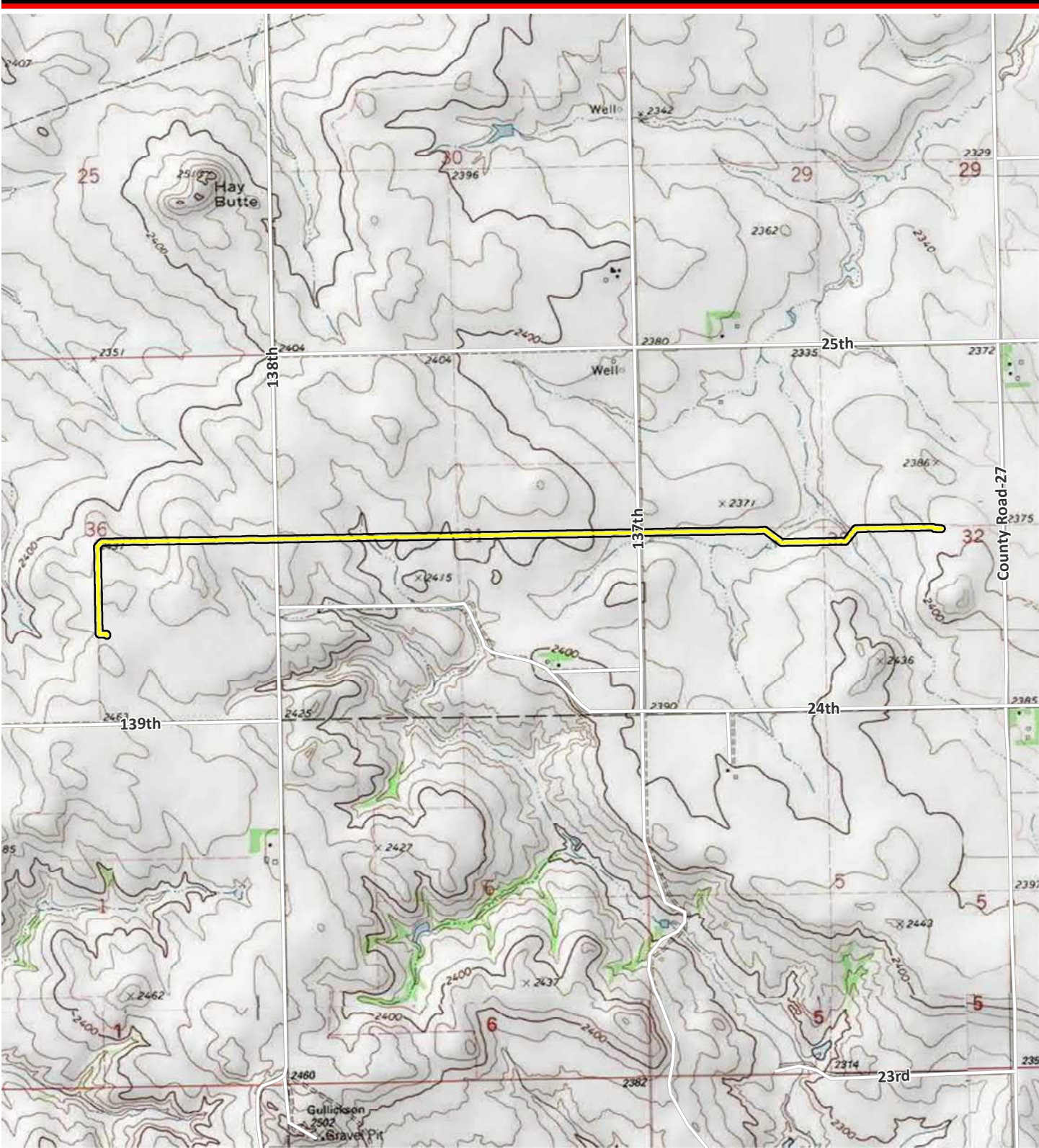
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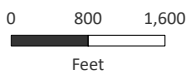
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

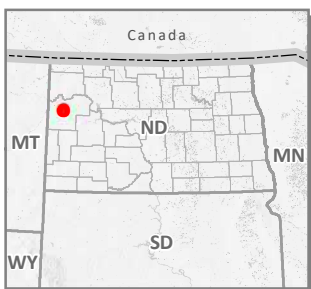
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

North Dakota Department of Commerce
1600 East Century Avenue, Suite 2
Bismarck, ND 58503

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

Caliber North Dakota LLC (Caliber) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline (Project). WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for the Project. The purpose of this correspondence is to clarify WSP's prior correspondence regarding the Project and to solicit comments to assist in the Project's review.

The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

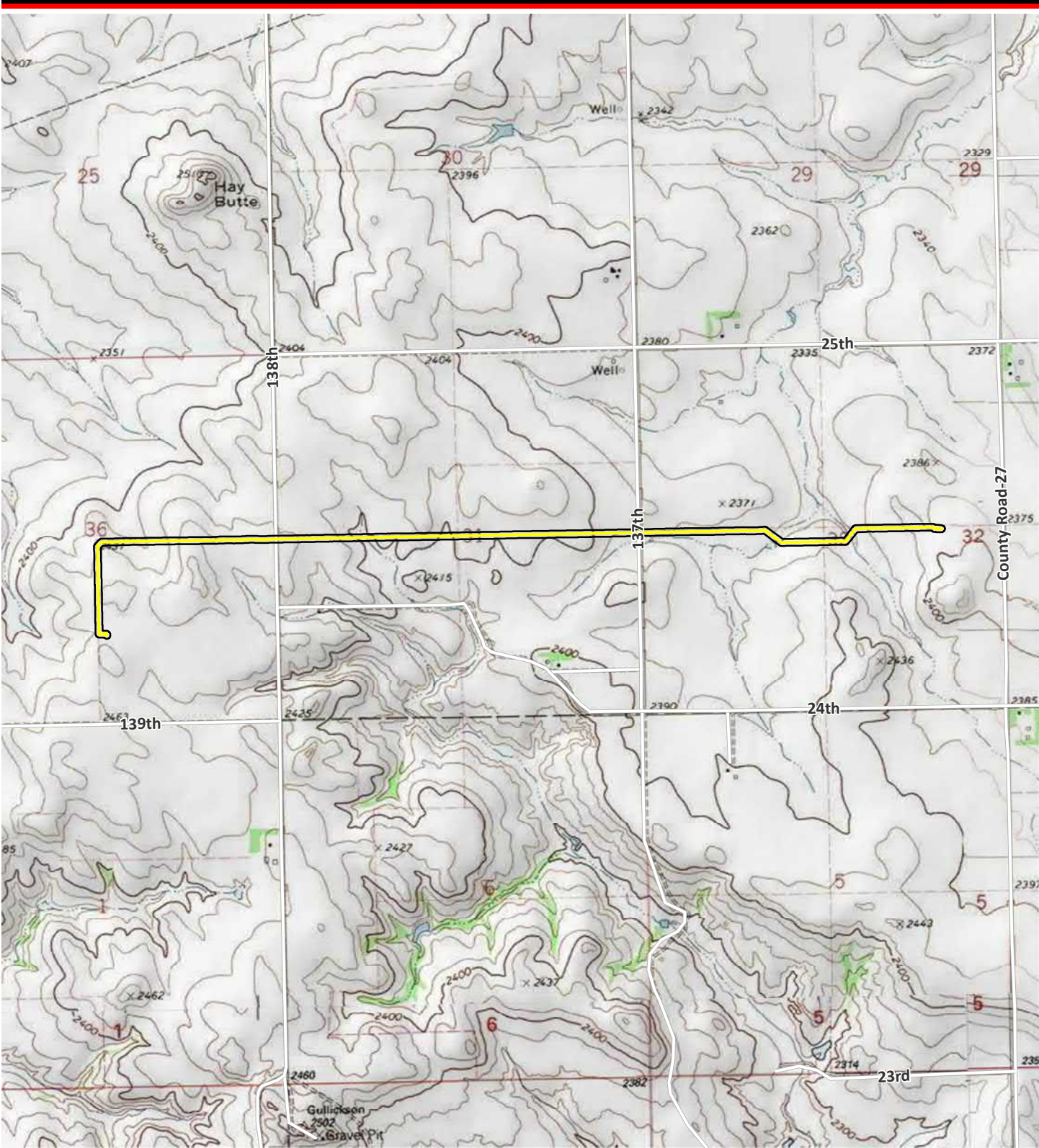
WSP USA, Inc.

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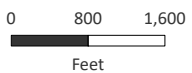
Bonnie Gibson, MBA, RPA



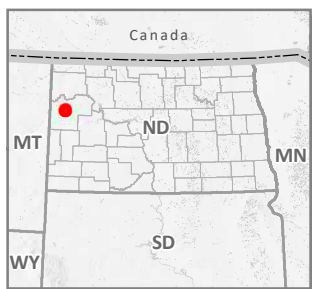
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-7



October 25, 2021

North Dakota Department of Environmental Quality
Environmental Health Division
4201 Normandy Street
Bismarck, ND 58503-1324

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

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Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

Caliber proposes to modify facilities at its existing interconnection with Northern Border to allow gas to flow bi-directionally. Caliber proposes to transport gas from Northern Border to the adjacent trucking facility. The gas from the pipeline would be loaded into trucks, and from there the CNG would be delivered to production facilities for use as fuel in hydraulic fracturing operations and would be consumed wholly within North Dakota. Gas flows from Northern Border would be seasonal and intermittent with minimal volumes, anywhere between 0.1 and 5 mcf/d. Caliber anticipates these volumes will be delivered by actual flows of gas, and by displacement. Caliber does not own the CNG trucking facility and would not take title to any gas flowed from Northern Border.

Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber



estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

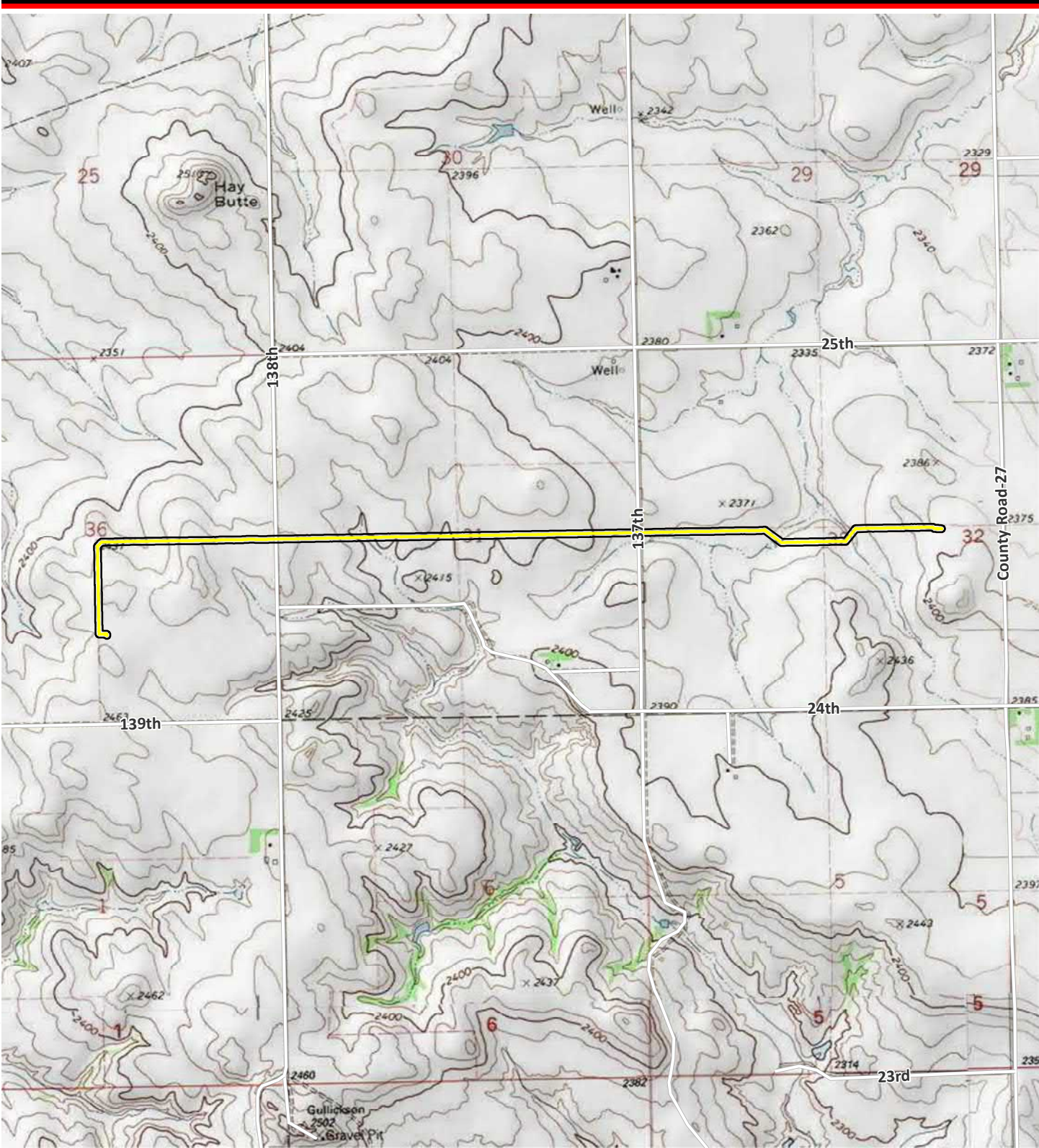
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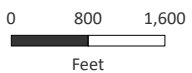
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

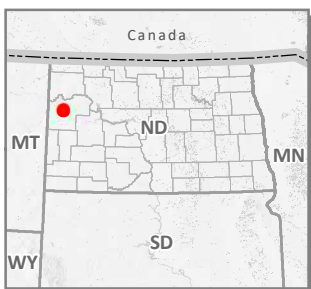
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\Projection\caliber.mxd
 Copyright 2021, WSP



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

North Dakota Department of Environmental Quality
Environmental Health Division
4201 Normandy Street
Bismarck, ND 58503-1324

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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Sincerely,

WSP USA, Inc.

Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

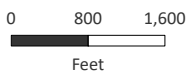
Tel.: 303-443-3282
wsp.com



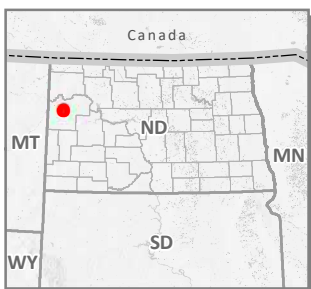
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\Projection\caliber.mxd
 USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

November 1, 2021

Bonnie Gibson
Senior Director - Local Business Lead
WSP USA, Inc
5665 Flatiron Parkway Suite 250
Boulder, CO 80301

Re: Caliber Pipeline Project Variance and update in McKenzie County

Dear Ms. Gibson:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on October 27, 2021 with respect to possible environmental impacts.

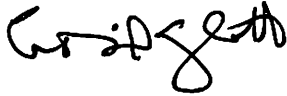
This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
2. Projects disturbing one or more acres are required to have a permit to discharge stormwater runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the stormwater permit may be obtained from the department's website or by calling the Division of Water Quality (701-328-5210). Also, cities may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local stormwater management considerations are addressed.
3. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the department's Division of Waste Management at (701) 328-5166.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "L. David Glatt". The signature is written in a cursive, somewhat stylized font.

L. David Glatt, P.E., Director
North Dakota Department of Environmental Quality

LDG:csc
Attach.

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

Surface Waters

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the department's pesticide application permit with notification to the department.

Fill Material

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds; including, but not limited to, asphalt, tires, treated lumber, and construction debris. The department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.

From: DEQ, DEQ <deq@nd.gov>
Sent: Friday, November 12, 2021 4:57 AM
To: Oliveira, Cassandra; Gibson, Bonnie
Subject: RE: Caliber Midstream Notification Letter and Review Request
Attachments: WSP_CaliberPipelineEnvRev20211101.pdf

Bonnie Gibson and Cassandra Oliveira,
We have received your clarification on the notification letter previously sent for the Caliber Pipeline Project. We completed our review of the original request letter and sent a response on November 1, 2021. The additional information provided in your clarification letter will not impact or change any of the comments in our response letter of November 1. If you have further questions, please let me know. Thank you.

Gary Haberstroh
Environmental Engineer

701.328.5206 • ghaberst@nd.gov • deq.nd.gov • [Provide Feedback](#)



From: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Sent: Monday, November 8, 2021 5:05 PM
To: DEQ, DEQ <deq@nd.gov>
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: RE: Caliber Midstream Notification Letter and Review Request

To whom it may concern,

I am writing on behalf of Caliber Midstream Partners, L.P. to provide clarification on the notification letter previously sent for the Caliber Pipeline Project. The pipeline was constructed in 2014 and WSP is preparing a retroactive PSC siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of the attached letter and comments received in response will be included in the Project's siting application and filed with the NDPSC. Please contact Bonnie Gibson at Bonnie.Gibson@wsp.com or 303-746-6656 if you have any questions or concerns.

Respectfully,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

From: Oliveira, Cassandra
Sent: Wednesday, October 27, 2021 11:32 AM
To: deq@nd.gov
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: Caliber Midstream Notification Letter and Review Request

To whom it may concern,

I am writing on behalf of Caliber Midstream Partners, L.P. to provide notification of the Caliber Pipeline Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project. The details of the project are included in the attached letter. Please contact Bonnie Gibson at Bonnie.Gibson@wsp.com or 303-746-6656 if you have any questions or concerns.

Respectfully,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

NOTICE: This communication and any attachments ("this message") may contain information which is privileged, confidential, proprietary or otherwise subject to restricted disclosure under applicable law. This message is for the sole use of the intended recipient(s). Any unauthorized use, disclosure, viewing, copying, alteration, dissemination or distribution of, or reliance on, this message is strictly prohibited. If you have received this message in error, or you are not an authorized or intended recipient, please notify the sender immediately by replying to this message, delete this message and all copies from your e-mail system and destroy any printed copies.

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Appendix B-8



October 25, 2021

North Dakota Department of Human Services
600 East Boulevard Avenue, Department 325
Bismarck, ND 58505-0250

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

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The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

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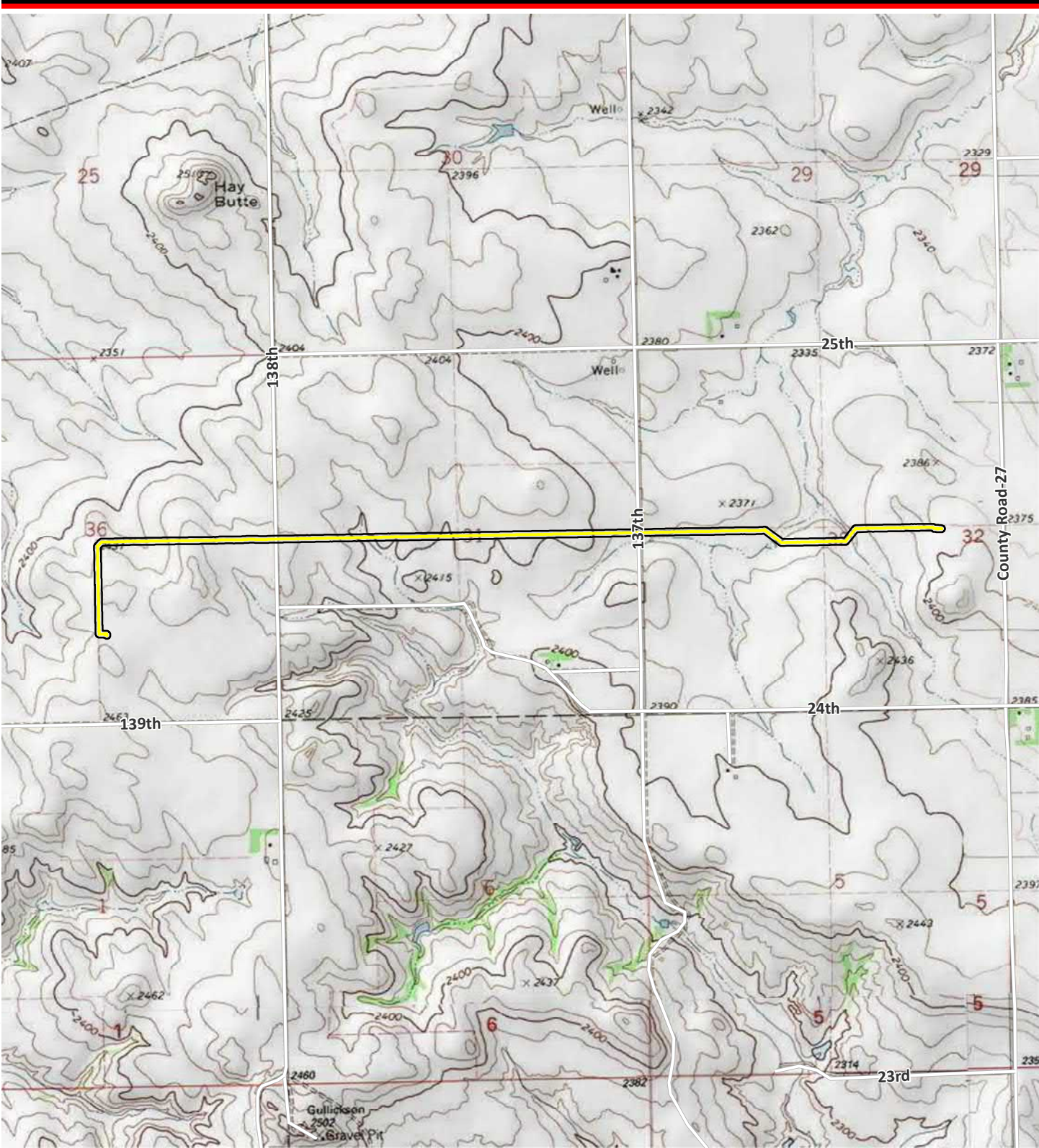
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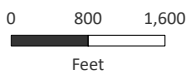
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

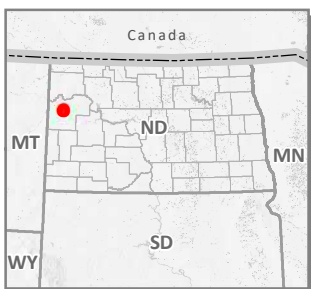
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
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- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 8, 2021

Sent Via E-Mail

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600 East Boulevard Avenue, Department 325
Bismarck, ND 58505-0250

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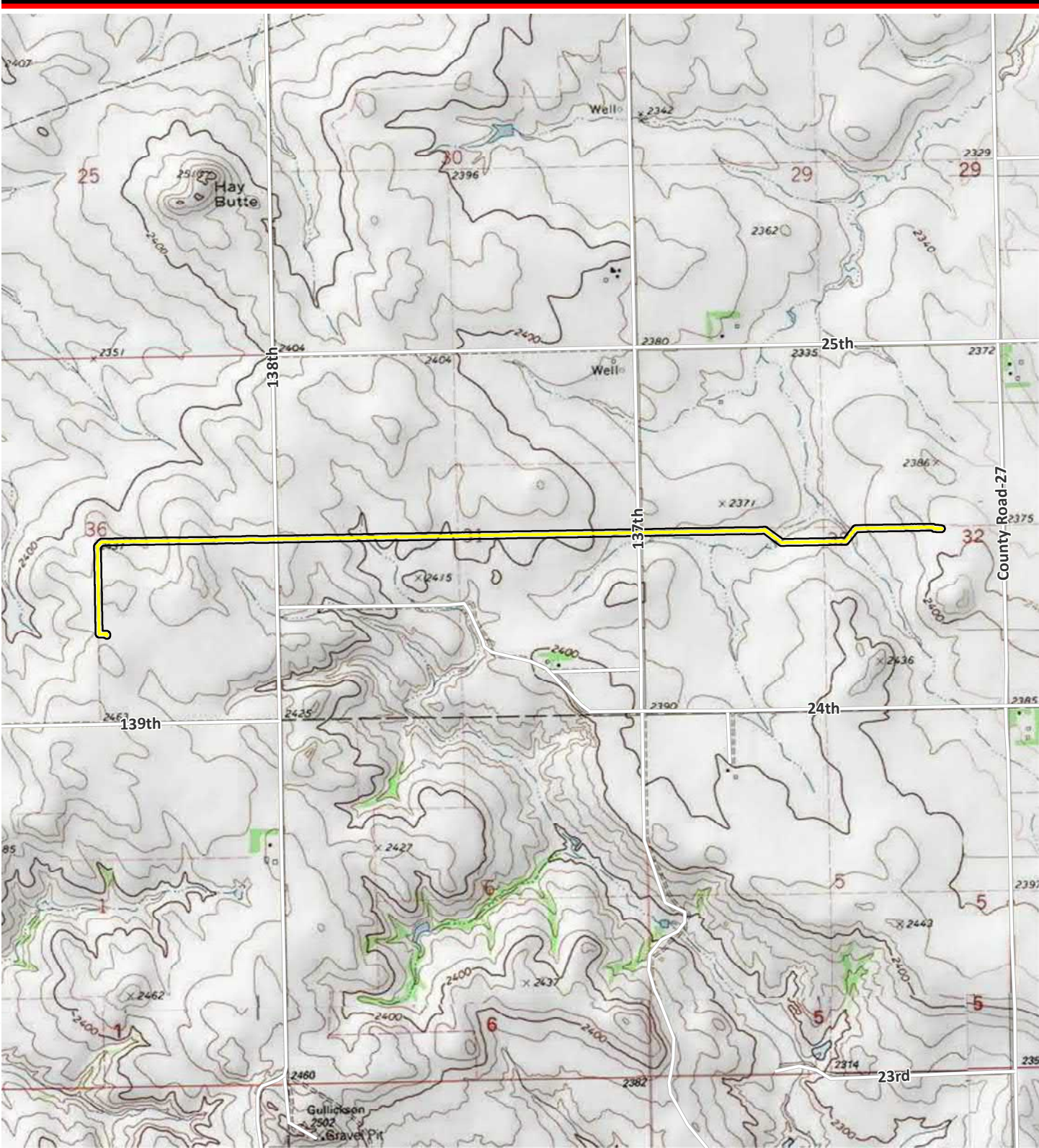
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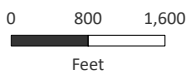
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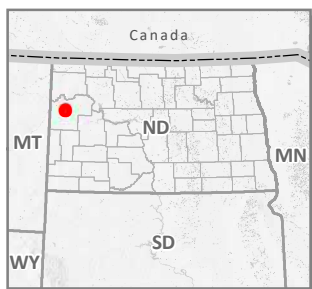
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



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- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-9



October 25, 2021

North Dakota Department of Transportation Williston District
605 Dakota Parkway West
Williston, ND 58801-4282

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

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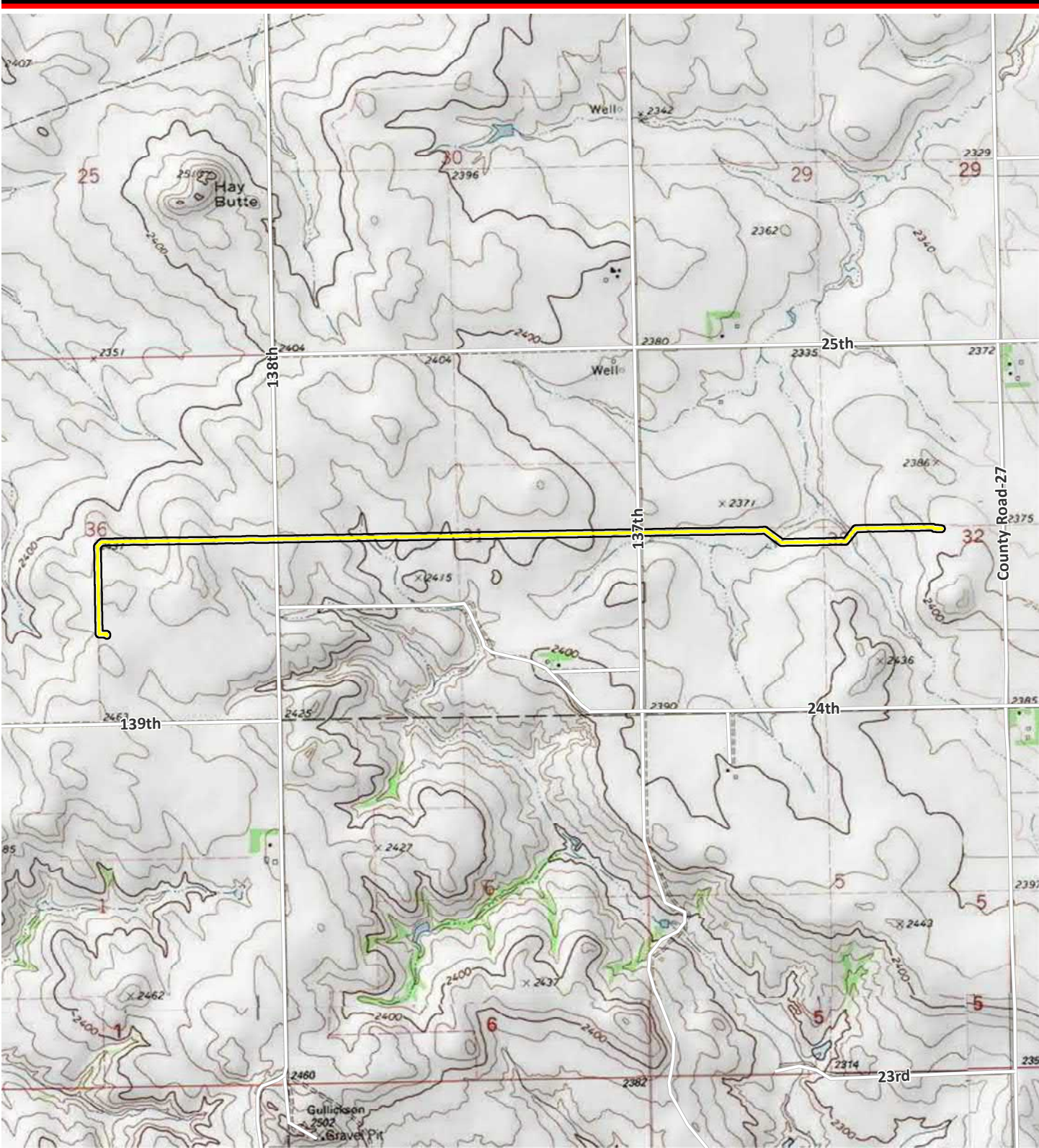
Sincerely,

WSP USA, Inc.

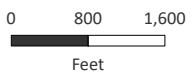
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

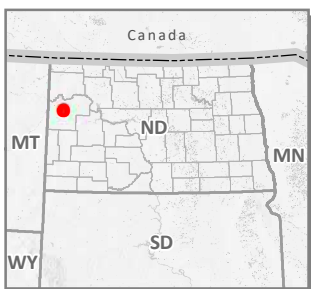
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

North Dakota Department of Transportation Williston District
605 Dakota Parkway West
Williston, ND 58801-4282

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

Caliber North Dakota LLC (Caliber) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline (Project). WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for the Project. The purpose of this correspondence is to clarify WSP's prior correspondence regarding the Project and to solicit comments to assist in the Project's review.

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The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

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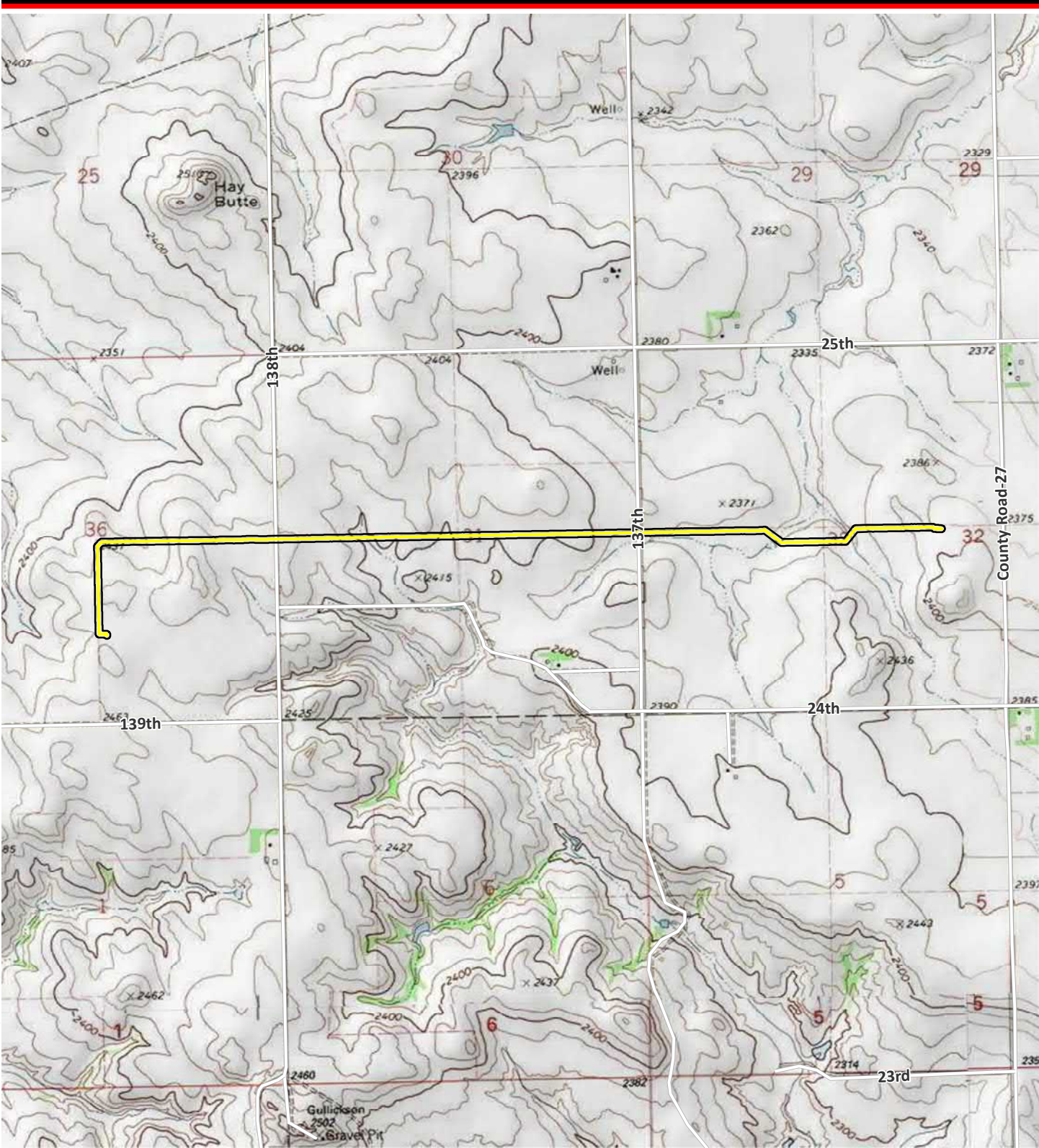
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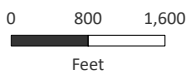
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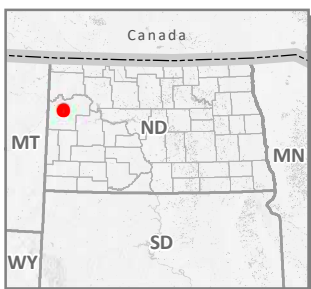
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
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- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

November 18, 2021

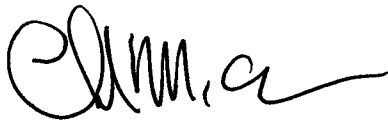
Bonnie Gibson, MBA, RPA
WSP USA, Inc.
5665 Flatiron Parkway, Suite 250
Boulder, CO 80301

CALIBER PIPELINE PROJECT CONSTRUCTED IN 2014 REVIEW OF PRIOR
CORRESPONDENCE AND MODIFY CERTAIN VALVES AND STRUCTURES AT
INTERCONNECTION WITH NORTHERN BORDER PIPELINE, MCKENZIE COUNTY,
NORTH DAKOTA

We have reviewed your October 25, 2021, letter.

This project should have no adverse effect on the North Dakota Department of Transportation
highways.

However, if because of this project any work needs to be done on highway right of way,
appropriate permits and risk management documents will need to be obtained from the
Department of Transportation District Engineer, Joel Wilt at 701-774-2700.



CHAD M. ORN, P.E., DIRECTOR - OFFICE OF PROJECT DEVELOPMENT

57\cmo\js

c: Joel Wilt, Williston District Engineer

Appendix B-10



October 25, 2021

North Dakota Department of Trust Lands
Mineral Management
1707 North 18th Street
Bismarck, ND 58501

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

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Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

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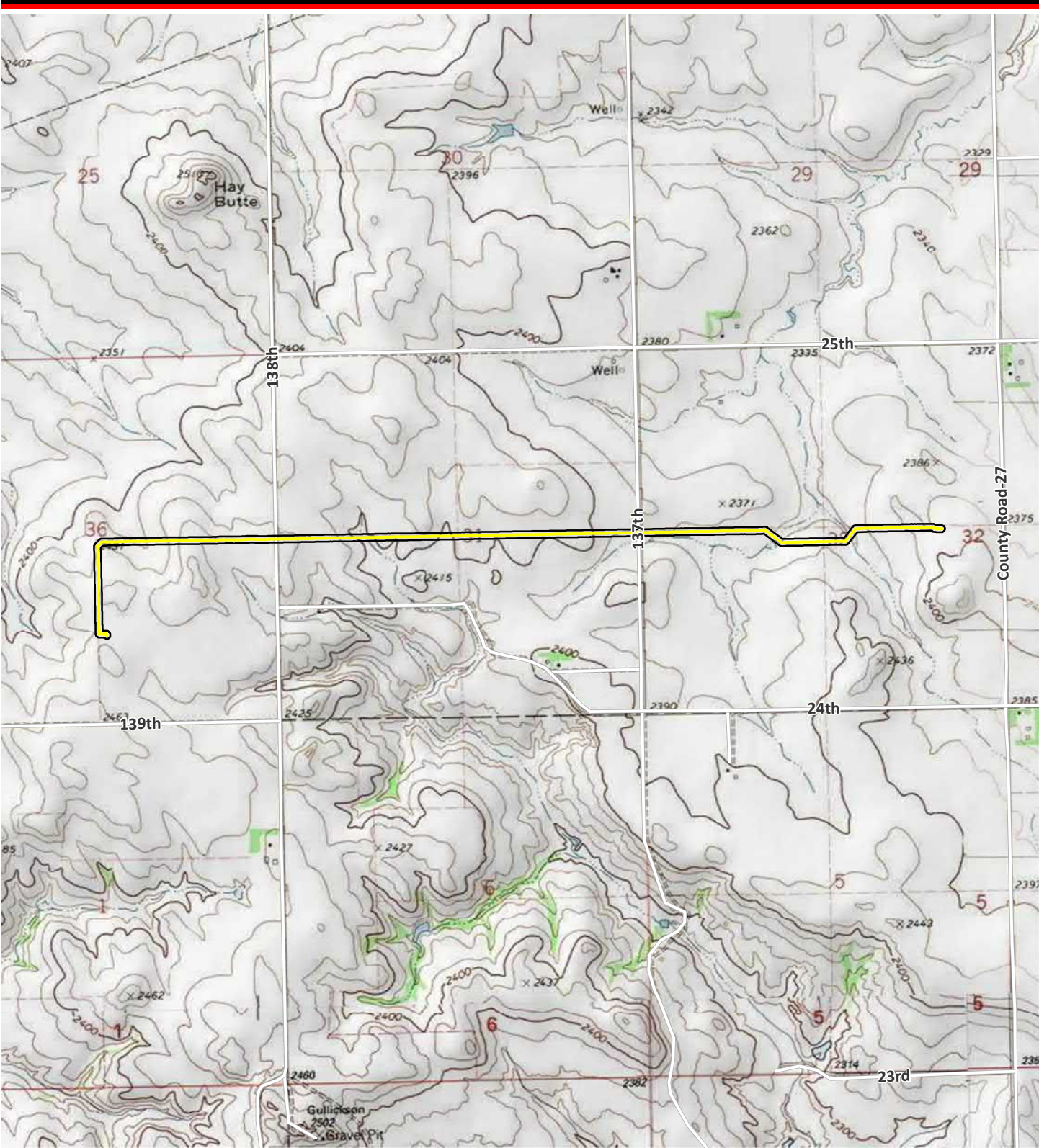
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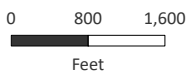
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

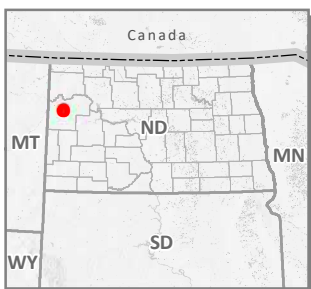
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

North Dakota Department of Trust Lands
Mineral Management
1707 North 18th Street
Bismarck, ND 58501

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Caliber Pipeline Project
Project Notification Letter and Review Request

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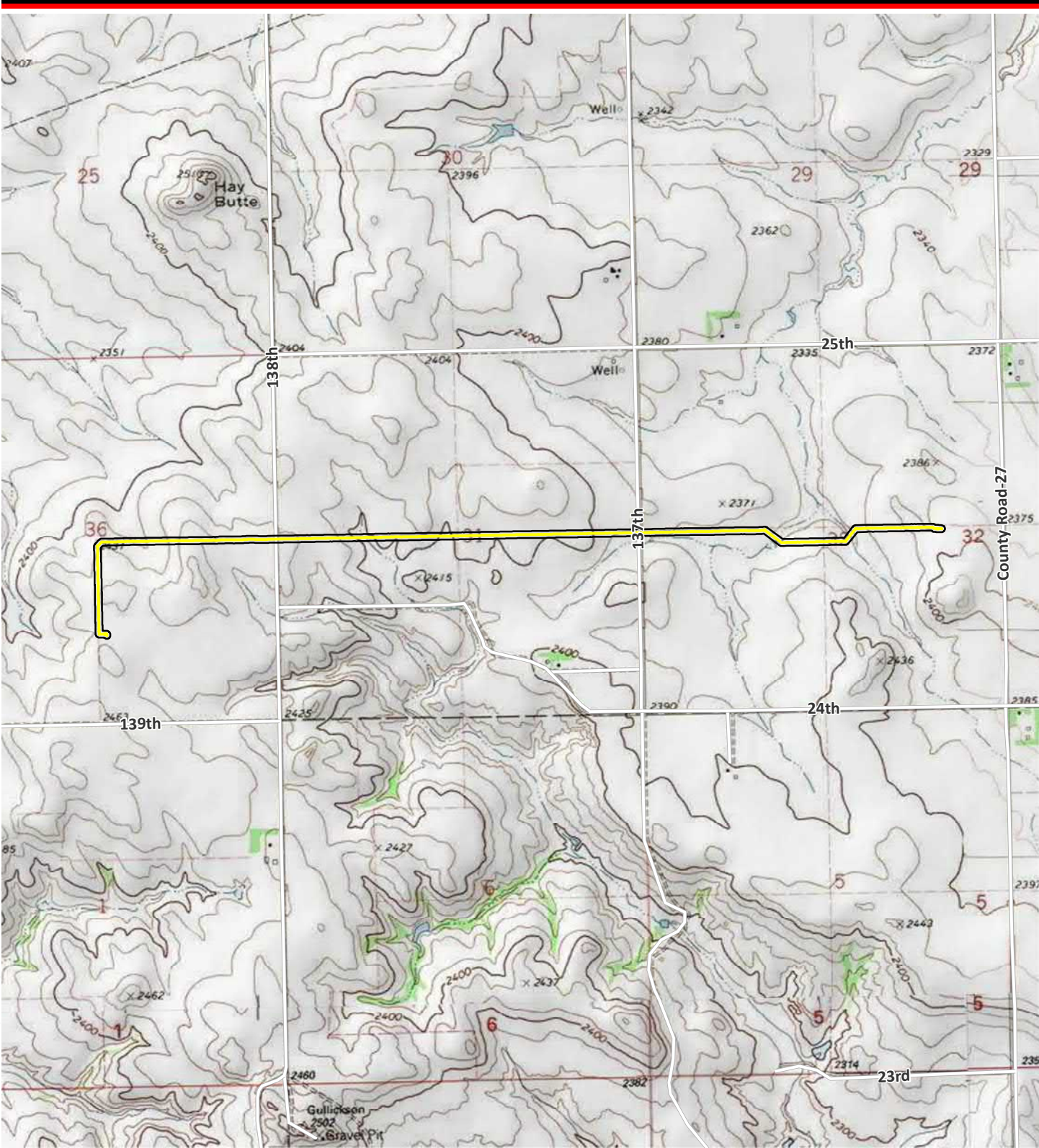
Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

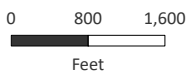
Tel.: 303-443-3282
wsp.com



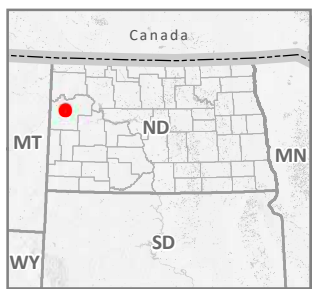
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-11



October 25, 2021

North Dakota Department of Trust Lands
School/Surface Lands
1707 North 18th Street
Bismarck, ND 58501

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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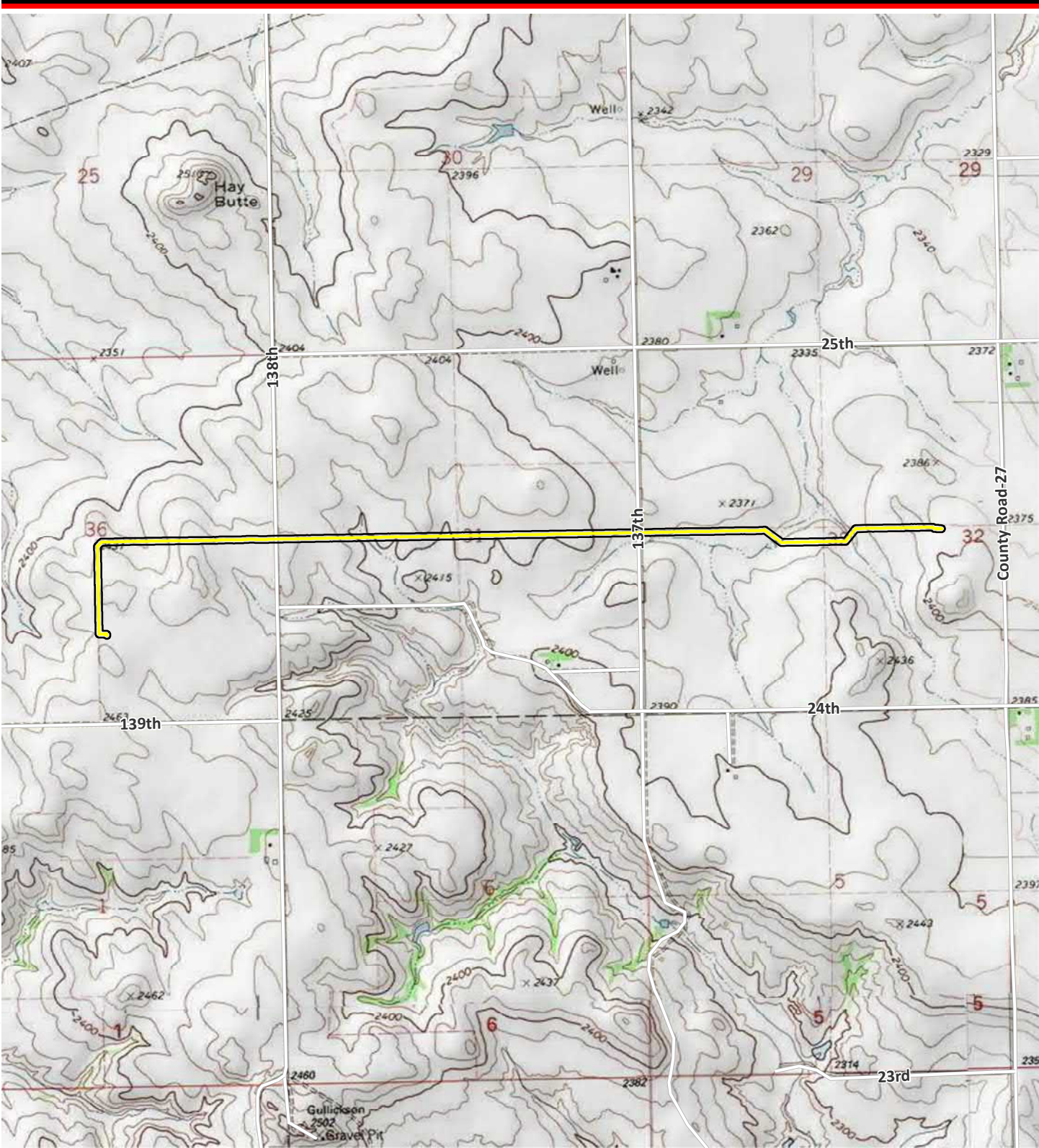
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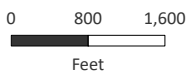
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Senior Director – Local Business Lead

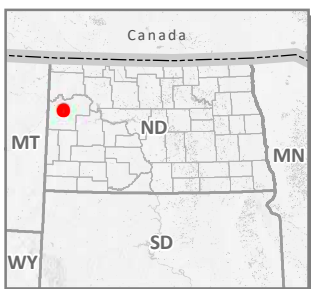
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

North Dakota Department of Trust Lands
School/Surface Lands
1707 North 18th Street
Bismarck, ND 58501

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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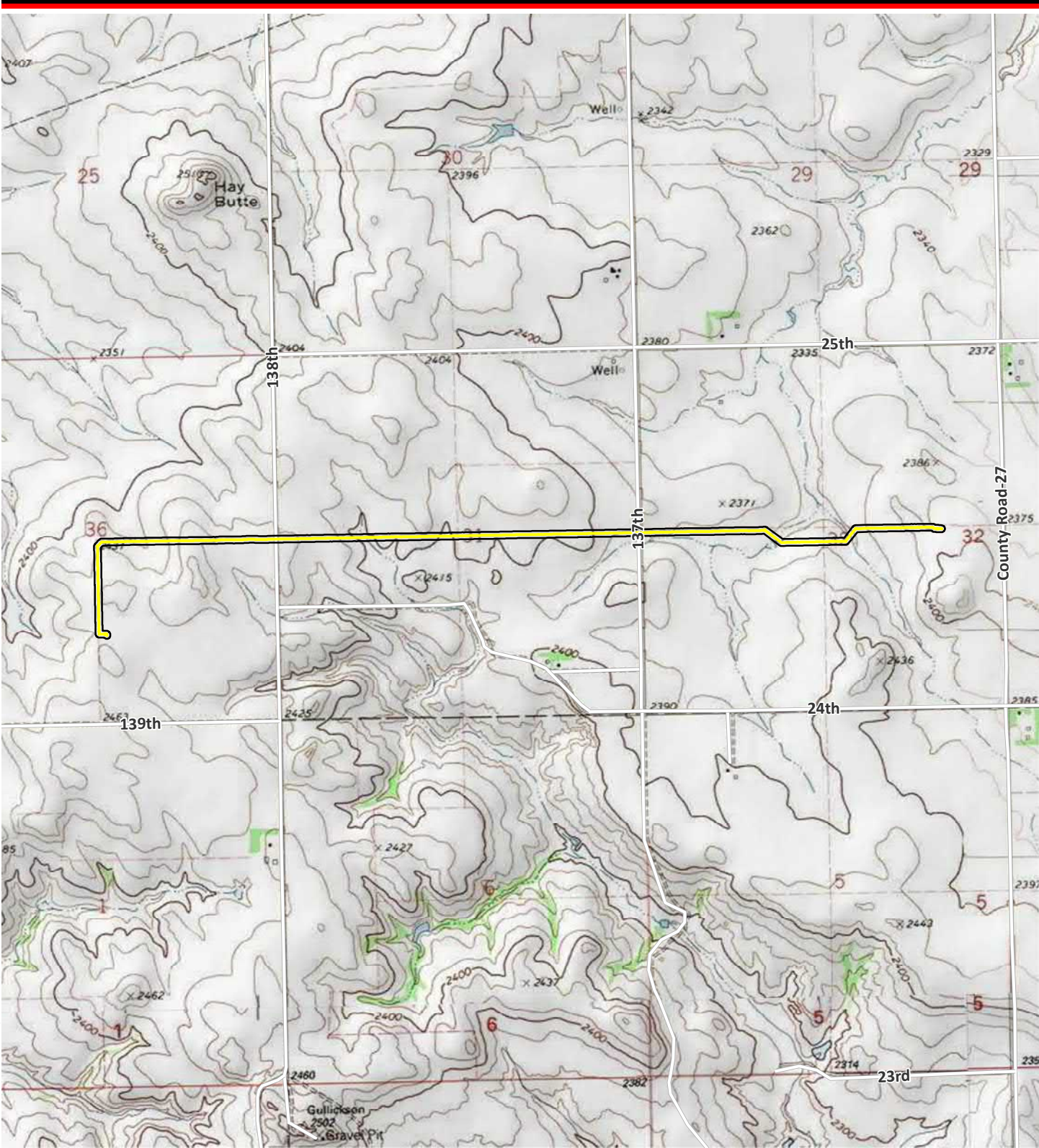
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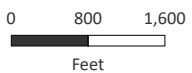
Tel.: 303-443-3282
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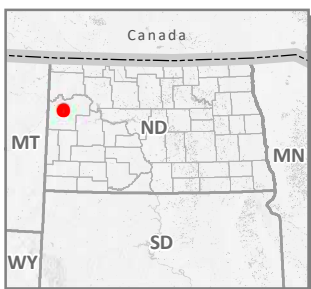
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-12



October 25, 2021

North Dakota Energy Development Impact Office
1707 North 9th Street
Bismarck, ND 58501-5523

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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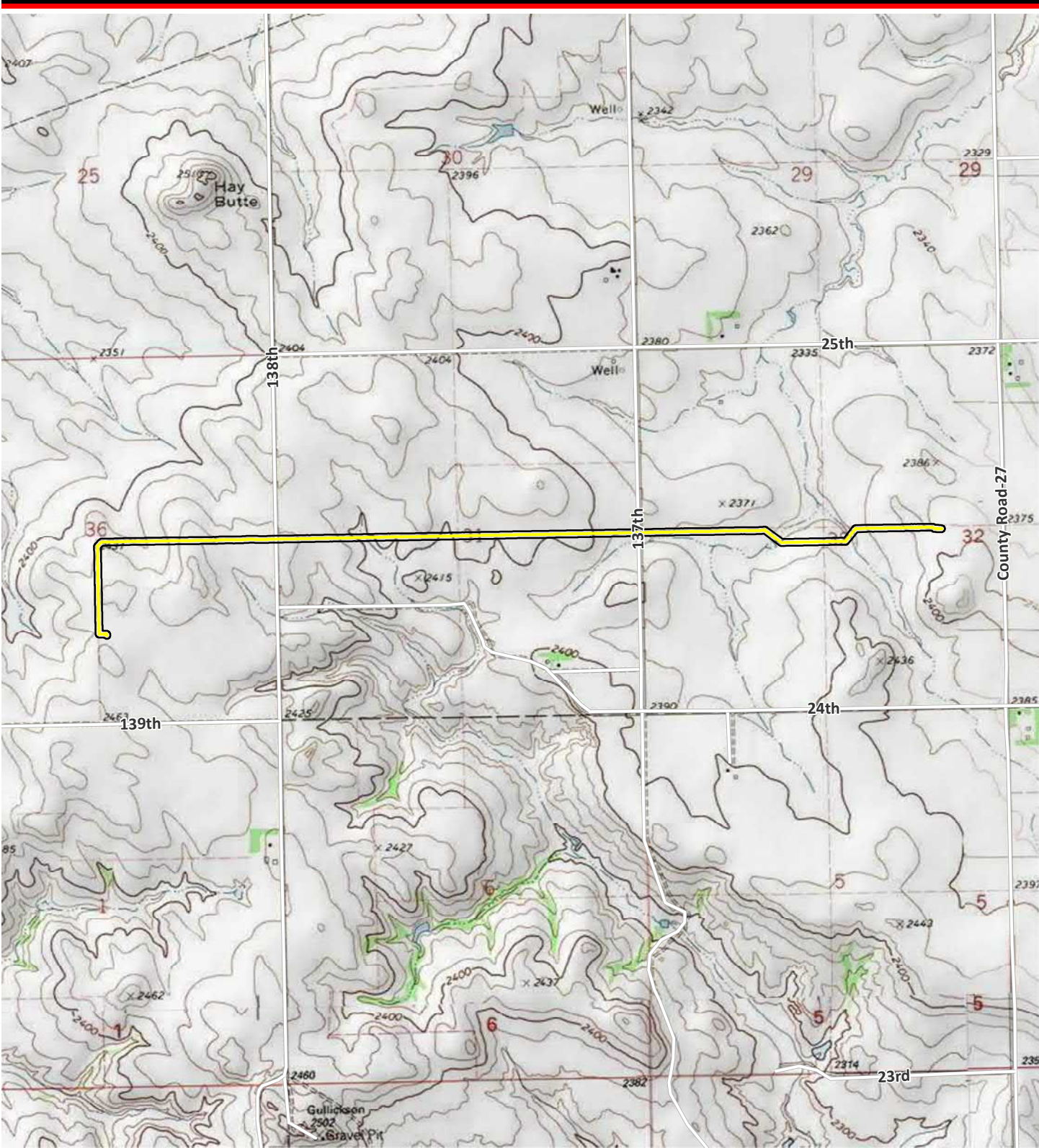
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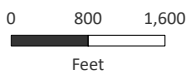
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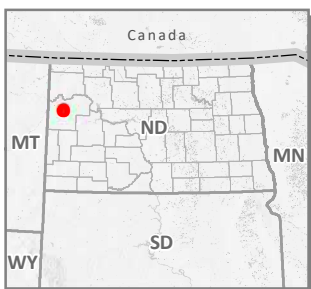
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**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

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Bismarck, ND 58501-5523

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Project Notification Letter and Review Request

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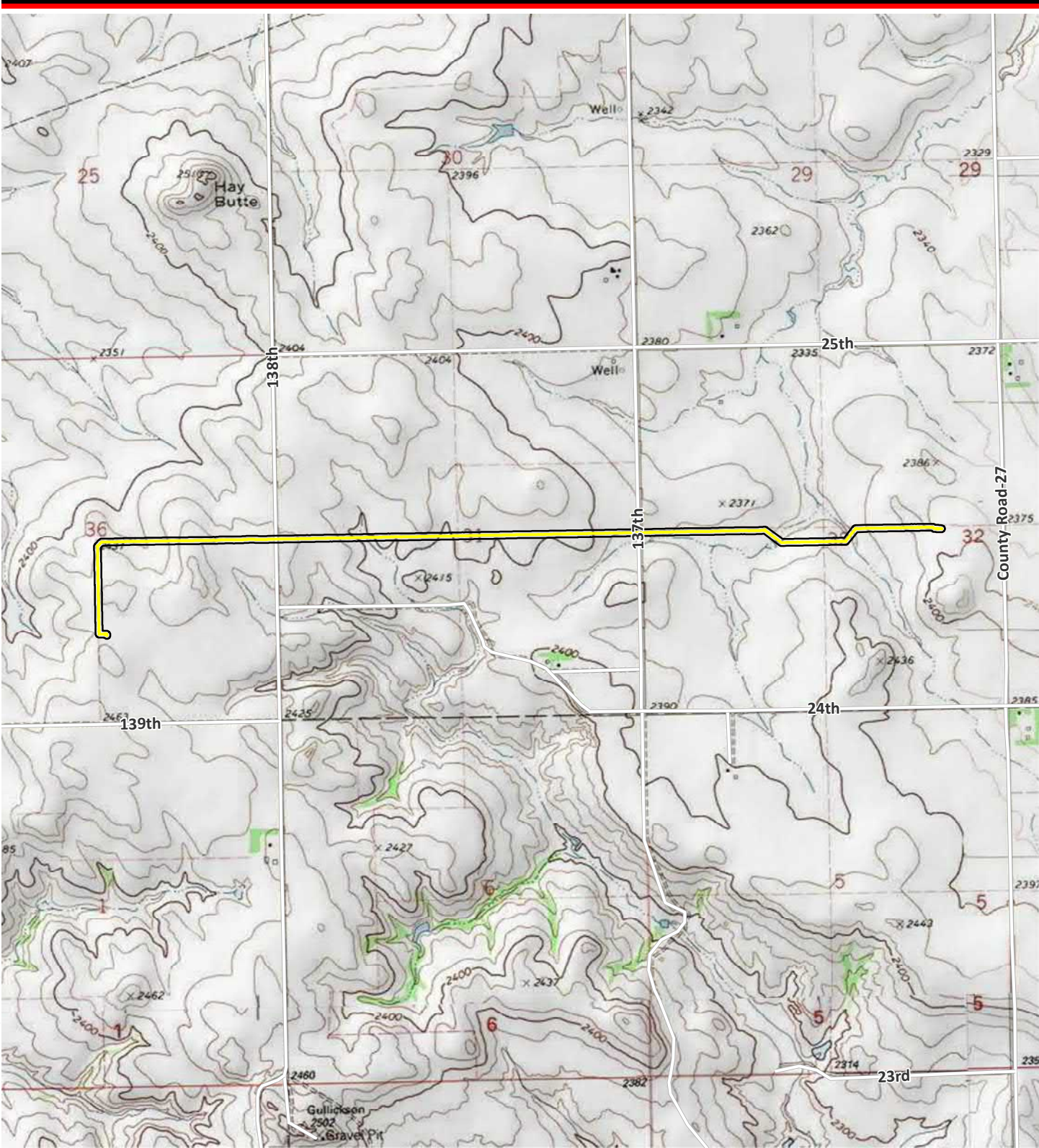
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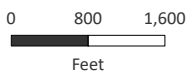
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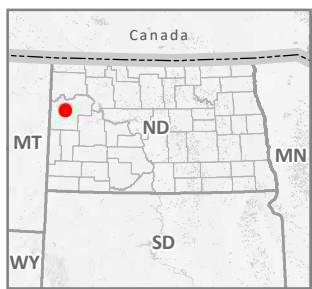
Senior Director – Local Business Lead



C:\PROJECTS\Caliber\MapDocs\MapDocs\ProjectLocationMap-USGS_Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-13



October 25, 2021

John Schumacher
North Dakota Game and Fish Department
Conservation and Communication Division
100 North Bismarck Expressway
Bismarck, ND 58501-5095

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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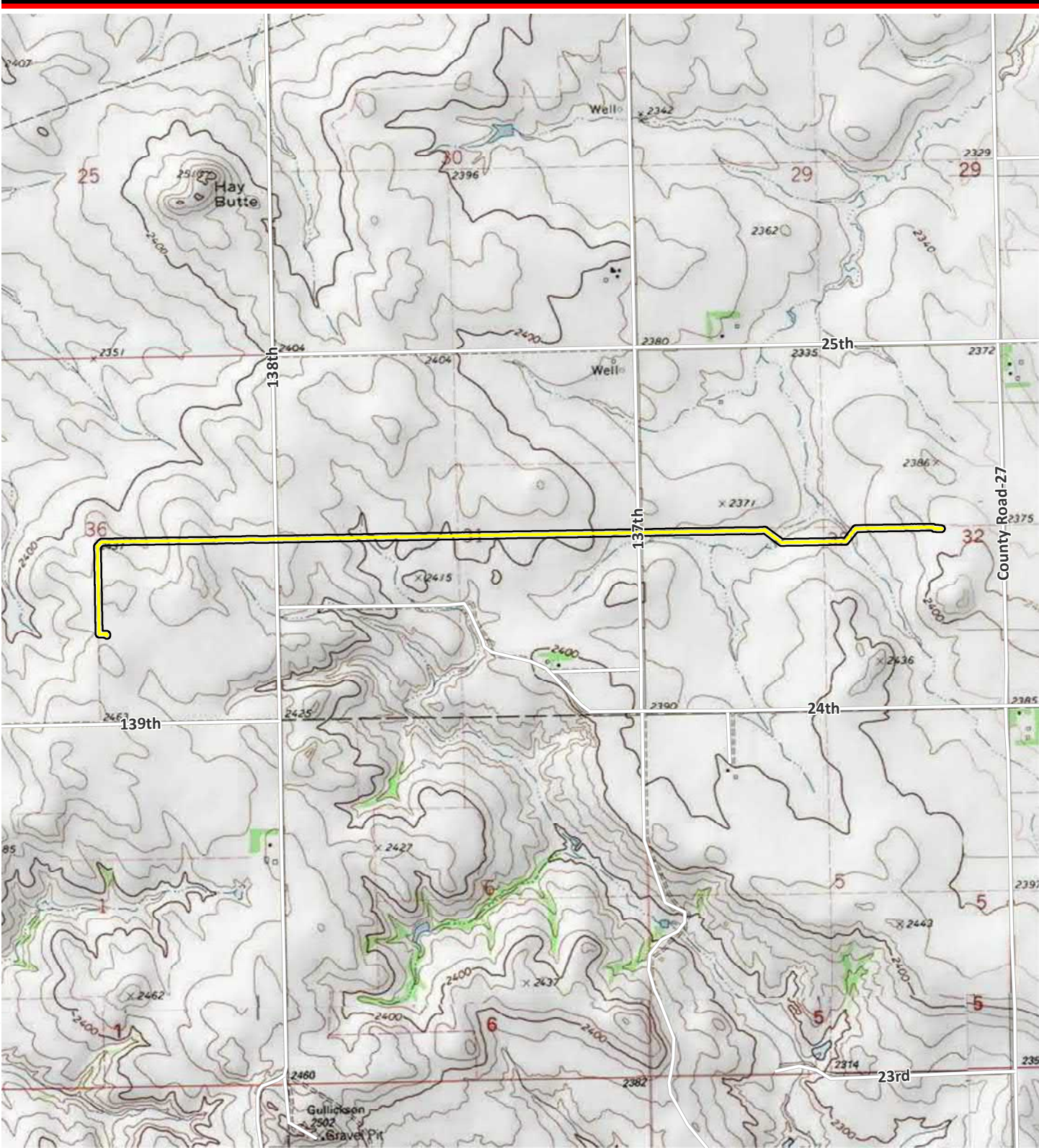
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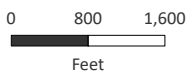
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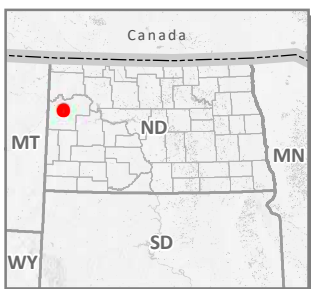
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C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

John Schumacher
North Dakota Game and Fish Department
Conservation and Communication Division
100 North Bismarck Expressway
Bismarck, ND 58501-5095

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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On October 29, 2021, WSP conducted a web-based consultation using USFWS's IPaC System. The species addressed in this analysis is based upon results of the project specific query of the IPaC system.

Federally Listed Species Analysis:

The results of the search of the USFWS's IPaC system on October 29, 2021 found the following:

- Northern Long-eared bat (*Myotis septentrionalis*) – Threatened
- Piping Plover (*Charadrius melodus*) – Threatened
- Red Knot (*Calidris canutus rufa*)- Threatened



- Whooping Crane (*Grus americana*) – Endangered
- Dakota Skipper (*desperia dacotae*) – Threatened
- Monarch Butterfly (*Danaus plexippus*) – Candidate

Northern Long-eared Bat

The Northern Long-eared Bat roosts underneath bark, in cavities, or in crevices of both live and dead trees. Populations have also been found in cool environments such as caves and mines and prefer to spend winter hibernating in locations with high humidity and no air currents. Breed females will congregate and form colonies in May to late July for pup rearing. White-nose syndrome (WNS) is the predominant threat to the Northern Long-eared Bat. North Dakota is included in the current extent of WNS zone per the Final 4(d) Rule. During the site survey, Golder did not observe trees or shrubs within the survey corridor that would provide suitable habitat for this species. In addition, no potential winter hibernacula were observed within the survey corridor. It is unlikely that the northern long-eared bat occurs in the survey corridor since there is a lack of suitable habitat. It is also reasonable to expect that the Project did **not adversely** affect the northern long-eared bat during the time of the initial installation in 2014.

Piping Plover

The piping plover is a migratory shorebird federally listed as threatened. It breeds in North Dakota. Suitable nesting habitat for piping plovers in the Missouri River system is characterized as sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. The piping plover feeds on worms, insects, and mollusks. Degradation of habitat related to the channelization of river systems, nest predation, and human disturbance has led to the decline of piping plover populations. The survey corridor is predominantly cropland and contains surface waters and wetlands that are well vegetated and do not provide bare ground suitable for nesting habitat. Due to the lack of breeding habitat, it is unlikely that the piping plover will occur at the Project. It is reasonable to expect that the Project did **not adversely** impact piping plover habitat during initial installation.

Red Knot

The red knot is a shorebird species federally listed as threatened. It breeds in the Canadian Arctic. It is a long-distance migrant, with relatively few stopover sites. The red knot migrates annually from its breeding grounds in the Arctic to wintering habitat in southern climates. It does not nest in North Dakota but may use areas along the Missouri River as stopover habitat. It migrates through North Dakota in mid-May and mid-September to October. Although red knots primarily use marine habitats for their breeding and wintering grounds, both alkaline and freshwater lakes have been used in North Dakota during migration. The observations of red knots in North Dakota are scattered throughout the state. There are no stopover sites consistently used by red knots. The Project is located approximately 10 miles north of the Lake Sakakawea/Missouri River System and the survey corridor does not have suitable shoreline stopover habitat for the red knot. It is unlikely that the red knot would occur within the survey corridor and based on this; it is reasonable to expect that the Project did **not adversely** impact suitable habitat for the red knot at the time of installation.

Whooping Crane

The whooping crane is a federally endangered species in all counties of North Dakota. It migrates through North Dakota in April to mid-May and September to early November. Preferred stopover habitat includes wetlands, but they may also use harvested grain fields and cropland. The survey corridor does not directly overlap the current range for this species. According to eBird, the closest area within the range is 10 miles away, just northeast of Watford City, North Dakota. Land use within the survey corridor consists of cropland with two minor natural drainages toward the eastern end of the corridor. Although Timber Creek



and its associated drainage support adjacent wetland plant communities, these areas do not support pools or standing water that would create marsh conditions. While it is possible that whooping crane would use habitat types found within the survey corridor during migration, there are no known historic observations near the Project. Therefore, it is reasonable to expect that that the Project did **not adversely** impact whooping crane habitat at the time of installation. Currently, habitats within the survey corridor have been revegetated and are again available to wildlife.

Dakota Skipper

The Dakota skipper is a butterfly species federally listed as threatened. The Dakota skipper lives in high-quality mixed and tallgrass prairie and requires nectar-producing native flowers and grasses. Larvae require grass components of mixed-grass prairie that include bluestem grasses and needlegrasses, while adults require nectar sources; therefore, suitable prairie must include nectar-producing forbs. The Project does not overlap designated critical habitat (USFWS 2019a) for the Dakota skipper. The closest critical habitat to the Project is 37 miles northeast along the Missouri River Basin and Lake Sakakawea. Although this species is known to occur in McKenzie County, no suitable habitat was observed during the field survey on September 2, 2021, and it is unlikely the Dakota skipper will occur at the Project. While the survey corridor contains very small areas of remnant prairie plant communities, these areas are along the edges of the corridor and comprise less than 5 percent of the total corridor. Due to the limited availability of prairie plant communities within the survey corridor, it is reasonable to expect that the Project did **not adversely** impact the Dakota skipper.

Monarch Butterfly

The monarch butterfly is a candidate species for federal protection but is not yet listed or proposed for listing. Although there are no Section 7 requirements for candidate species, the USFWS encourages all agencies to take advantage of any opportunity to conserve this species. The monarch butterfly requires healthy and abundant milkweed for oviposition and larval consumption. Throughout the breeding and migration seasons, they also need sufficient quality and quantity of nectar from flowers. Milkweed observed along the edges of the survey corridor provide suitable habitat for monarch butterfly reproduction. While it is possible the survey corridor previously contained larger populations of milkweed than what was observed in 2021, the conversion of native grassland appears to be due to agricultural cultivation, based on the review of historic aerial imagery. It is possible that a small number of milkweed plants were disturbed during the Project installation in 2014; however, at the time, the monarch butterfly was not listed as a candidate species for protection under the Endangered Species Act. Currently, the Project does not include any additional landcover disturbances or conversions that would result in new impacts to monarch butterfly.

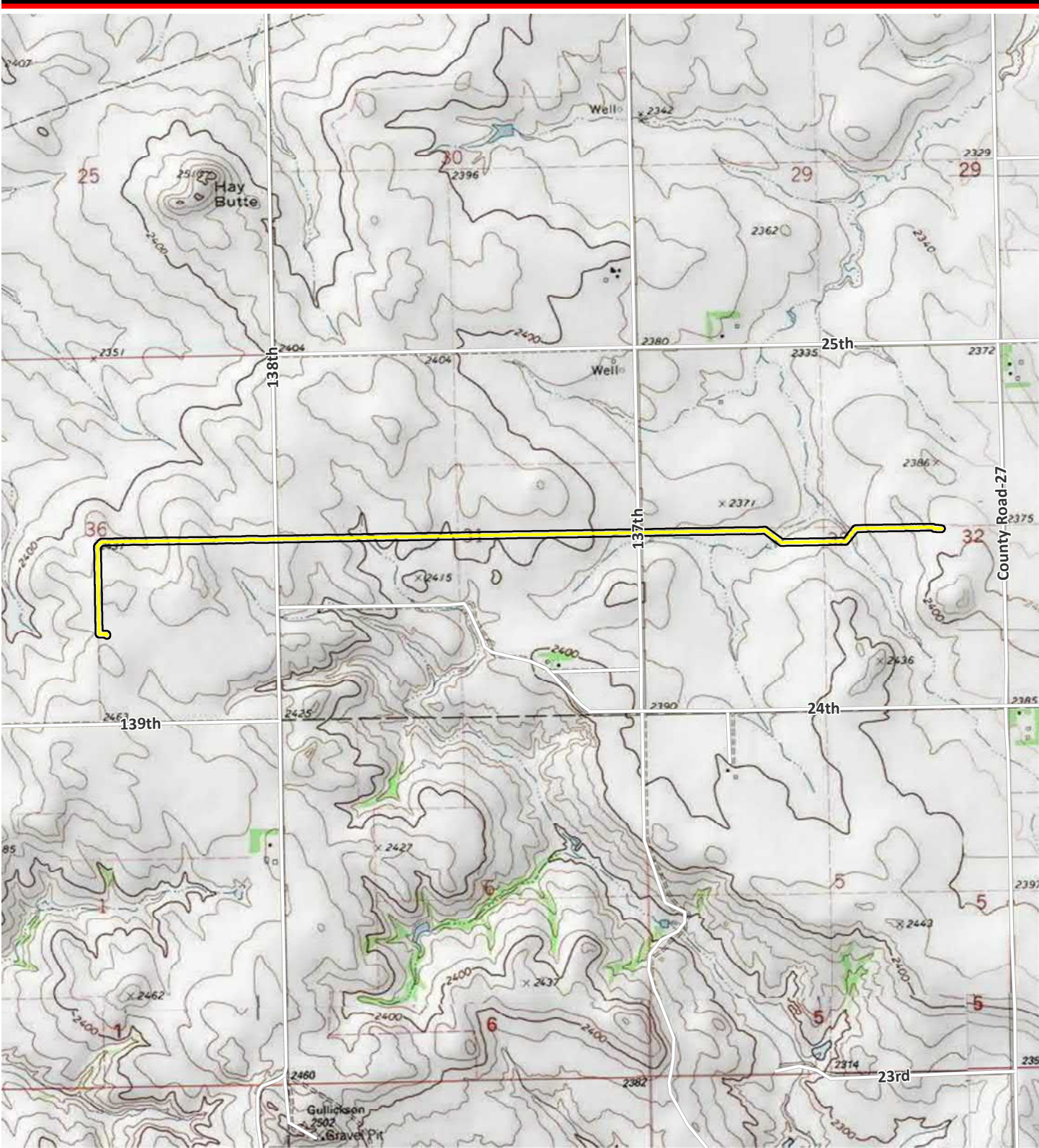
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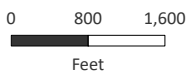
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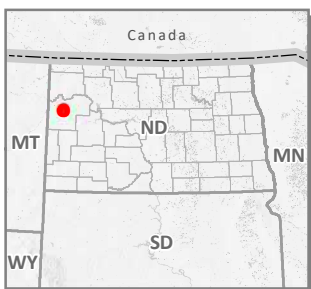
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C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

From: Schumacher, John D. <jdschumacher@nd.gov>
Sent: Monday, November 15, 2021 3:41 PM
To: Gibson, Bonnie
Subject: FW: Caliber Midstream Notification Letter and Review Request
Attachments: Reside Pipeline Agency Letter_Fish and Game.pdf

Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead
WSP USA

RE: Caliber Pipeline Project

The North Dakota Game and Fish Department has reviewed this project for wildlife concerns. We do not believe it will have significant adverse effects on wildlife or wildlife habitat based on the information provided.

J.D. Schumacher

Resource Biologist

701.328.6321 • jdschumacher@nd.gov • gf.nd.gov



From: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Sent: Wednesday, October 27, 2021 12:44
To: Schumacher, John D. <jdschumacher@nd.gov>
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: Caliber Midstream Notification Letter and Review Request

***** CAUTION: This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Mr. Schumacher,

I am writing on behalf of Caliber Midstream Partners, L.P. to provide notification of the Caliber Pipeline Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project. The details of the project are included in the attached letter. Please contact Bonnie Gibson at Bonnie.Gibson@wsp.com or 303-746-6656 if you have any questions or concerns.

Respectfully,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

Appendix B-14



November 2, 2021

North Dakota Geologic Survey
1016 East Calgary Avenue
Bismarck, ND 58503

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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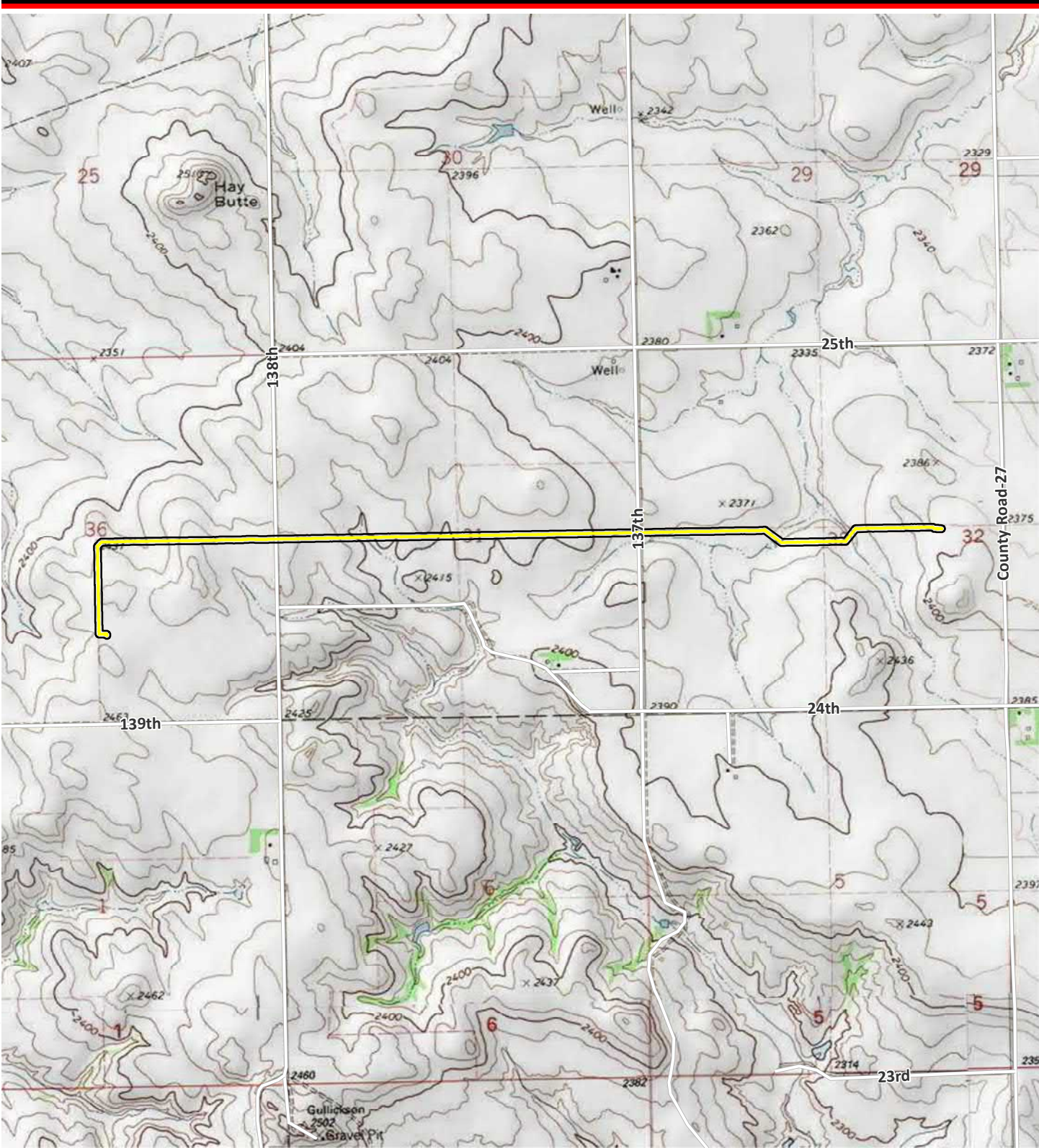
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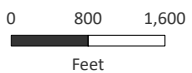
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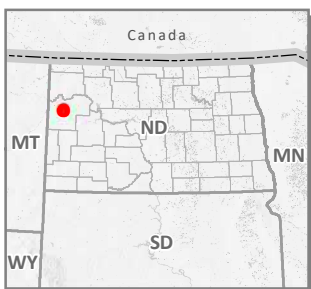
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Senior Director – Local Business Lead



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

North Dakota Geologic Survey
1016 East Calgary Avenue
Bismarck, ND 58503

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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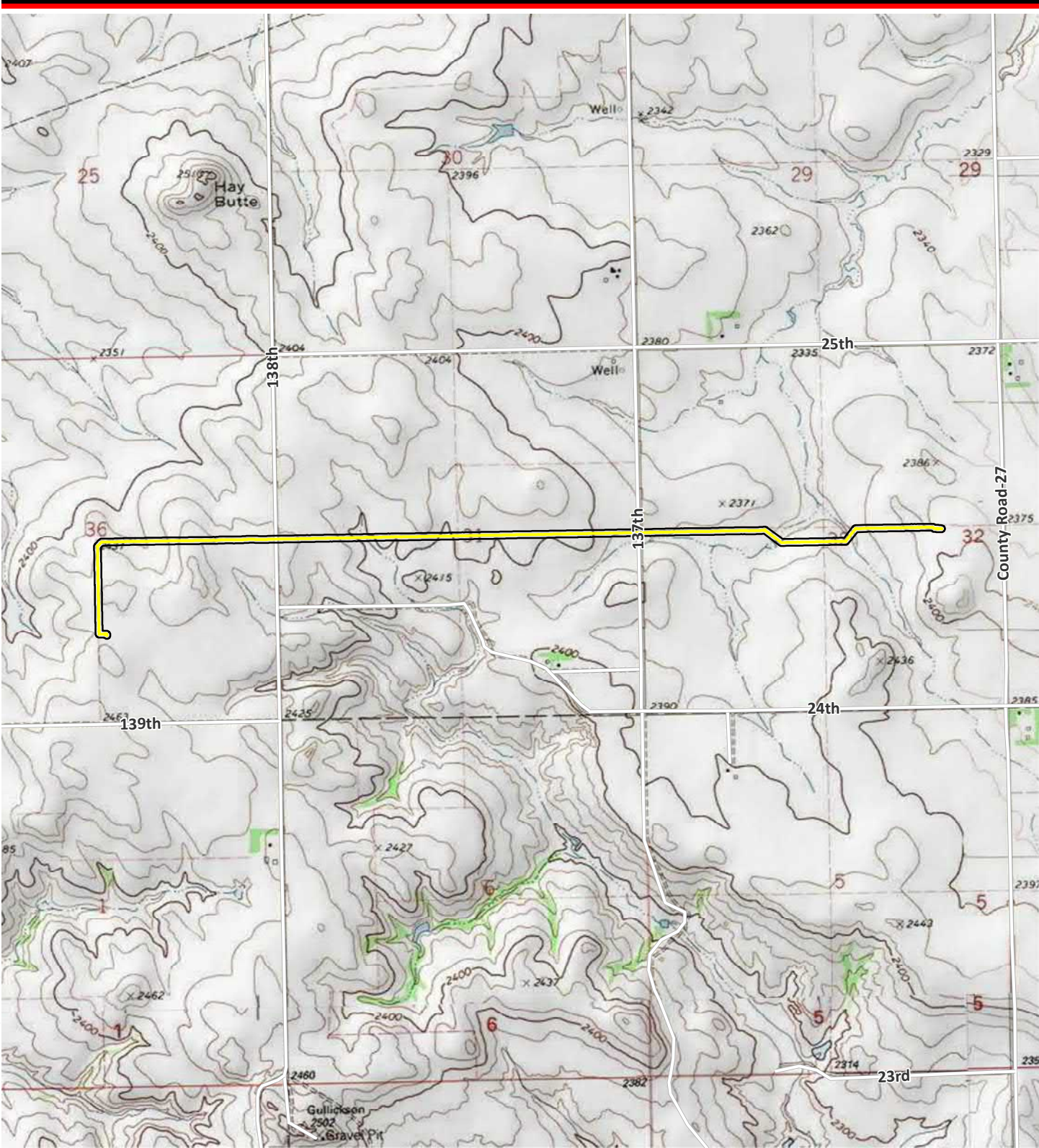
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WSP USA
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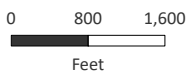
Tel.: 303-443-3282
wsp.com



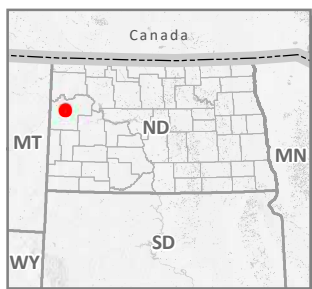
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McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-15



October 26, 2021

Scott Davis
North Dakota Indian Affairs Commission
600 East Boulevard Avenue, Room #117
Bismarck, ND 58505

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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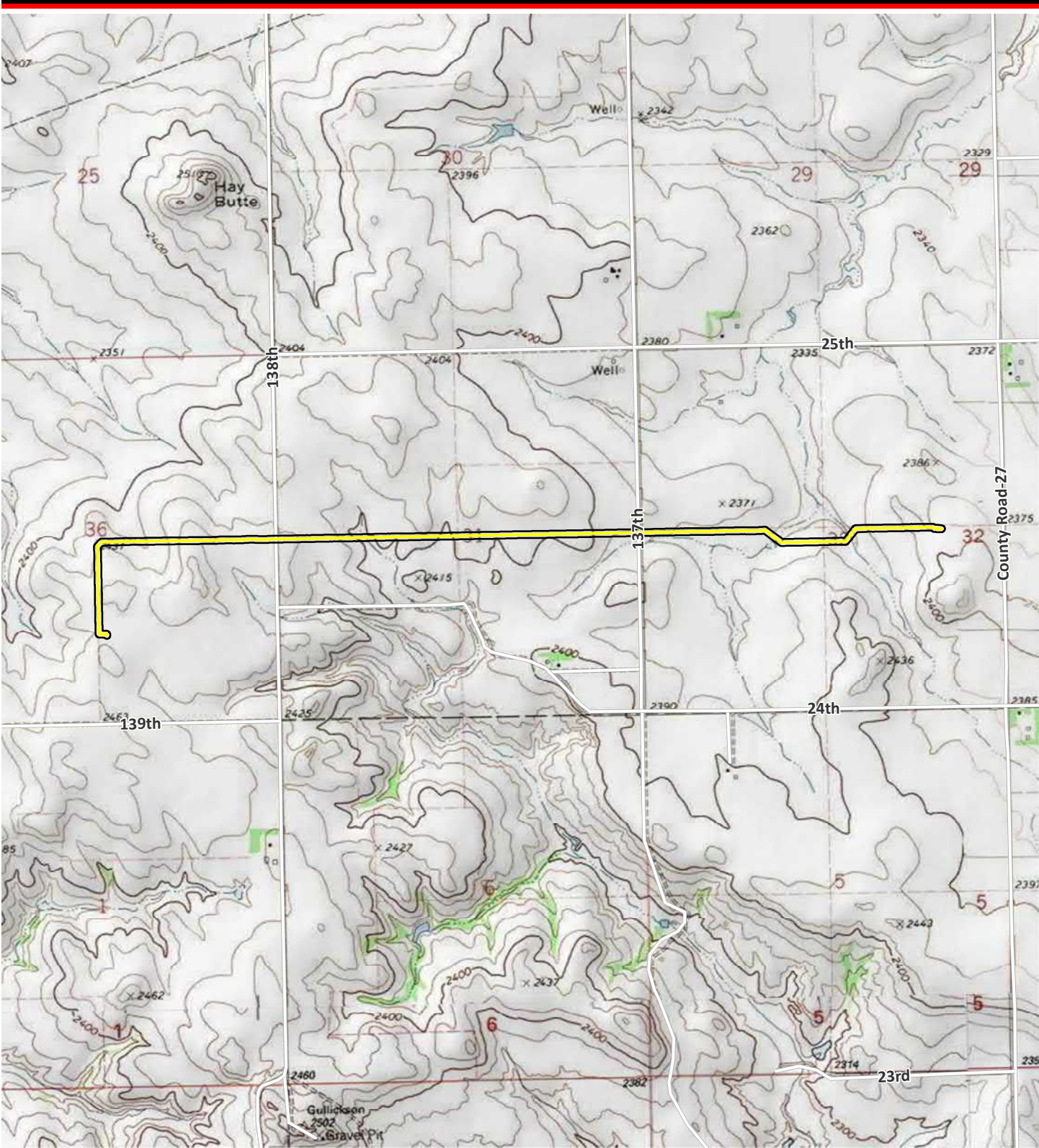
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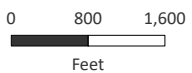
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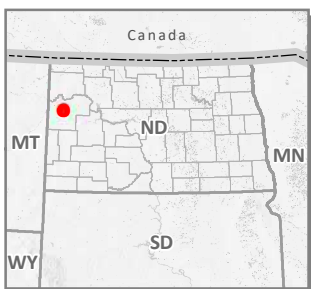
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McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

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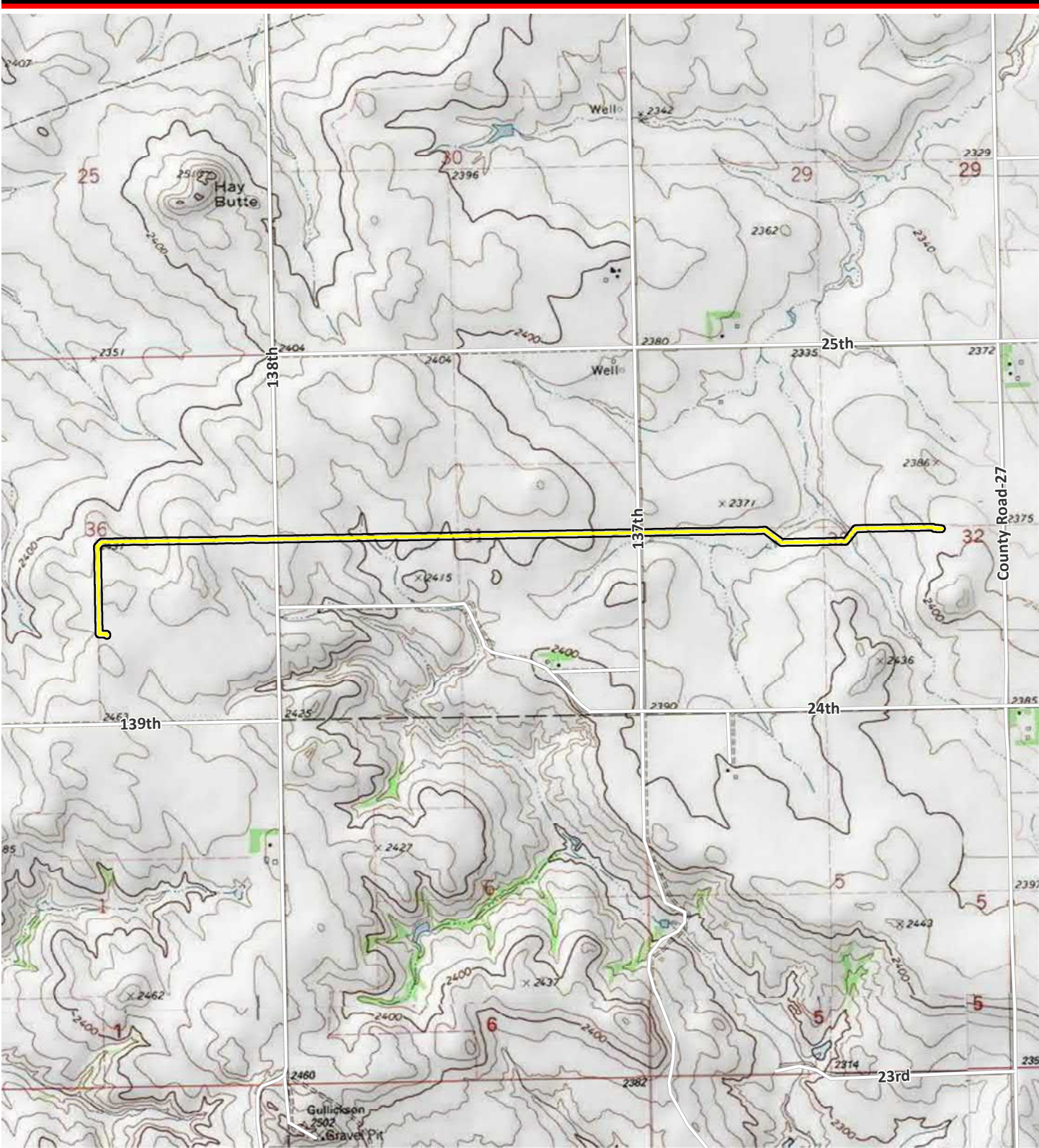
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SUITE 250
BOULDER, CO 80301

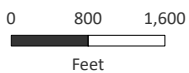
Tel.: 303-443-3282
wsp.com



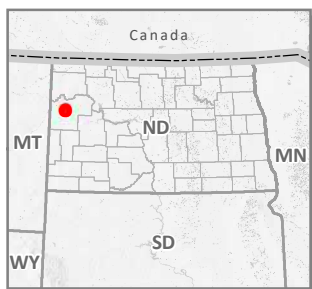
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-16



October 26, 2021

Justin Kringstad
North Dakota Industrial Commission – Pipeline Authority
600 East Boulevard Avenue, Department 405
Bismarck, ND 58505-0840

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Kringstad,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

Caliber proposes to modify facilities at its existing interconnection with Northern Border to allow gas to flow bi-directionally. Caliber proposes to transport gas from Northern Border to the adjacent trucking facility. The gas from the pipeline would be loaded into trucks, and from there the CNG would be delivered to production facilities for use as fuel in hydraulic fracturing operations and would be consumed wholly within North Dakota. Gas flows from Northern Border would be seasonal and intermittent with minimal volumes, anywhere between 0.1 and 5 mcf/d. Caliber anticipates these volumes will be delivered by actual flows of gas, and by displacement. Caliber does not own the CNG trucking facility and would not take title to any gas flowed from Northern Border.

Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber



estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

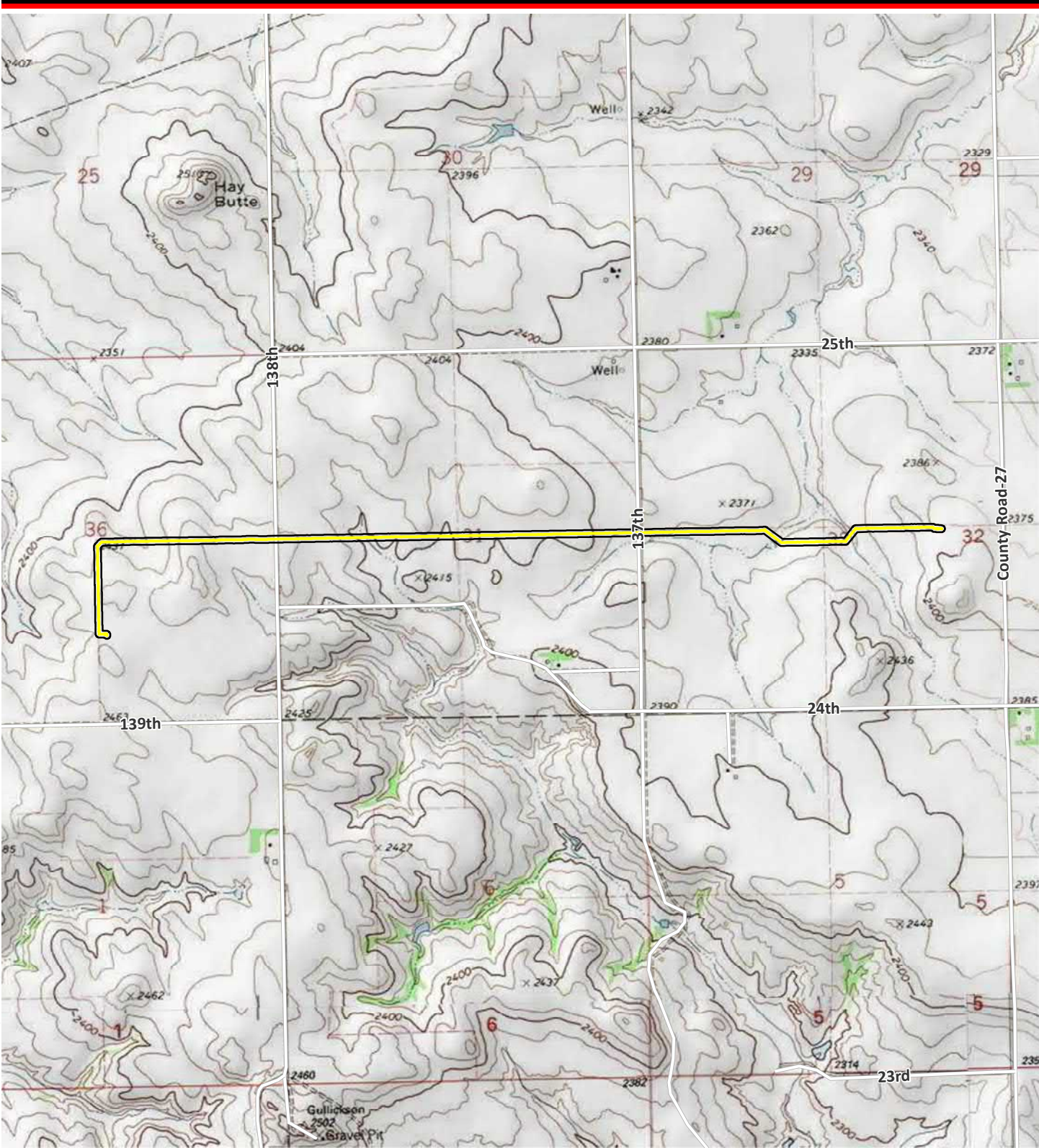
Sincerely,

WSP USA, Inc.

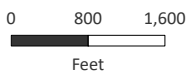
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

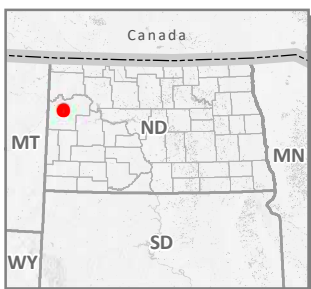
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Justin Kringstad
North Dakota Industrial Commission – Pipeline Authority
600 East Boulevard Avenue, Department 405
Bismarck, ND 58505-0840

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Kringstad,

Caliber North Dakota LLC (Caliber) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline (Project). WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for the Project. The purpose of this correspondence is to clarify WSP's prior correspondence regarding the Project and to solicit comments to assist in the Project's review.

The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

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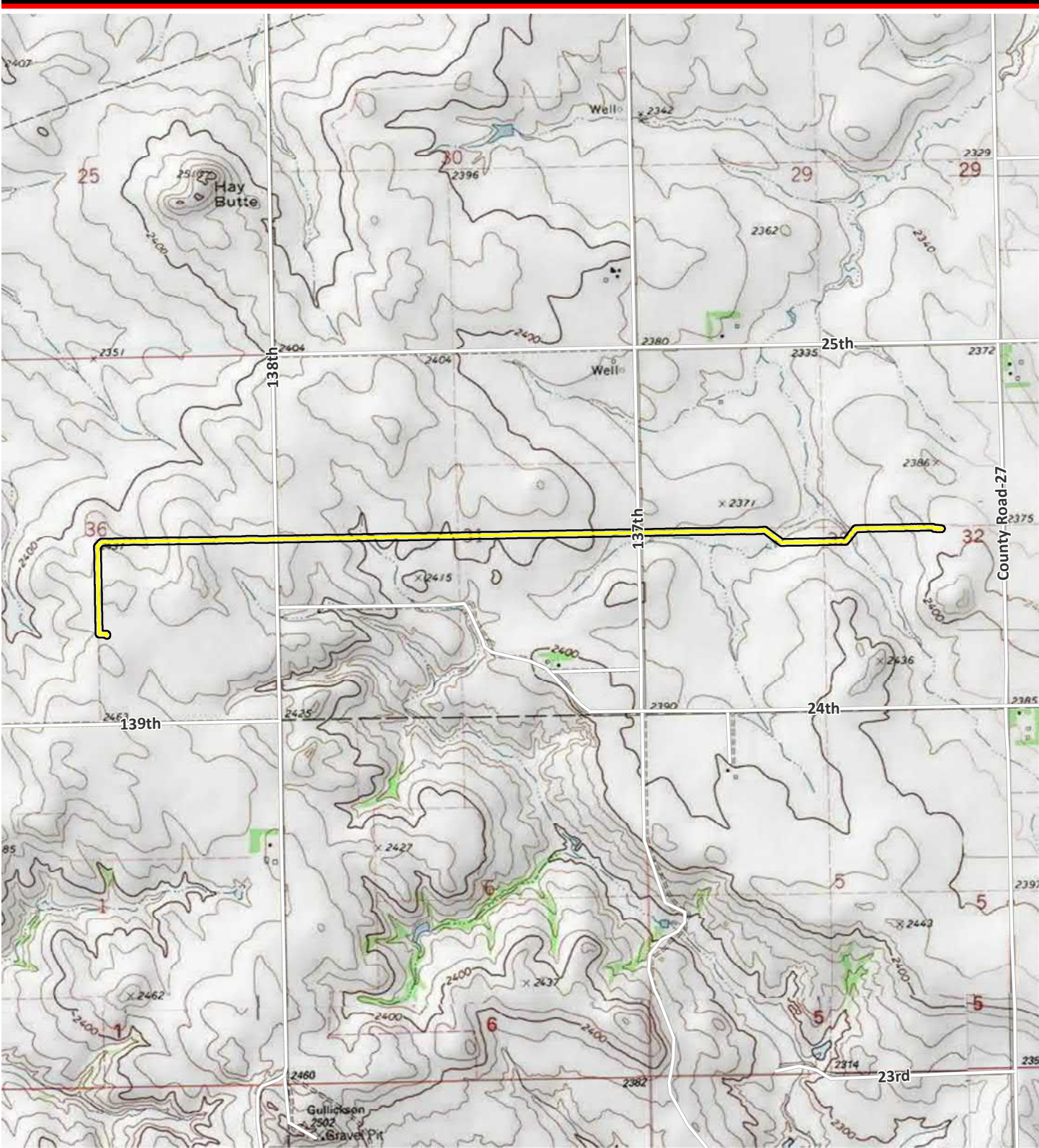
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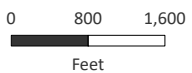
Bonnie Gibson, RPA



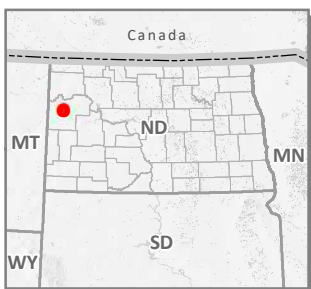
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-17



October 26, 2021

North Dakota Labor Department
600 East Boulevard Avenue, Department 406
Bismarck, ND 58505

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

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Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber estimates construction including less than 100’ of pipe, less than 3 valves, one pressure regulator to connect



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The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

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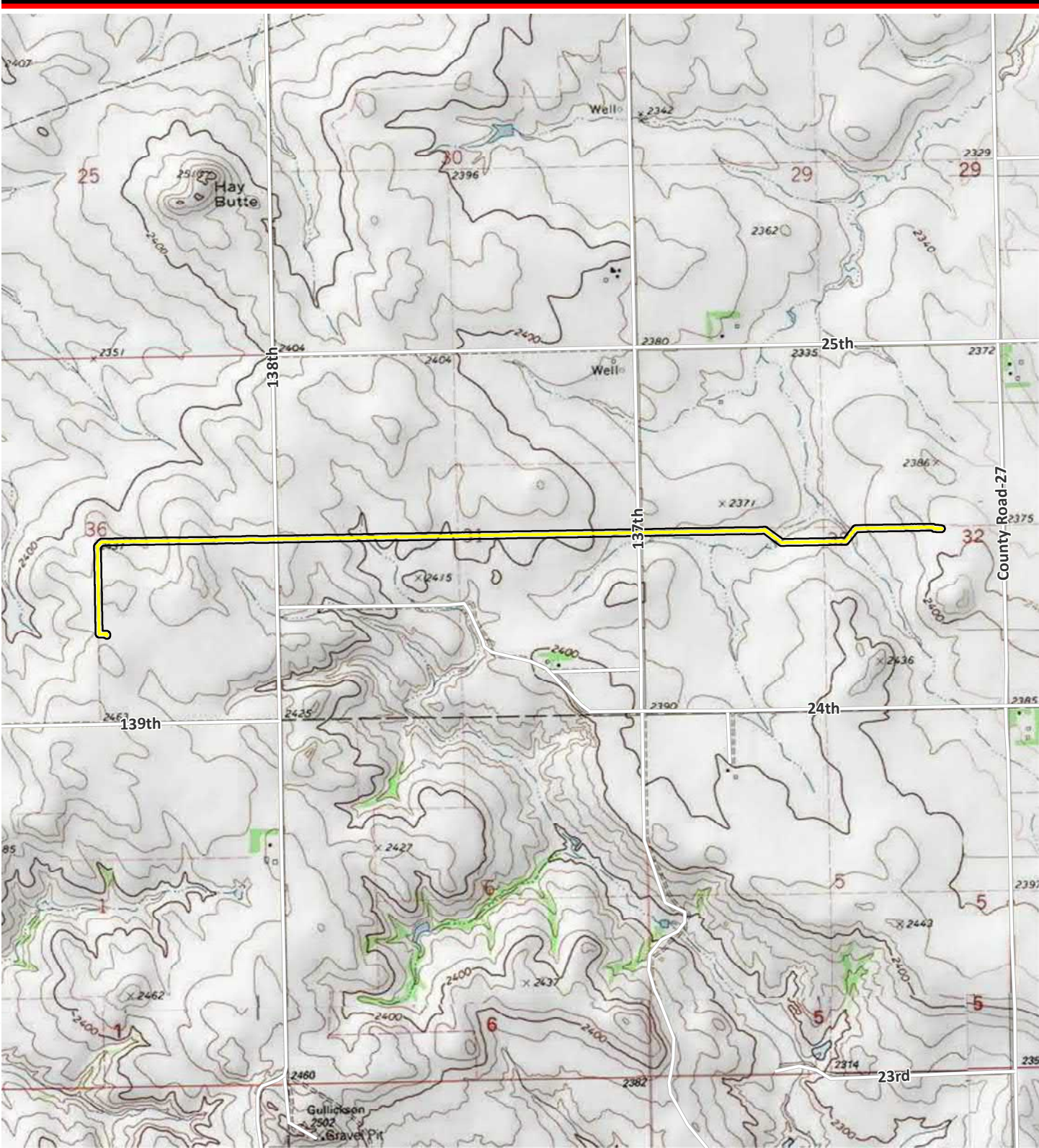
Sincerely,

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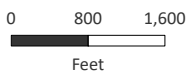
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

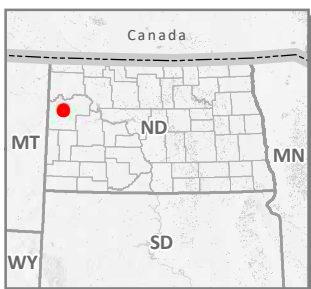
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

North Dakota Labor Department
600 East Boulevard Avenue, Department 406
Bismarck, ND 58505

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

Caliber North Dakota LLC (Caliber) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline (Project). WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for the Project. The purpose of this correspondence is to clarify WSP's prior correspondence regarding the Project and to solicit comments to assist in the Project's review.

The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

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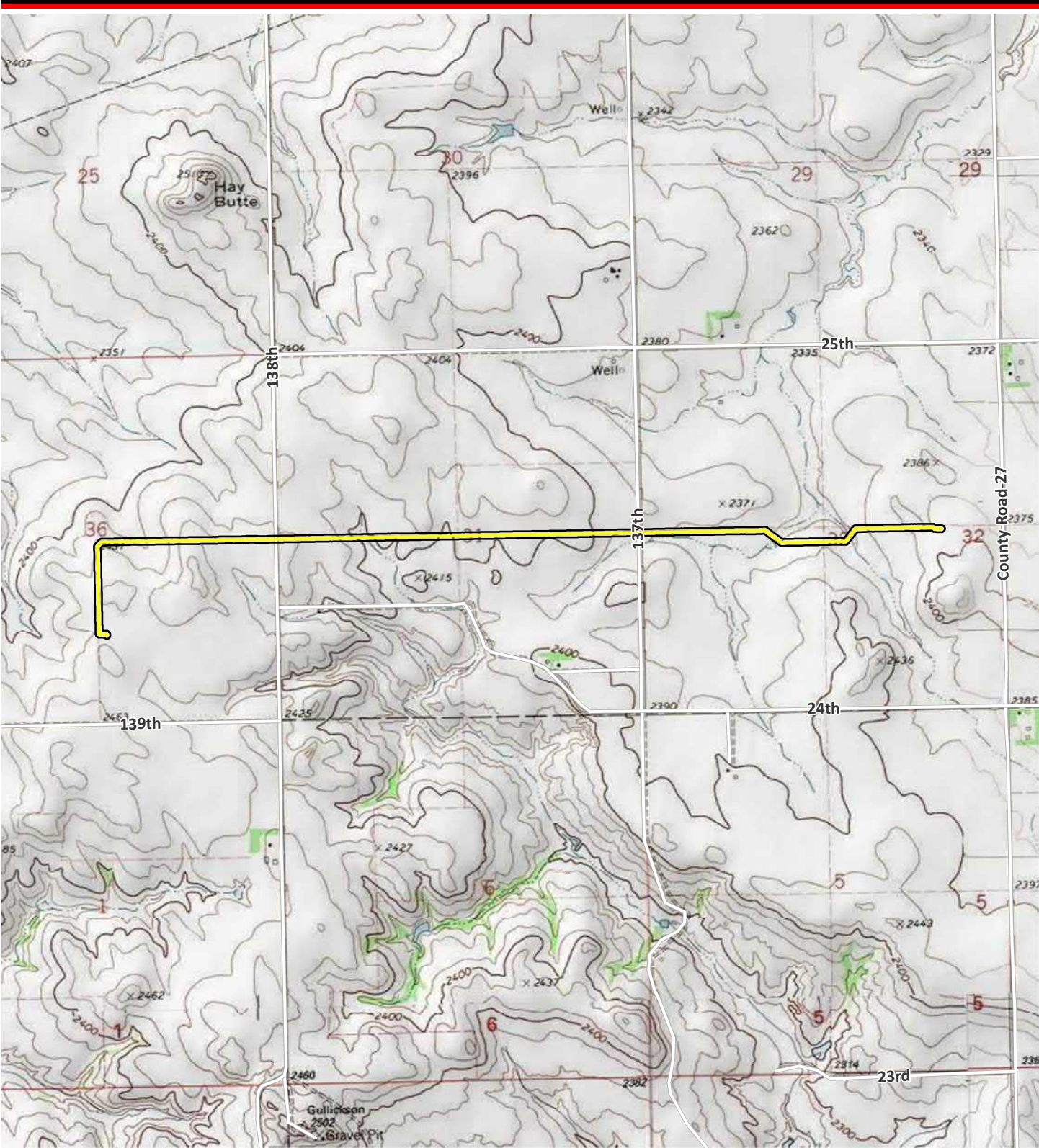
WSP USA, Inc.

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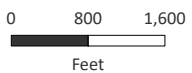
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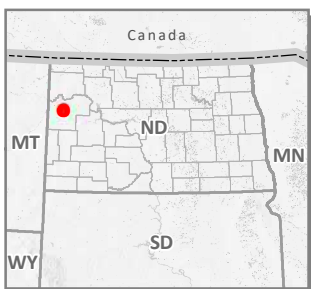
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-18



October 26, 2021

Mike Nowatzki
North Dakota Office of the Governor
600 East Boulevard Avenue
Bismarck, ND 58505

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Nowatzki,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

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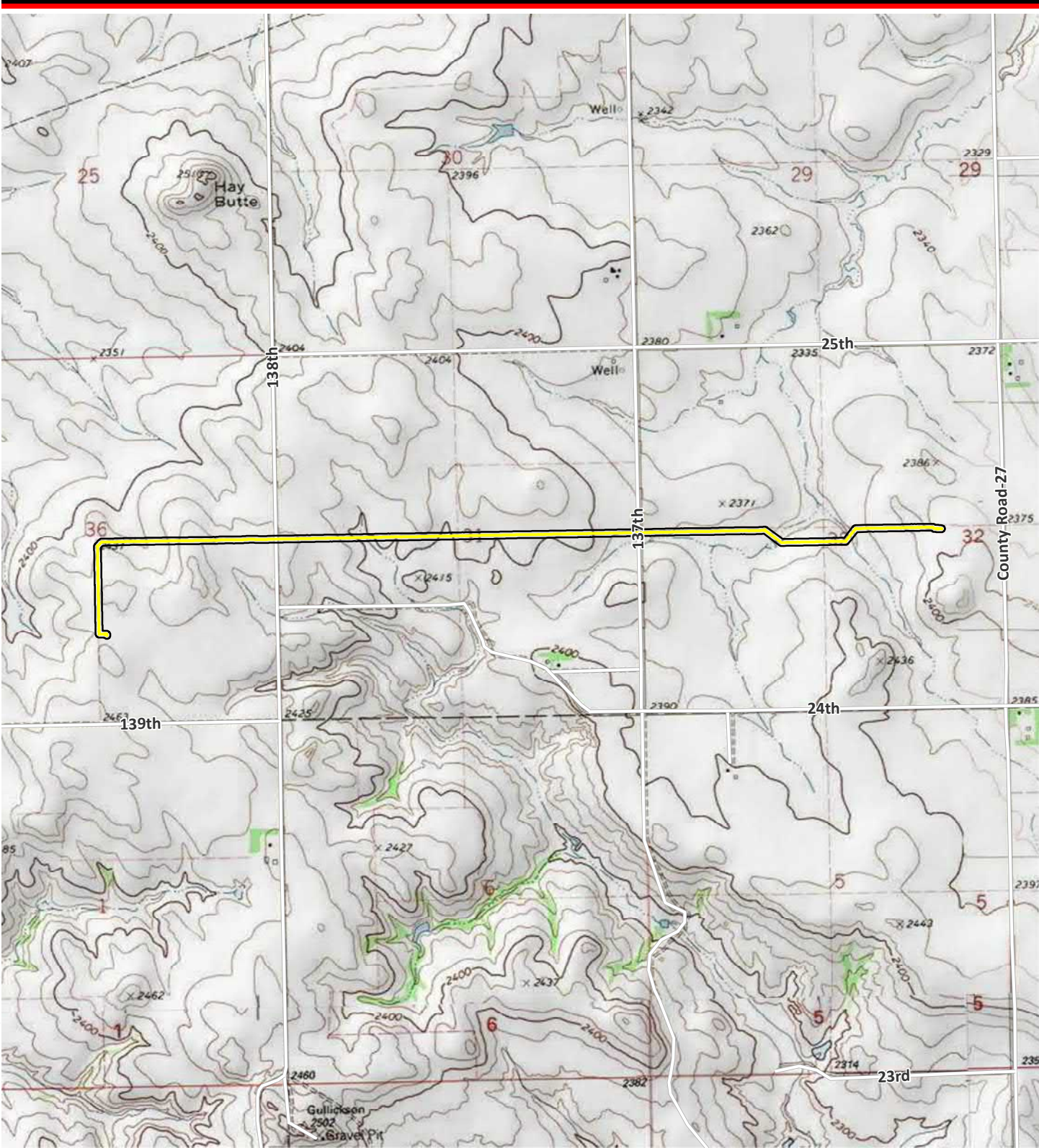
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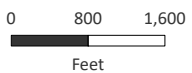
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Senior Director – Local Business Lead

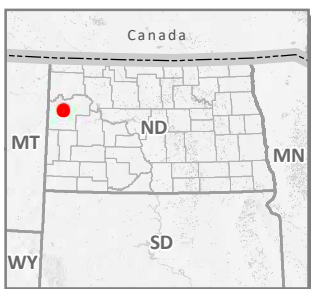
Attachment: Project Map



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Mike Nowatzki
North Dakota Office of the Governor
600 East Boulevard Avenue
Bismarck, ND 58505

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Nowatzki,

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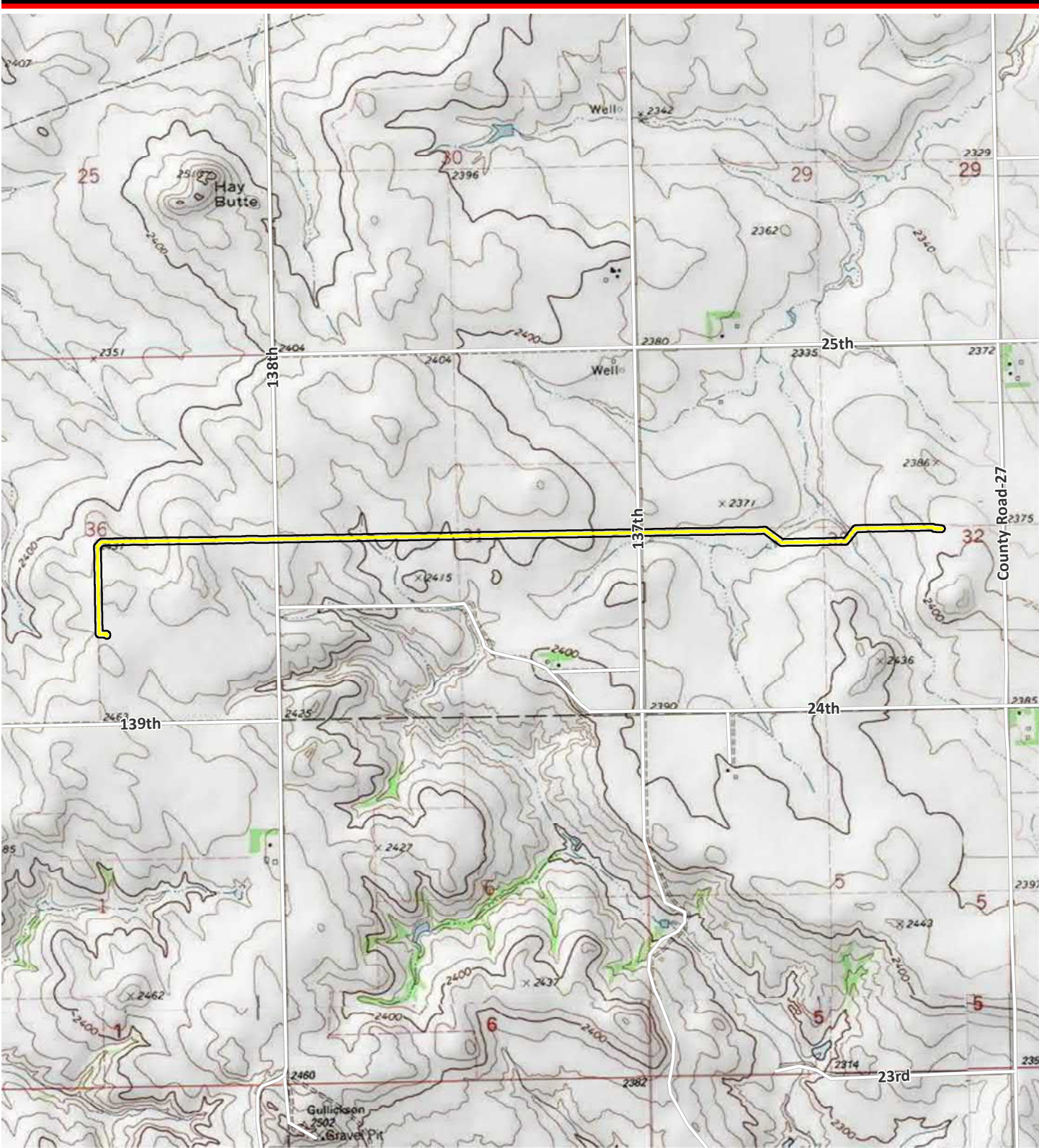
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WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

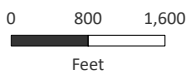
Tel.: 303-443-3282
wsp.com



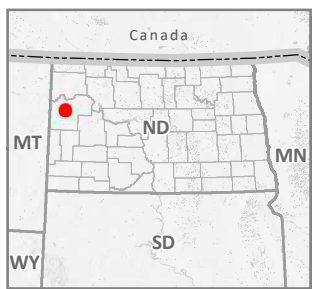
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\Caliber\MapDocs\MapDocs\ProjectLocationMap-USGS_Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-19



October 26, 2021

1600 East Century Avenue, Suite 3
Bismarck, ND 58506

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

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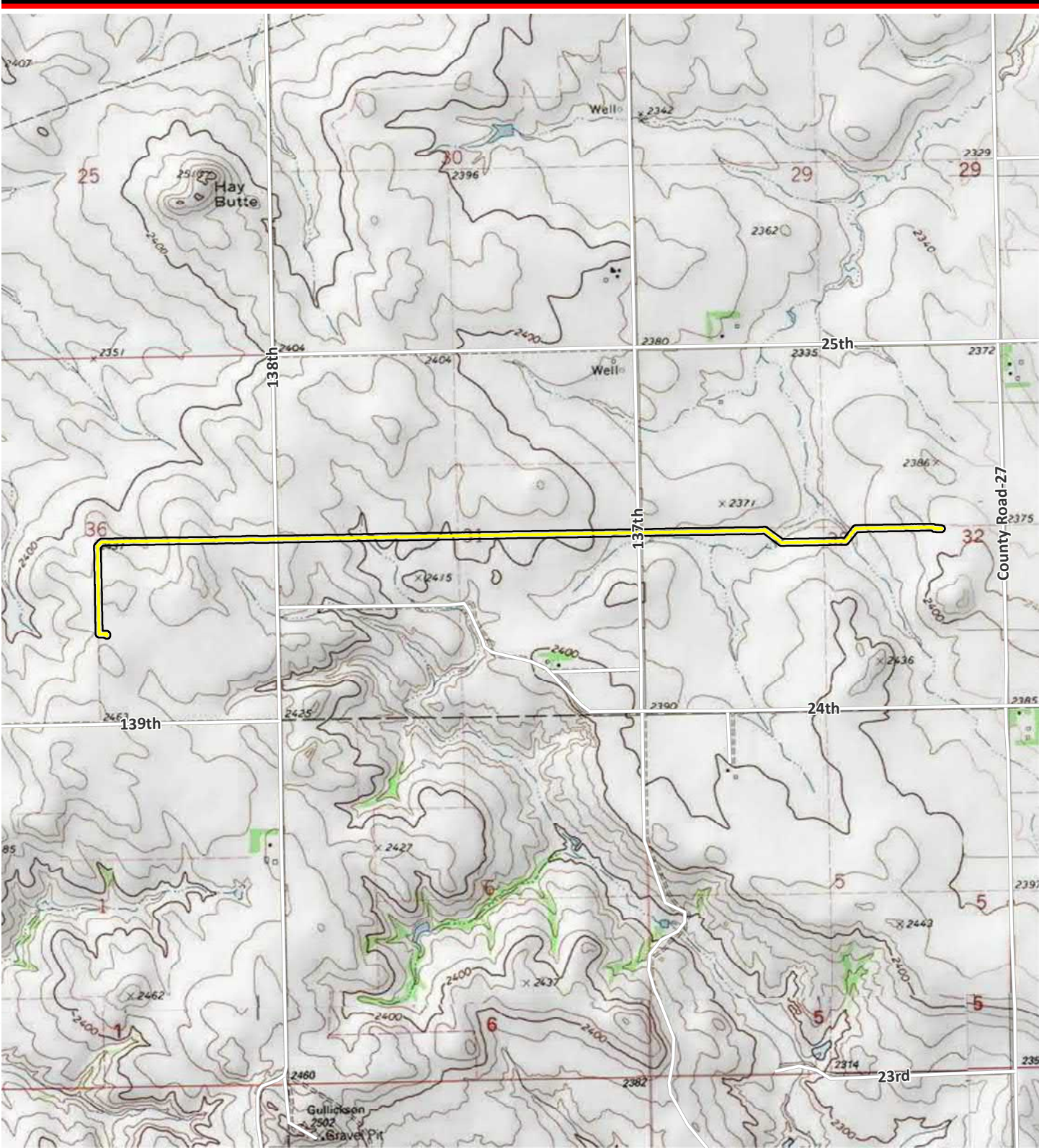
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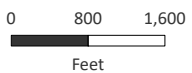
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

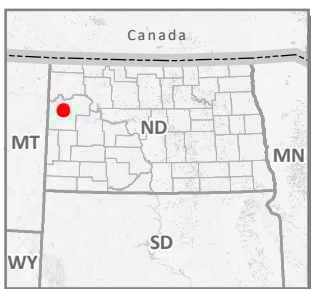
Attachment: Project Map



C:\PROJECTS\Caliber\MapDocs\MapDocs\ProjectLocationMap-USGS_Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

North Dakota Department of Parks and Recreation
1600 East Century Avenue, Suite 3
Bismarck, ND 58506

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Nowatzki,

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Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

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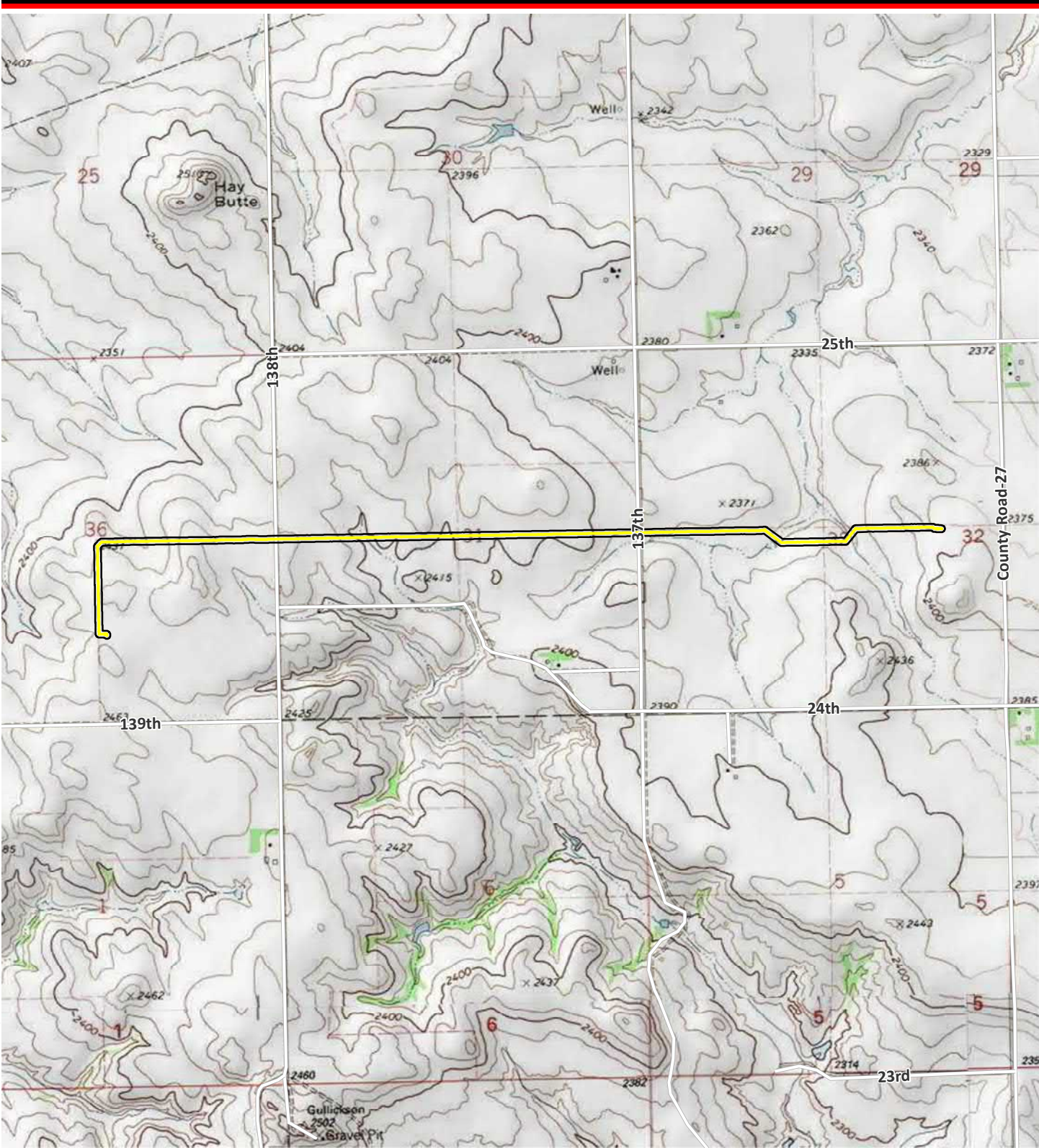
WSP USA, Inc.

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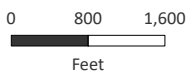
Bonnie Gibson, MBA, RPA



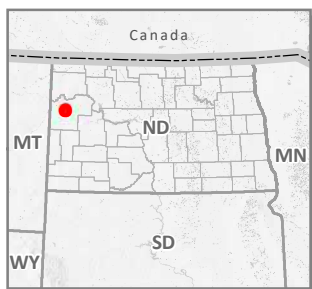
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-20



October 26, 2021

Aaron Field
North Dakota Soil Conservation Committee
NDSU-Extension
2718 Gateway Avenue, Suite 304
Bismarck, ND 58503

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Field,

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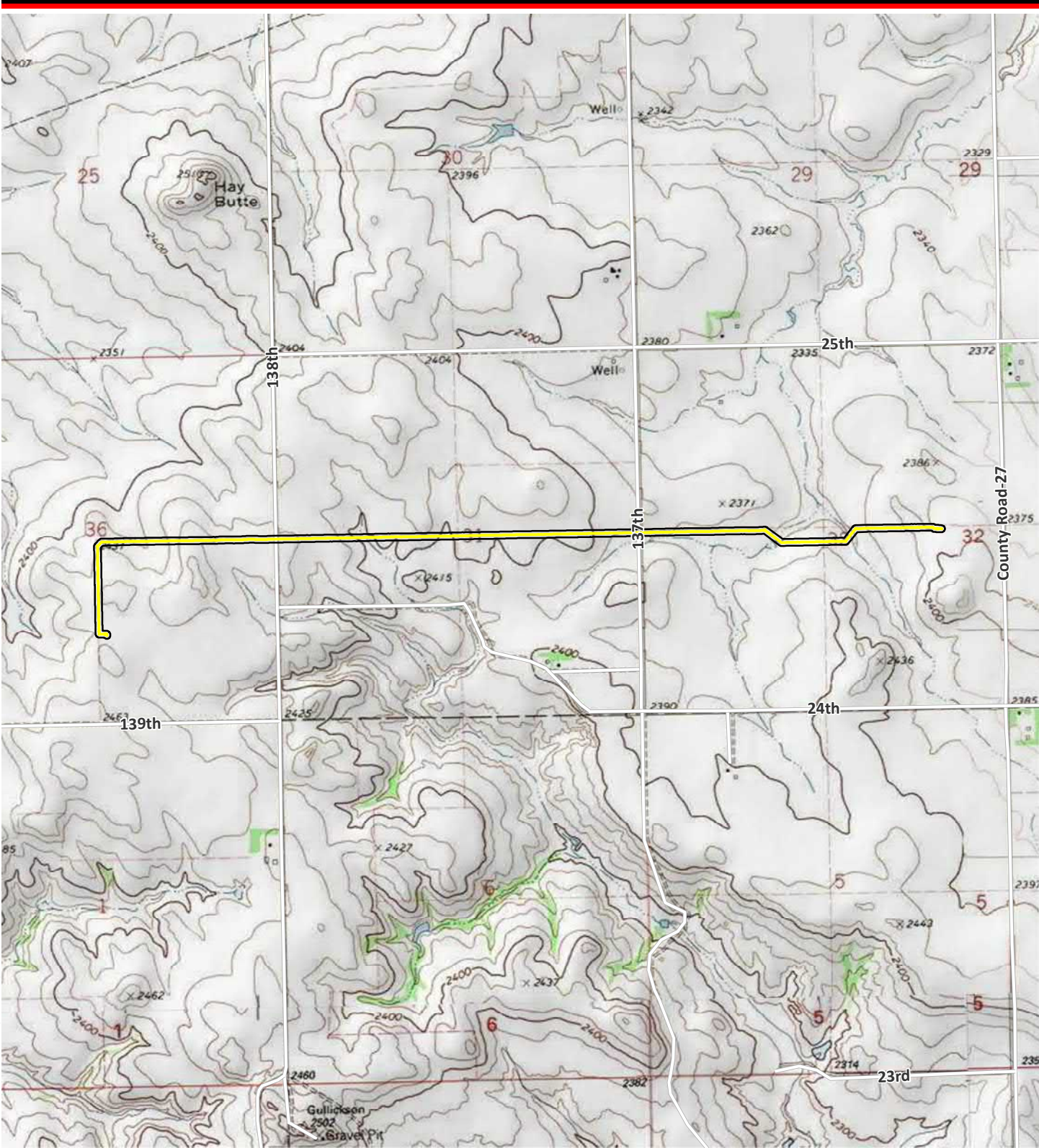
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WSP USA, Inc.

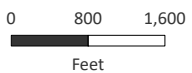
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

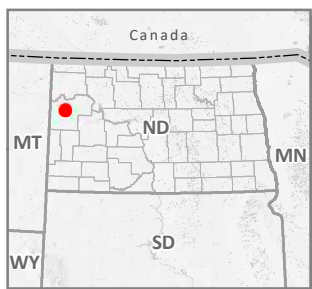
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Aaron Field
North Dakota Soil Conservation Committee
NDSU-Extension
2718 Gateway Avenue, Suite 304
Bismarck, ND 58503

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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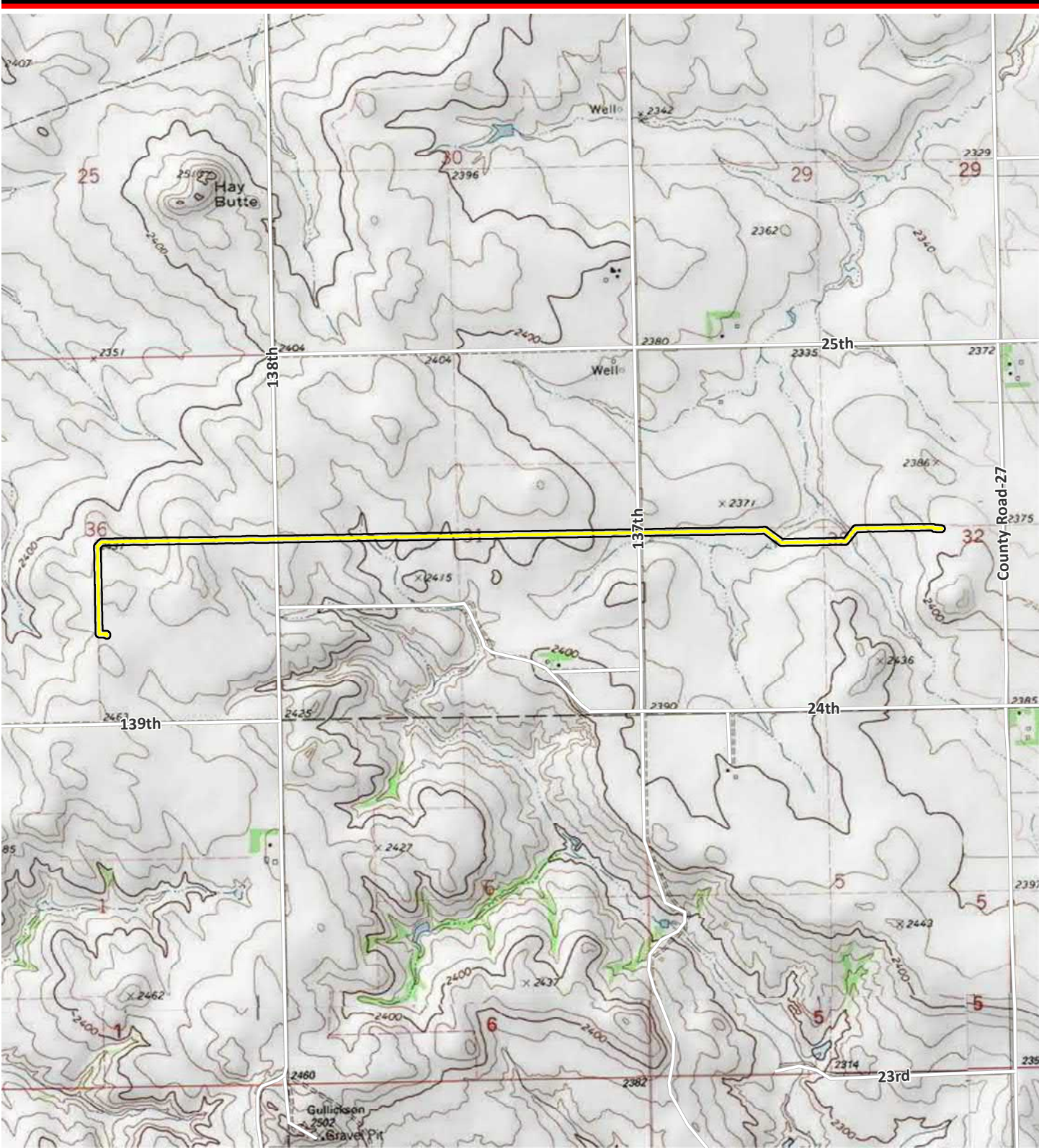
Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

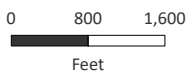
Tel.: 303-443-3282
wsp.com



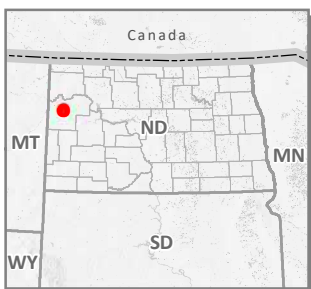
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-21



October 26, 2021

North Dakota State Water Commission
900 East Boulevard Avenue, Department 770
Bismarck, ND 58505-0850

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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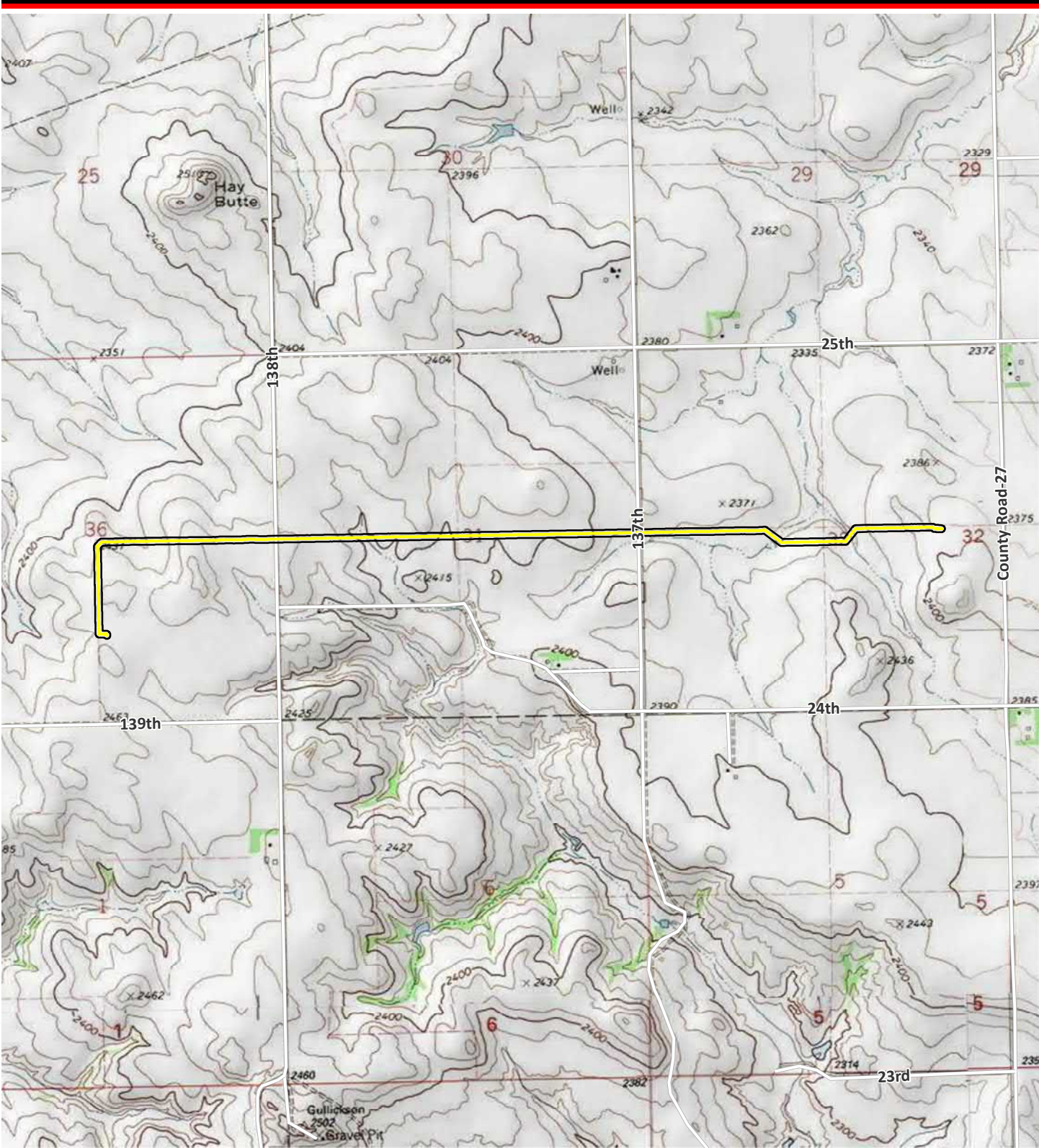
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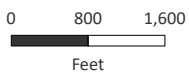
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

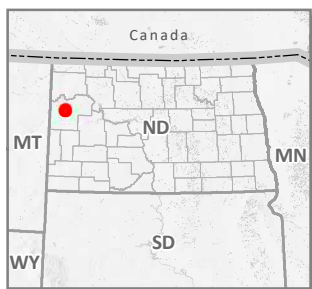
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

North Dakota State Water Commission
900 East Boulevard Avenue, Department 770
Bismarck, ND 58505-0850

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Caliber Pipeline Project
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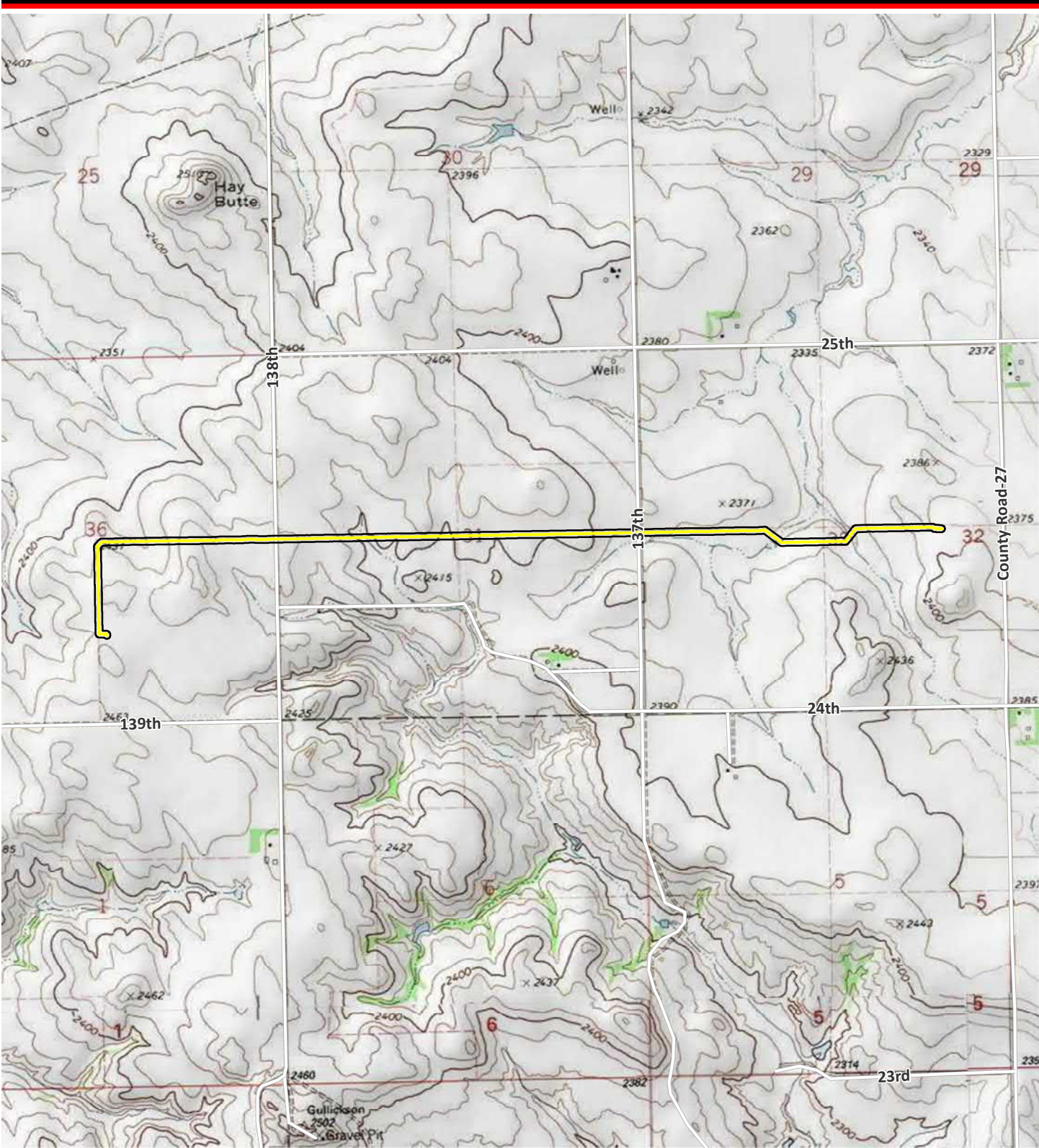
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WSP USA
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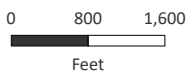
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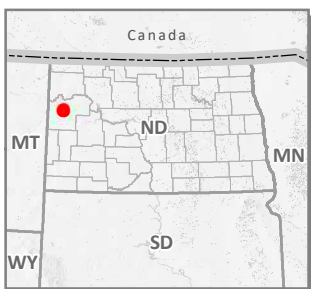
Senior Director – Local Business Lead



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-22



October 26, 2021

State Historical Society of North Dakota
Archaeology Historical Preservation Office
612 East Boulevard Avenue
Bismarck, ND 58505

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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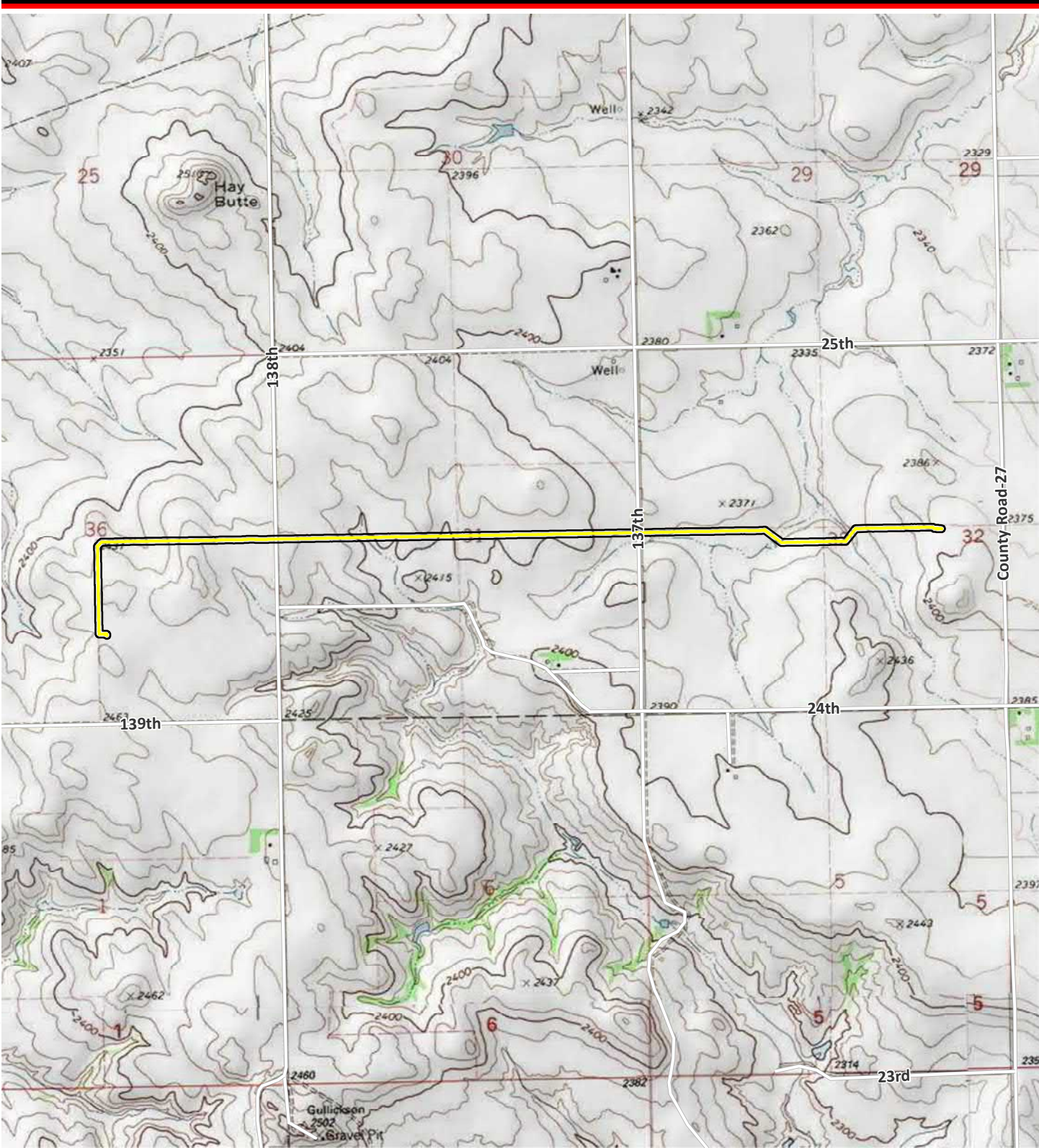
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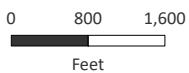
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

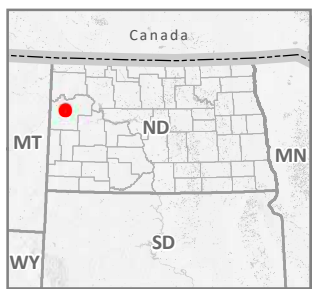
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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

State Historical Society of North Dakota
Archaeology Historical Preservation Office
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Bismarck, ND 58505

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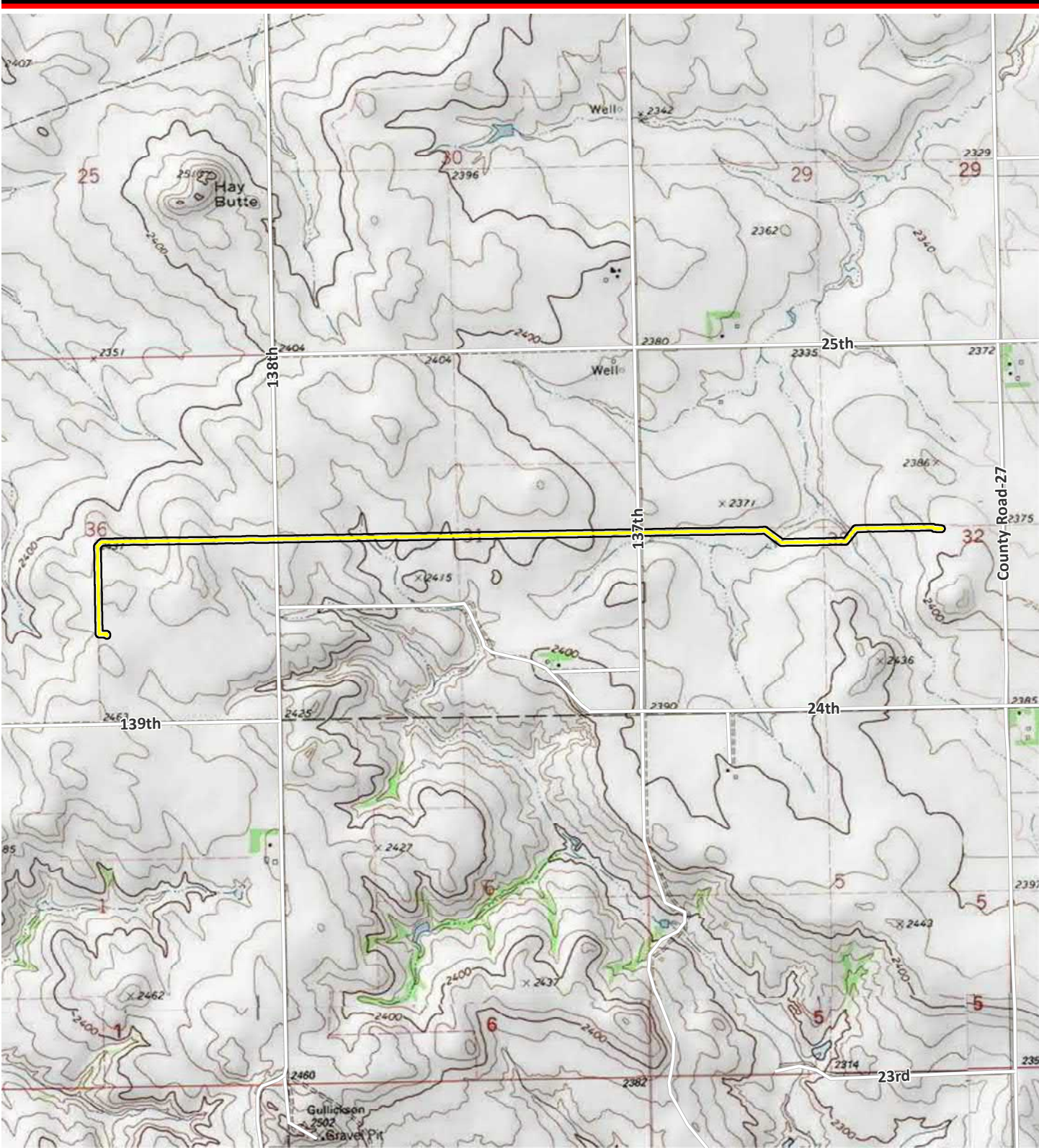
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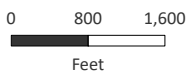
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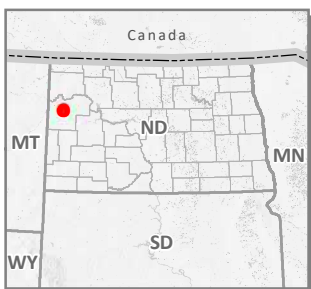
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



October 5, 2021

Matt Hull
Golder Associates, Inc.

ND SHPO Ref: 21-0555 Caliber North Dakota LLC in portions of [T150N R100W Sections 31-32 and T150N R101W Section 36] McKenzie County, North Dakota

Dear Mr. Hull,

We received ND SHPO Ref: 21-0555 "Caliber North Dakota LLC Residue Pipeline Project: A Class III Inventory in McKenzie County, North Dakota" in portions of [T150N R100W Sections 31-32 and T150N R101W Section 36] and find this Golder Associates, Inc. report by Matthew Hull acceptable. We will add it to our Manuscript Collection. We also concur with no significant sites affected.

If you have any questions, please contact either Andrew Clark, Chief Archeologist at (701) 328-3574 or andrewclark@nd.gov or Lorna Meidinger, Historic Preservation Specialist at (701) 328-2089 or lbmeidinger@nd.gov.

Sincerely,

for William D. Peterson PhD
State Historic Preservation Officer
(North Dakota)

21-0555



November 3, 2021

Ms. Bonnie Gibson
WSP USA, Inc.
5665 Flatiron Parkway, Ste 250
Boulder, CO 80301



ND SHPO Ref: 21-0555 Caliber North Dakota LLC in portions of [T150N R100W Sections 31-32 and T150N R101W Section 36] McKenzie County, North Dakota

Dear Ms. Gibson,

We reviewed ND SHPO Ref: 21-0555 Caliber North Dakota LLC in portions of [T150N R100W Sections 31-32 and T150N R101W Section 36] McKenzie County, North Dakota. We also recently reviewed "Caliber North Dakota LLC Residue Pipeline Project: A Class III Inventory in McKenzie County, North Dakota" in portions of [T150N R100W Sections 31-32 and T150N R101W Section 36] by Matthew Hull of Golder Associates, Inc. While no archeological sites were found, this survey of the pipeline corridor was conducted after the Caliber Pipeline was installed and any potential site already destroyed. Had we been consulted prior to construction of the pipeline, we would not have concurred with "no significant sites."

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lorna Meidinger, Historic Preservation Specialist at (701) 328-2089 or lbmeidinger@nd.gov

Sincerely,

for William D. Peterson PhD
State Historic Preservation Officer
(North Dakota)

Cc: ND PSC, PU-21-406

6 PU-21-406 Filed 11/04/2021 Pages: 1
Agency correspondence
State Historical Society of North Dakota (SHPO)
William Peterson

21-0555

Appendix B-23



October 26, 2021

Drew Becker
U.S. Fish and Wildlife Service
North Dakota Ecological Services
3425 Miriam Avenue
Bismarck, ND 58501-7926

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Becker,

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Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

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Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use



of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

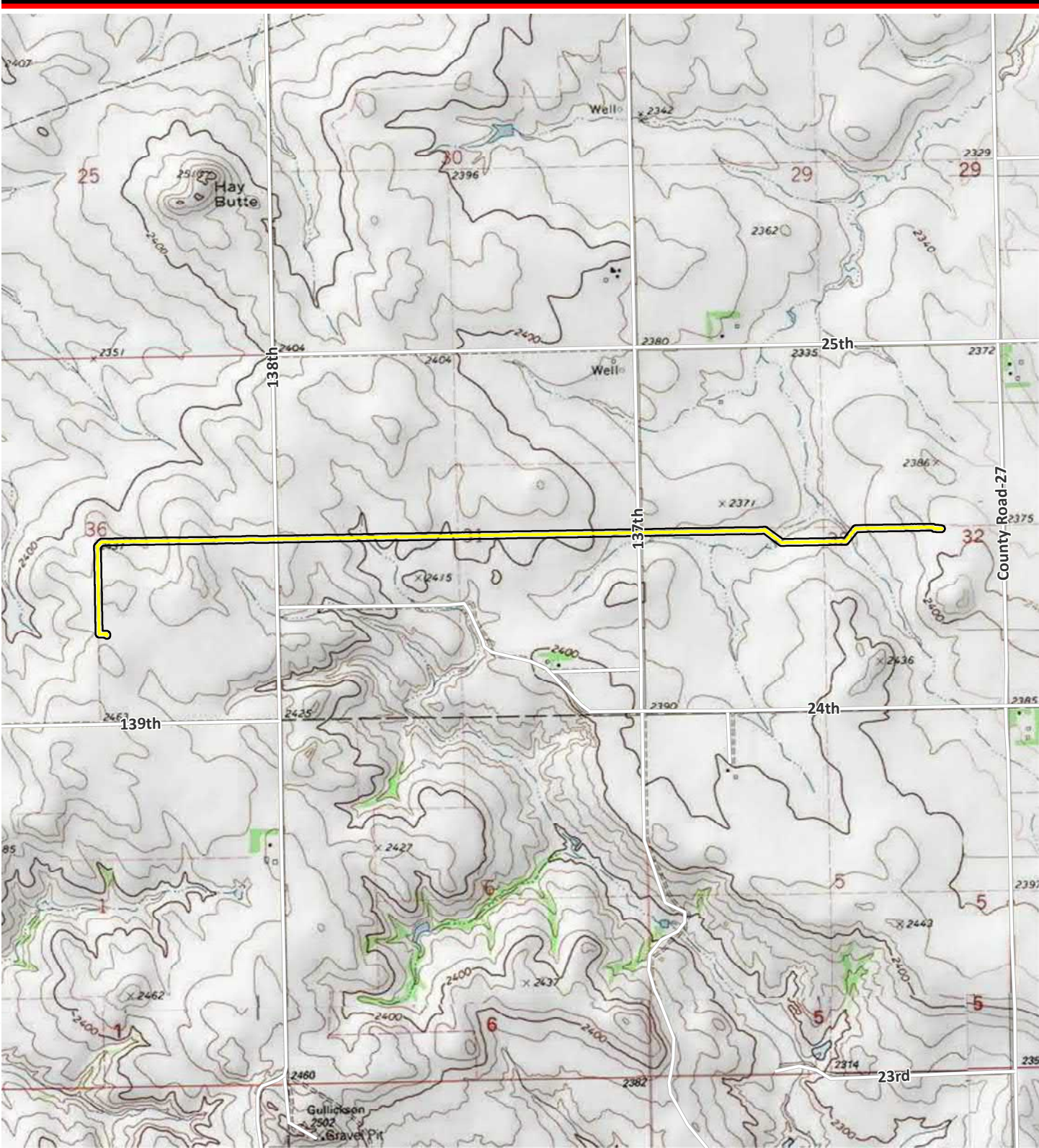
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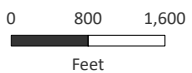
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

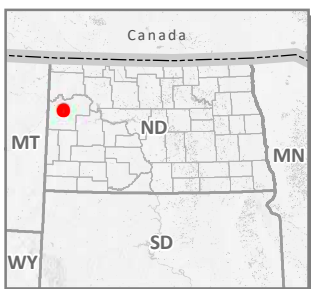
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Drew Becker
U.S. Fish and Wildlife Service
North Dakota Ecological Services
3425 Miriam Avenue
Bismarck, ND 58501-7926

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

On October 29, 2021, WSp conducted a web-based consultation using USFWS's IPaC System. The species addressed in this analysis is based upon results of the project specific query of the IPaC system.

Federally Listed Species Analysis:

The results of the search of the USFWS's IPaC system on October 29, 2021 found the following:

- Northern Long-eared bat (*Myotis septentrionalis*) – Threatened
- Piping Plover (*Charadrius melodus*) – Threatened
- Red Knot (*Calidris canutus rufa*)- Threatened



- Whooping Crane (*Grus americana*) – Endangered
- Dakota Skipper (*desperia dacotae*) – Threatened
- Monarch Butterfly (*Danaus plexippus*) – Candidate

Northern Long-eared Bat

The Northern Long-eared Bat roosts underneath bark, in cavities, or in crevices of both live and dead trees. Populations have also been found in cool environments such as caves and mines and prefer to spend winter hibernating in locations with high humidity and no air currents. Breed females will congregate and form colonies in May to late July for pup rearing. White-nose syndrome (WNS) is the predominant threat to the Northern Long-eared Bat. North Dakota is included in the current extent of WNS zone per the Final 4(d) Rule. During the site survey, Golder did not observe trees or shrubs within the survey corridor that would provide suitable habitat for this species. In addition, no potential winter hibernacula were observed within the survey corridor. It is unlikely that the northern long-eared bat occurs in the survey corridor since there is a lack of suitable habitat. It is also reasonable to expect that the Project did **not adversely** affect the northern long-eared bat during the time of the initial installation in 2014.

Piping Plover

The piping plover is a migratory shorebird federally listed as threatened. It breeds in North Dakota. Suitable nesting habitat for piping plovers in the Missouri River system is characterized as sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. The piping plover feeds on worms, insects, and mollusks. Degradation of habitat related to the channelization of river systems, nest predation, and human disturbance has led to the decline of piping plover populations. The survey corridor is predominantly cropland and contains surface waters and wetlands that are well vegetated and do not provide bare ground suitable for nesting habitat. Due to the lack of breeding habitat, it is unlikely that the piping plover will occur at the Project. It is reasonable to expect that the Project did **not adversely** impact piping plover habitat during initial installation.

Red Knot

The red knot is a shorebird species federally listed as threatened. It breeds in the Canadian Arctic. It is a long-distance migrant, with relatively few stopover sites. The red knot migrates annually from its breeding grounds in the Arctic to wintering habitat in southern climates. It does not nest in North Dakota but may use areas along the Missouri River as stopover habitat. It migrates through North Dakota in mid-May and mid-September to October. Although red knots primarily use marine habitats for their breeding and wintering grounds, both alkaline and freshwater lakes have been used in North Dakota during migration. The observations of red knots in North Dakota are scattered throughout the state. There are no stopover sites consistently used by red knots. The Project is located approximately 10 miles north of the Lake Sakakawea/Missouri River System and the survey corridor does not have suitable shoreline stopover habitat for the red knot. It is unlikely that the red knot would occur within the survey corridor and based on this; it is reasonable to expect that the Project did **not adversely** impact suitable habitat for the red knot at the time of installation.

Whooping Crane

The whooping crane is a federally endangered species in all counties of North Dakota. It migrates through North Dakota in April to mid-May and September to early November. Preferred stopover habitat includes wetlands, but they may also use harvested grain fields and cropland. The survey corridor does not directly overlap the current range for this species. According to eBird, the closest area within the range is 10 miles away, just northeast of Watford City, North Dakota. Land use within the survey corridor consists of cropland with two minor natural drainages toward the eastern end of the corridor. Although Timber Creek



and its associated drainage support adjacent wetland plant communities, these areas do not support pools or standing water that would create marsh conditions. While it is possible that whooping crane would use habitat types found within the survey corridor during migration, there are no known historic observations near the Project. Therefore, it is reasonable to expect that that the Project did **not adversely** impact whooping crane habitat at the time of installation. Currently, habitats within the survey corridor have been revegetated and are again available to wildlife.

Dakota Skipper

The Dakota skipper is a butterfly species federally listed as threatened. The Dakota skipper lives in high-quality mixed and tallgrass prairie and requires nectar-producing native flowers and grasses. Larvae require grass components of mixed-grass prairie that include bluestem grasses and needlegrasses, while adults require nectar sources; therefore, suitable prairie must include nectar-producing forbs. The Project does not overlap designated critical habitat (USFWS 2019a) for the Dakota skipper. The closest critical habitat to the Project is 37 miles northeast along the Missouri River Basin and Lake Sakakawea. Although this species is known to occur in McKenzie County, no suitable habitat was observed during the field survey on September 2, 2021, and it is unlikely the Dakota skipper will occur at the Project. While the survey corridor contains very small areas of remnant prairie plant communities, these areas are along the edges of the corridor and comprise less than 5 percent of the total corridor. Due to the limited availability of prairie plant communities within the survey corridor, it is reasonable to expect that the Project did **not adversely** impact the Dakota skipper.

Monarch Butterfly

The monarch butterfly is a candidate species for federal protection but is not yet listed or proposed for listing. Although there are no Section 7 requirements for candidate species, the USFWS encourages all agencies to take advantage of any opportunity to conserve this species. The monarch butterfly requires healthy and abundant milkweed for oviposition and larval consumption. Throughout the breeding and migration seasons, they also need sufficient quality and quantity of nectar from flowers. Milkweed observed along the edges of the survey corridor provide suitable habitat for monarch butterfly reproduction. While it is possible the survey corridor previously contained larger populations of milkweed than what was observed in 2021, the conversion of native grassland appears to be due to agricultural cultivation, based on the review of historic aerial imagery. It is possible that a small number of milkweed plants were disturbed during the Project installation in 2014; however, at the time, the monarch butterfly was not listed as a candidate species for protection under the Endangered Species Act. Currently, the Project does not include any additional landcover disturbances or conversions that would result in new impacts to monarch butterfly.

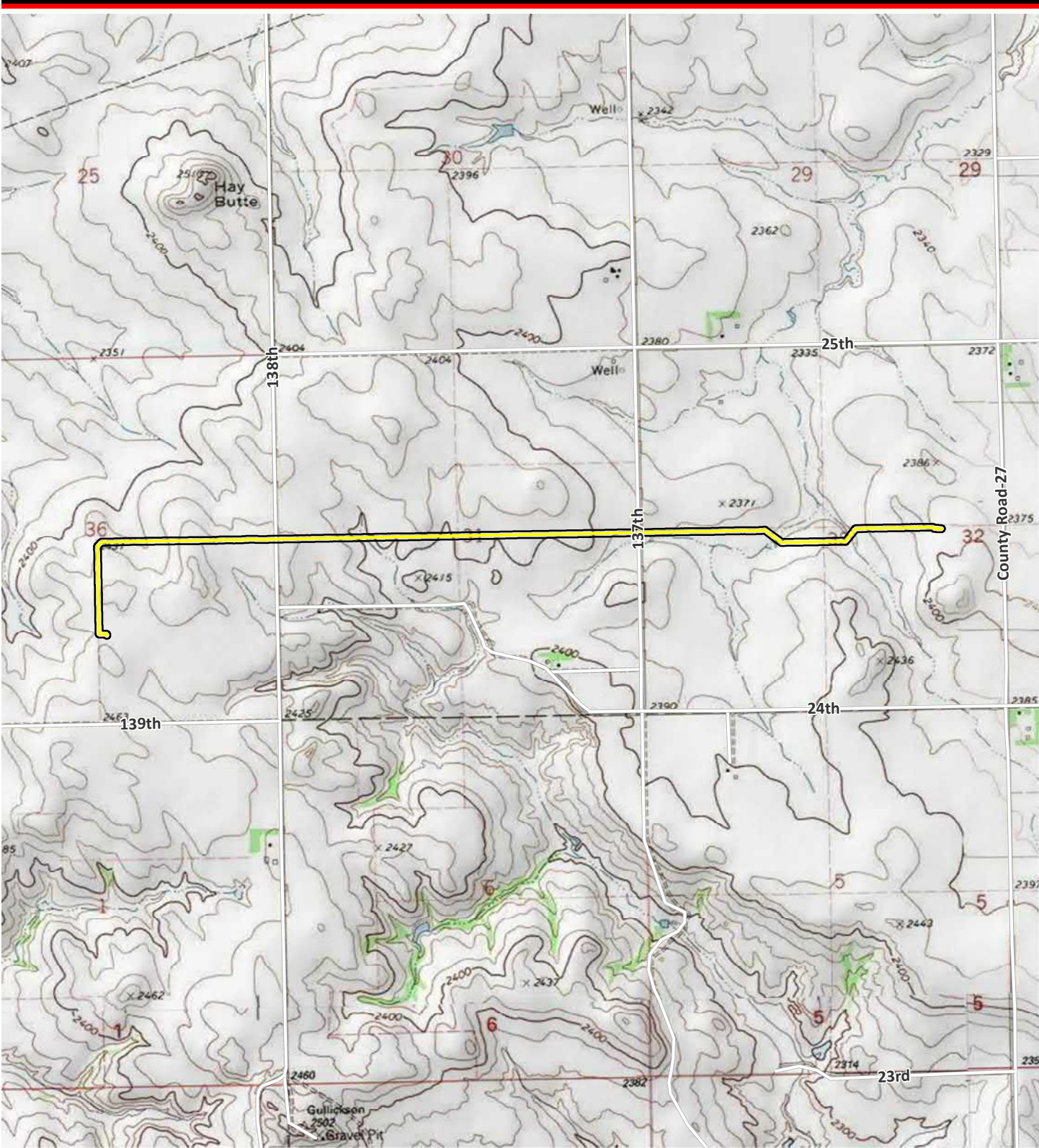
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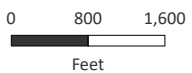
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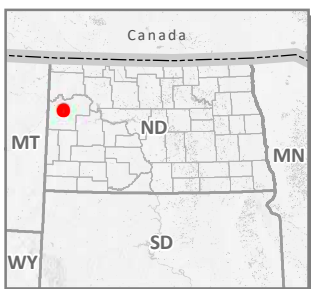
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Senior Director – Local Business Lead



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-24



October 27, 2021

U.S Department of Defense – Cable Affairs
Minot Air Force Base
Minot, ND 58704

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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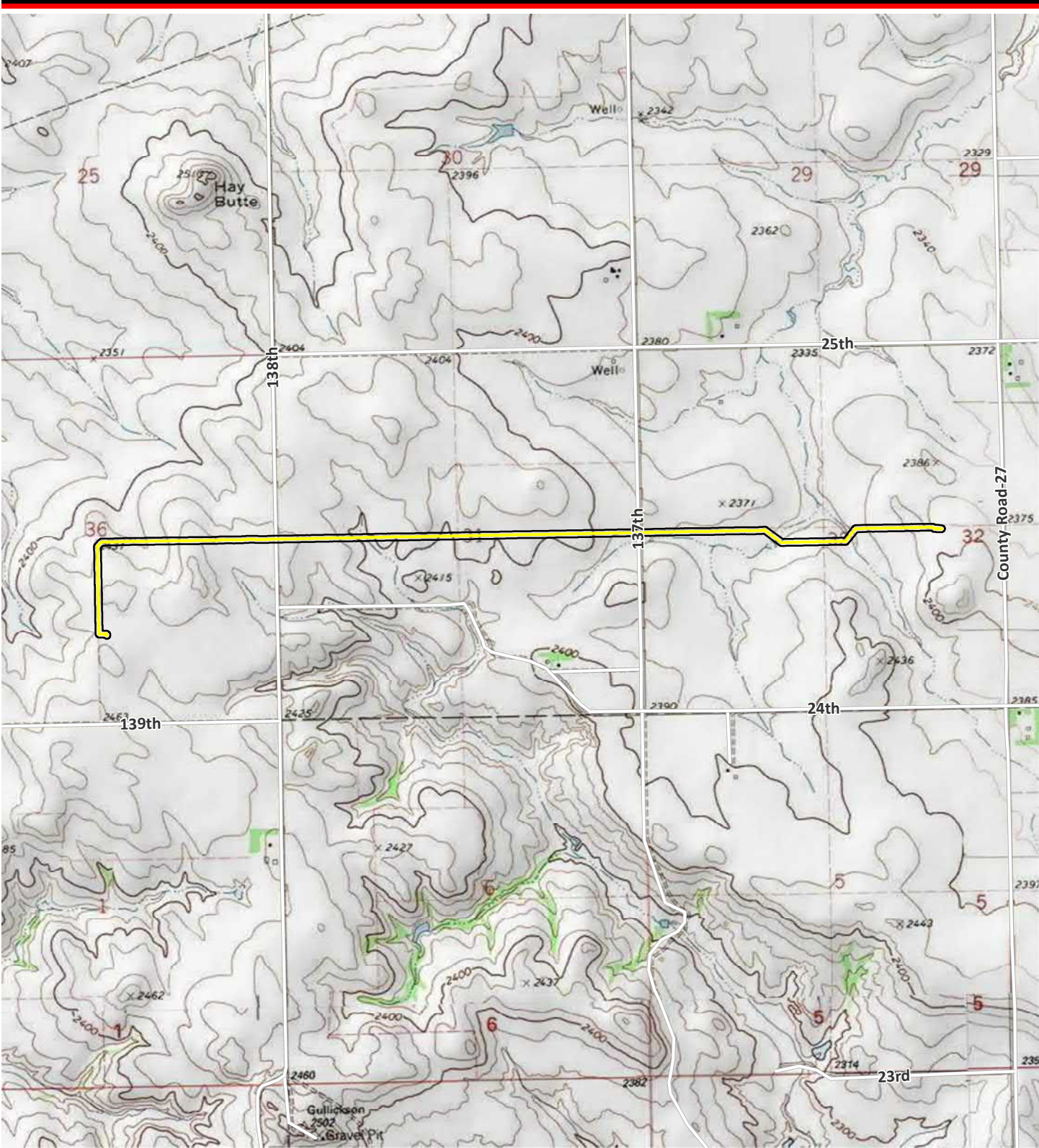
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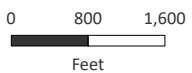
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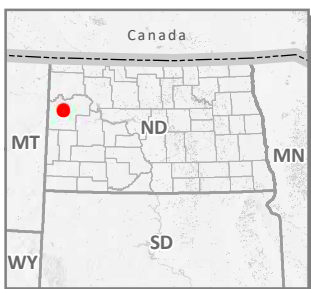
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Senior Director – Local Business Lead



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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

U.S Department of Defense – Cable Affairs
Minot Air Force Base
Minot, ND 58704

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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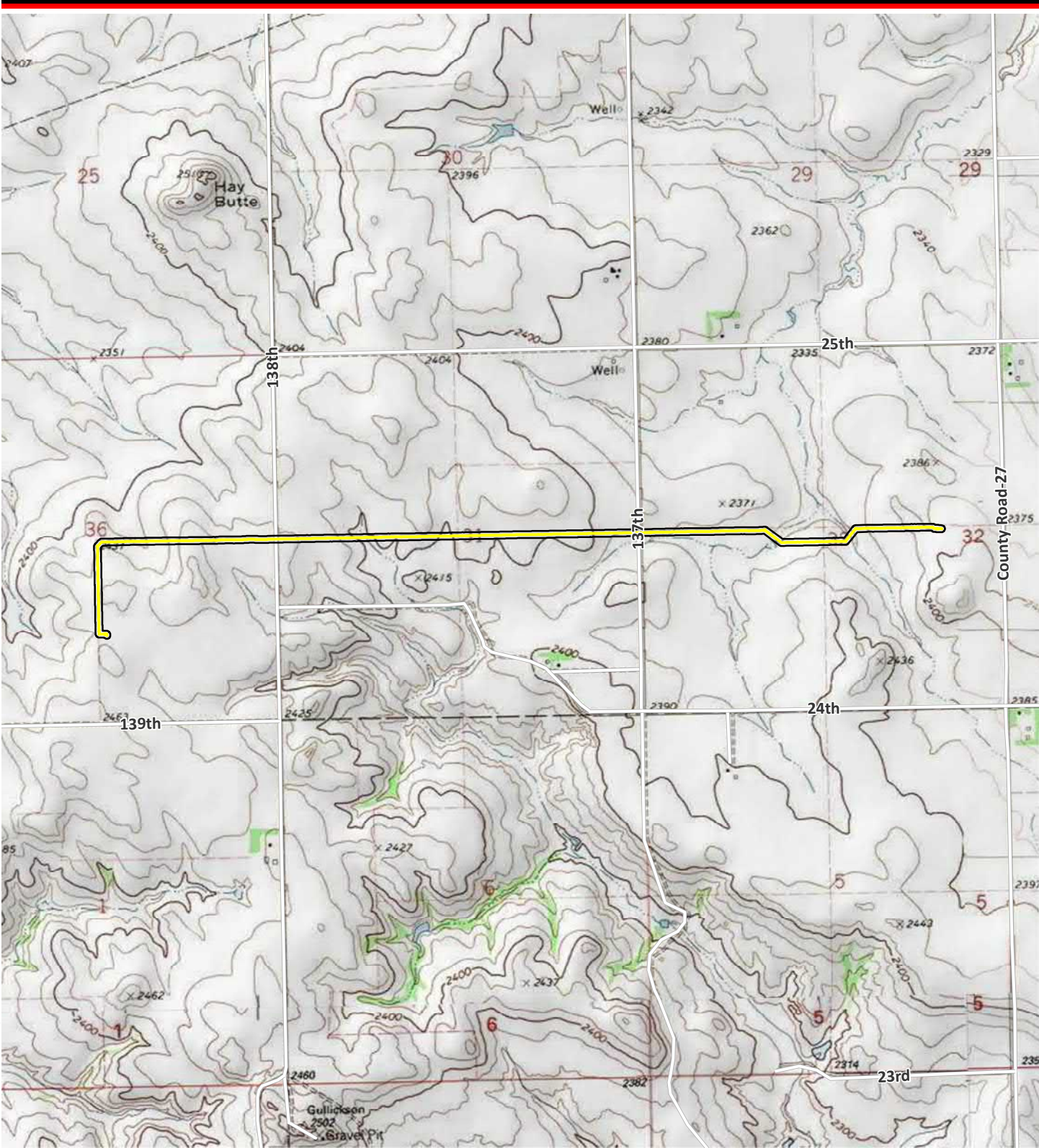
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WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

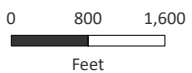
Tel.: 303-443-3282
wsp.com



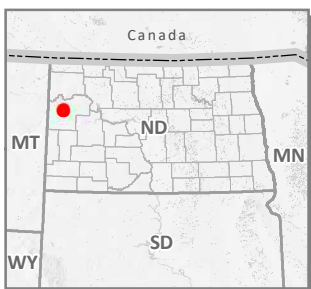
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- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-25



October 26, 2021

USACE Regulatory Office Omaha District
3319 University Drive
Bismarck, ND 58504

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

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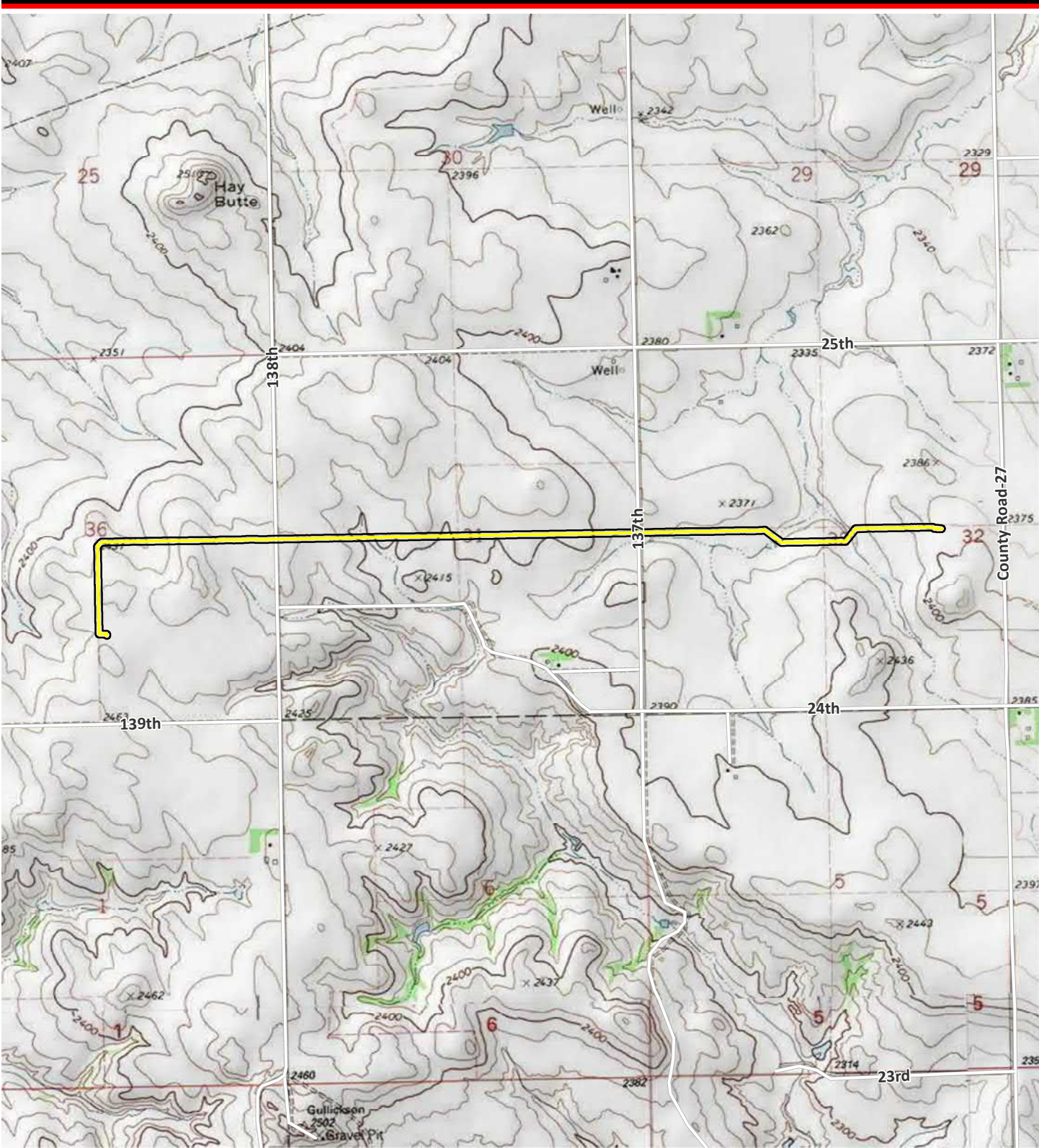
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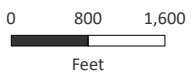
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

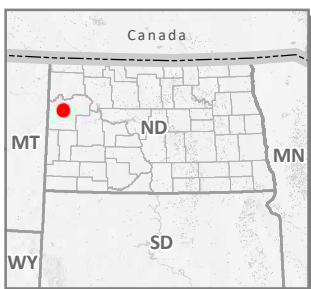
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- Road
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- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

USACE Regulatory Office Omaha District
3319 University Drive
Bismarck, ND 58504

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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WSP conducted a site survey of the Project area on September 2, 2021. The survey recorded two streams with adjacent emergent wetlands within the survey corridor. Stream 1 is a section of Timber Creek, the primary drainage within the Timber Creek Basin, which flows north to the Arengard dam. Stream 2 is a tributary of Timber Creek, joining the main stem of Timber Creek 0.09 miles to the north of the survey corridor. Both stream channels are heavily vegetated with narrow-leaved cattail (*Typha angustifolia*), common cattail (*Typha latifolia*), curly dock (*Rumex crispus*), common spike rush (*Eleocharis palustris*), smooth brome (*Bromus inermis*), wild licorice (*Glycyrrhiza lepidota*), Canada thistle (*Cirsium arvense*), annual sunflower (*Helianthus annuus*), fall aster (*Symphotrichum oblongifolium*), and prairie sandreed (*Calamovilfa longifolia*).

Stream 1 is classified as an emergent PEM1C stream covering 0.7 acres within the survey corridor with seasonal drainages with adjacent wetlands. Stream 2 is classified as an emergent PEM1A stream covering



0.3 acres of the corridor with seasonal drainages with adjacent wetlands. At the time of installation, Caliber avoided impacts to these waterways and wetlands by horizontally drilling under these features. The Project does not entail any additional actions that would impact surface waters and wetlands.

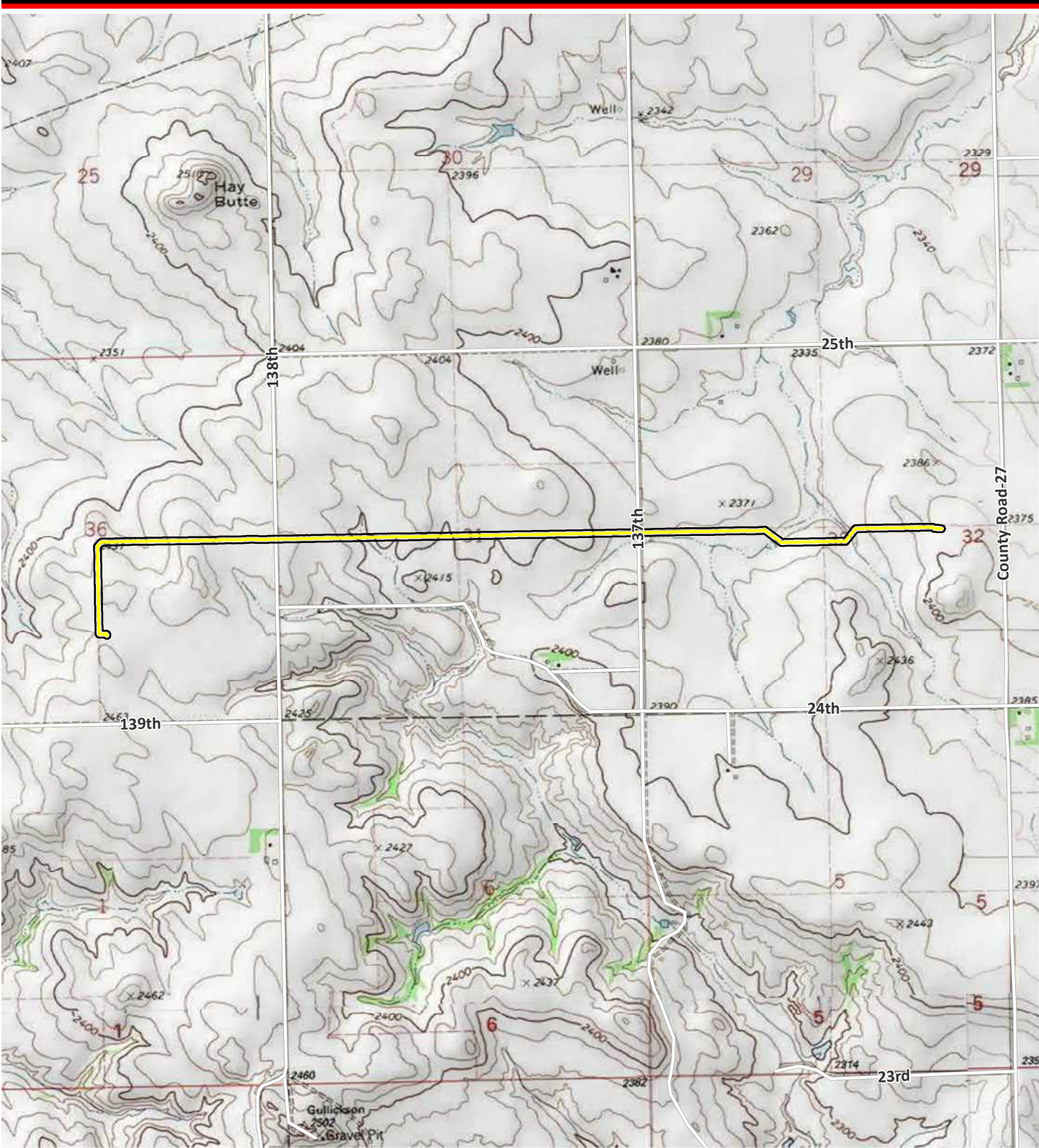
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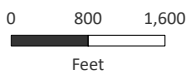
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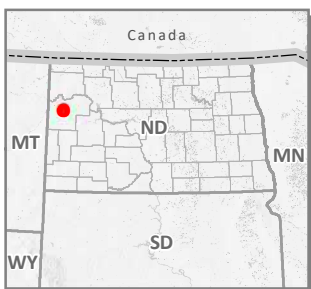
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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

From: CENWO-OD-RND <CENWO-OD-RND@usace.army.mil>
Sent: Monday, November 1, 2021 10:15 AM
To: Oliveira, Cassandra
Cc: Gibson, Bonnie
Subject: RE: Caliber Midstream Notification Letter and Review Request

Hi Cassandra,

I received your request for comments and we should have a response letter sent back to you in the week or two.

v/r

Jeremy Nygard
Regulatory Permit Assistant
U.S. Army Corps of Engineers
North Dakota Regulatory Office
3319 University Drive
Bismarck, ND 58504
701-255-0015 ext. 2006

Due to precautions taken in response to the COVID-19 pandemic, email is currently the best way to contact me. I am mostly teleworking from home so if you call my office phone extension and leave a voicemail, I'll receive it via email and I'll respond as soon as possible.

The North Dakota Regulatory office prefers that all submissions are sent electronically to the following email address: CENWO-OD-RND@usace.army.mil instead of a hard copy by mail. Please split large attachments (>25 MB) into multiple emails if needed.

From: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Sent: Wednesday, October 27, 2021 1:10 PM
To: CENWO-OD-RND <CENWO-OD-RND@usace.army.mil>
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: [Non-DoD Source] Caliber Midstream Notification Letter and Review Request

To whom it may concern,

I am writing on behalf of Caliber Midstream Partners, L.P. to provide notification of the Caliber Pipeline Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project. The details of the project are included in the attached letter. Please contact Bonnie Gibson at Bonnie.Gibson@wsp.com or 303-746-6656 if you have any questions or concerns.

Respectfully,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

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From: Nygard, Jeremy S CIV USARMY CENWO (USA) <Jeremy.S.Nygard@usace.army.mil>
Sent: Friday, November 5, 2021 11:14 AM
To: Gibson, Bonnie
Subject: NWO-2021-01934-BIS, WSP USA Inc., Caliber Midstream Partners; Caliber Pipeline Modification Project
Attachments: NWO-2021-01934_20211104_SOV NWP 12.pdf; Eng_Form_6082_2019Jun.pdf; NWP 12 Fact Sheet 2021.pdf

Hi Bonnie,

Our office has reviewed the information you provided regarding the proposed Caliber Pipeline Modification Project and determined that a U.S. Army Corps of Engineers Section 404 permit may be required for your project. Please see attached letter, blank application form, and Nationwide Permit 12 fact sheet. Thank you,

v/r

Jeremy Nygard
Regulatory Permit Assistant
U.S. Army Corps of Engineers
North Dakota Regulatory Office
3319 University Drive
Bismarck, ND 58504
701-255-0015 ext. 2006

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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504-7565

November 4, 2021

NWO-2021-01934-BIS

WSP USA, Inc.
Attn: Ms. Bonnie Gibson
5665 Flatiron Parkway, Suite 250
Boulder, Colorado 80301

Dear Ms. Gibson:

This is in response to your solicitation letter received on October 27, 2021 requesting Department of the Army (DA), United States Army Corps of Engineers (Corps) comments on the proposed Caliber Midstream Partners; Caliber Pipeline Modification Project. The project site is located in Sections 31 and 32, Township 150 North, Range 100 West, and Section 36, Township 150 North, Range 101 West, McKenzie County, North Dakota.

Corps Regulatory Offices administers Section 404 of the Clean Water Act. Section 404 of the Clean Water Act regulates the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Enclosed for your information is the fact sheet for Nationwide Permit 12, Utility Line Activities. Utility lines are already authorized by Nationwide Permit 12 provided the utility line can be placed without any change to pre-construction contours and all other proposed construction activities and facilities are in compliance with the Nationwide's permit conditions and 401 Water Quality Certification. On Tribal Lands, Water Quality Certification is denied for all Nationwide Permits. Applicants must work with EPA to obtain individual water quality certification. Please note the pre-construction notification requirements on page 2 of the fact sheet. If a project involves any one of the notification requirements, the project proponent must submit a DA application. Furthermore, a project must also be in compliance with the "Regional Conditions for Nationwide Permits within the State of North Dakota", found on pages 23 thru 30 of the fact sheet.

In the event your project(s) requires approval from the U.S. Army Corps of Engineers and cannot be authorized by Nationwide Permit(s), a Standard or Individual Permit will

be required. A project that requires a Standard or Individual Permit is intensely reviewed and will require the issuance of a public notice. A Standard or Individual Permit generally requires a minimum of 120 days for processing but based on the project impacts and comments received through the public notice may extend well beyond 120 days.

This correspondence letter does not approve the proposed construction work or does not verify the proposed project complies with the Nationwide Permit(s).

If this project requires a Section 404 permit, please complete and submit the enclosed Department of the Army permit application (ENG Form 6082) to the U.S. Army Corps of Engineers, North Dakota Regulatory Office, 3319 University Drive, North Dakota 58504 or to the email address below. If you are unsure if a permit is required, you may submit an application; include a project location map, description of work, and construction methodology.

The North Dakota Regulatory office can accept (and prefers) electronic submissions to the following email: CENWO-OD-RND@usace.army.mil.

If we can be of further assistance or should you have any questions regarding our program, please do not hesitate to contact this office by letter or phone at (701) 255-0015.

Sincerely,



Toni R. Erhardt
Senior Project Manager
North Dakota Regulatory Office

Enclosure

Appendix B-26



October 26, 2021

Mary Podoll, State Conservationist
Natural Resources Conservation Service
220 East Rosser Avenue
Federal Building, Room 270
Bismarck, ND 58501

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Ms. Podoll,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

Caliber proposes to modify facilities at its existing interconnection with Northern Border to allow gas to flow bi-directionally. Caliber proposes to transport gas from Northern Border to the adjacent trucking facility. The gas from the pipeline would be loaded into trucks, and from there the CNG would be delivered to production facilities for use as fuel in hydraulic fracturing operations and would be consumed wholly within North Dakota. Gas flows from Northern Border would be seasonal and intermittent with minimal volumes, anywhere between 0.1 and 5 mcf/d. Caliber anticipates these volumes will be delivered by actual flows of gas, and by displacement. Caliber does not own the CNG trucking facility and would not take title to any gas flowed from Northern Border.

Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use



of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

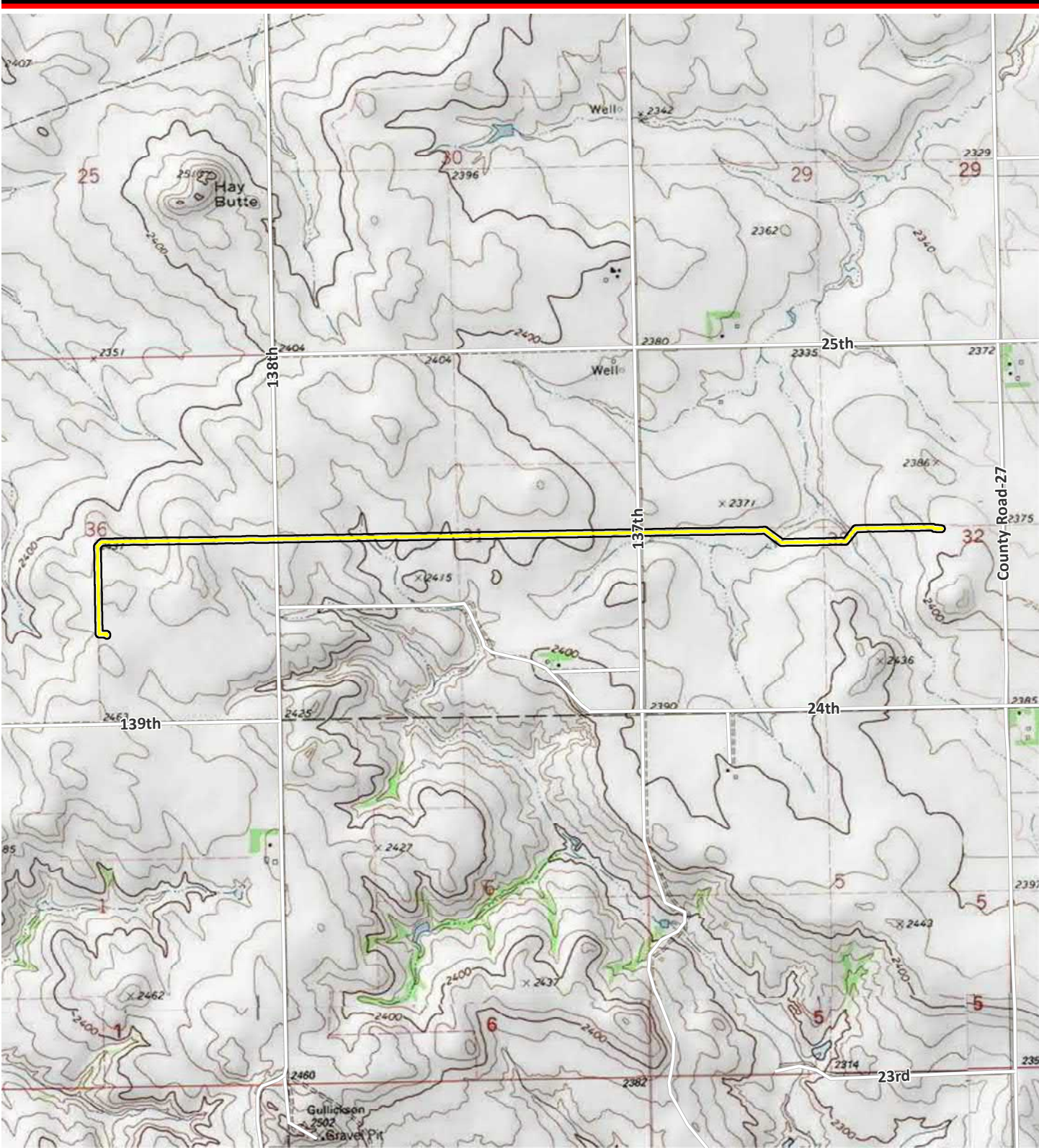
Sincerely,

WSP USA, Inc.

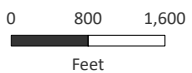
A handwritten signature in black ink that reads "Bonnie Gibson, RPA". The signature is written in a cursive, flowing style.

Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

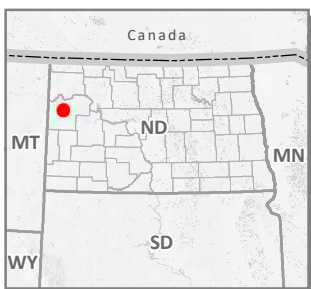
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Mary Podoll, State Conservationist
Natural Resources Conservation Service
220 East Rosser Avenue
Federal Building, Room 270
Bismarck, ND 58501

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

Ms. Podoll,

Caliber North Dakota LLC (Caliber) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline (Project). WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for the Project. The purpose of this correspondence is to clarify WSP's prior correspondence regarding the Project and to solicit comments to assist in the Project's review.

The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

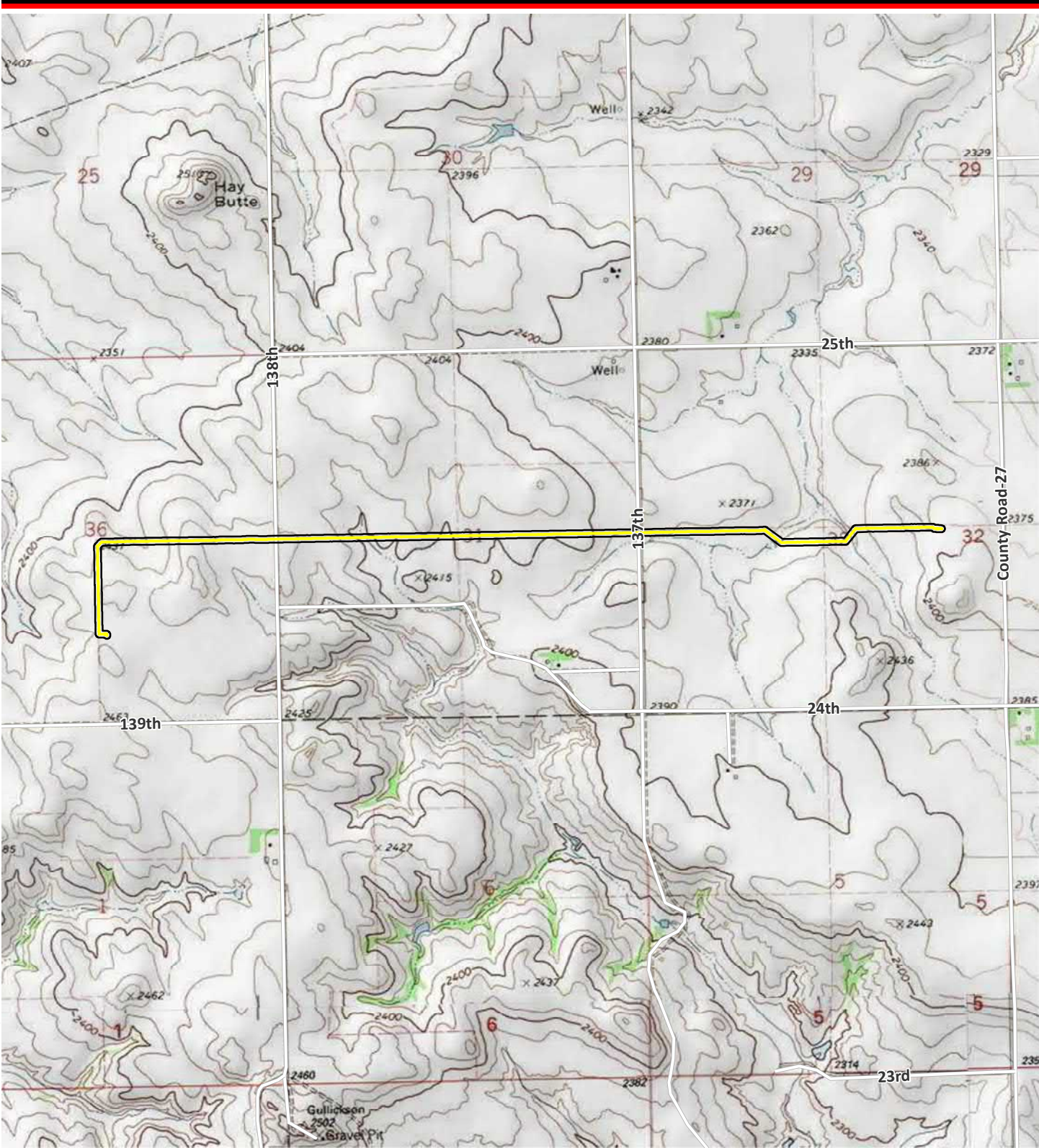
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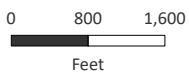
Bonnie Gibson, RPA



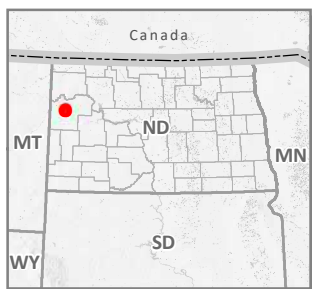
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



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- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



United States Department of Agriculture

November 2, 2021

Natural Resources
Conservation Service

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

Voice 701.530.2000
Fax 855-813-7556

WSP USA, Inc.
Bonnie Gibson, RPA
5665 Flatiron Parkway, Suite 250
Boulder, CO 80301

Dear Ms. Gibson:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated October 26, 2021 concerning reconfiguration of Caliber's facilities in McKenzie County, 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 local importance) to non-agriculture use. Your reconfiguration project is not supported by federal funding, therefore, FPPA does not apply, and no further action is needed.

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: 2021.11.02 10:46:55 -05'00'

WADE D. BOTT
State Soil Scientist

Helping People Help the Land

An Equal Opportunity Provider, Employer, and Lender

Appendix B-27



October 26, 2021

Marcy Feilmeier, County Executive Director
USDA North Dakota Farm Service Agency
Mckenzie County Farm Service Agency
109 5th Street Southwest
Watford City, Nd 58854-7135

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Ms. Feilmeier,

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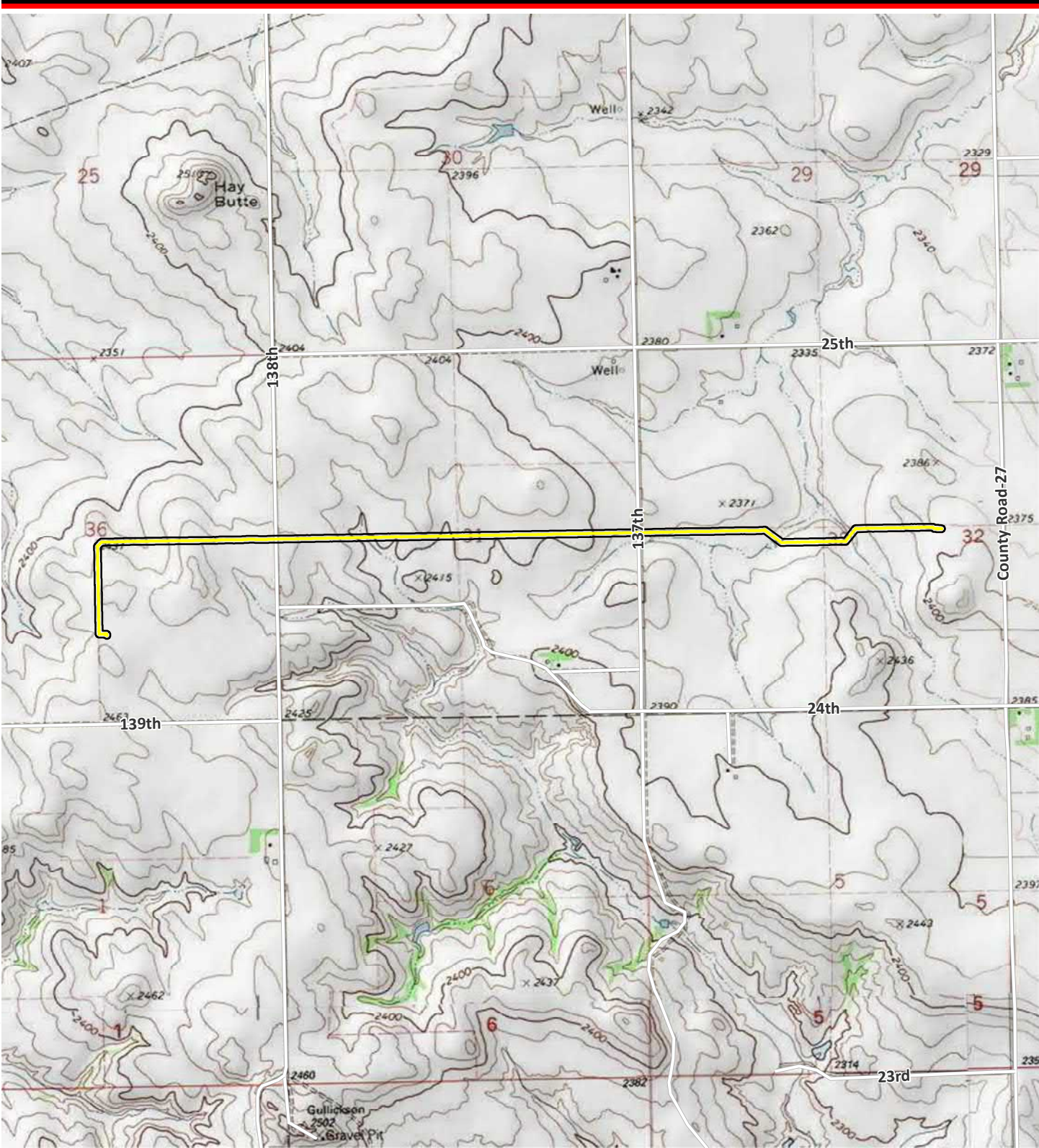
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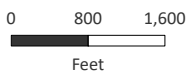
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

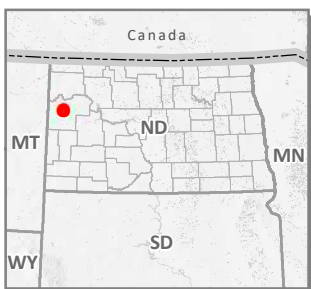
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Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Marcy Feilmeier, County Executive Director
USDA North Dakota Farm Service Agency
Mckenzie County Farm Service Agency
109 5th Street Southwest
Watford City, Nd 58854-7135

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Caliber Pipeline Project
Project Notification Letter and Review Request

Ms. Feilmeier,

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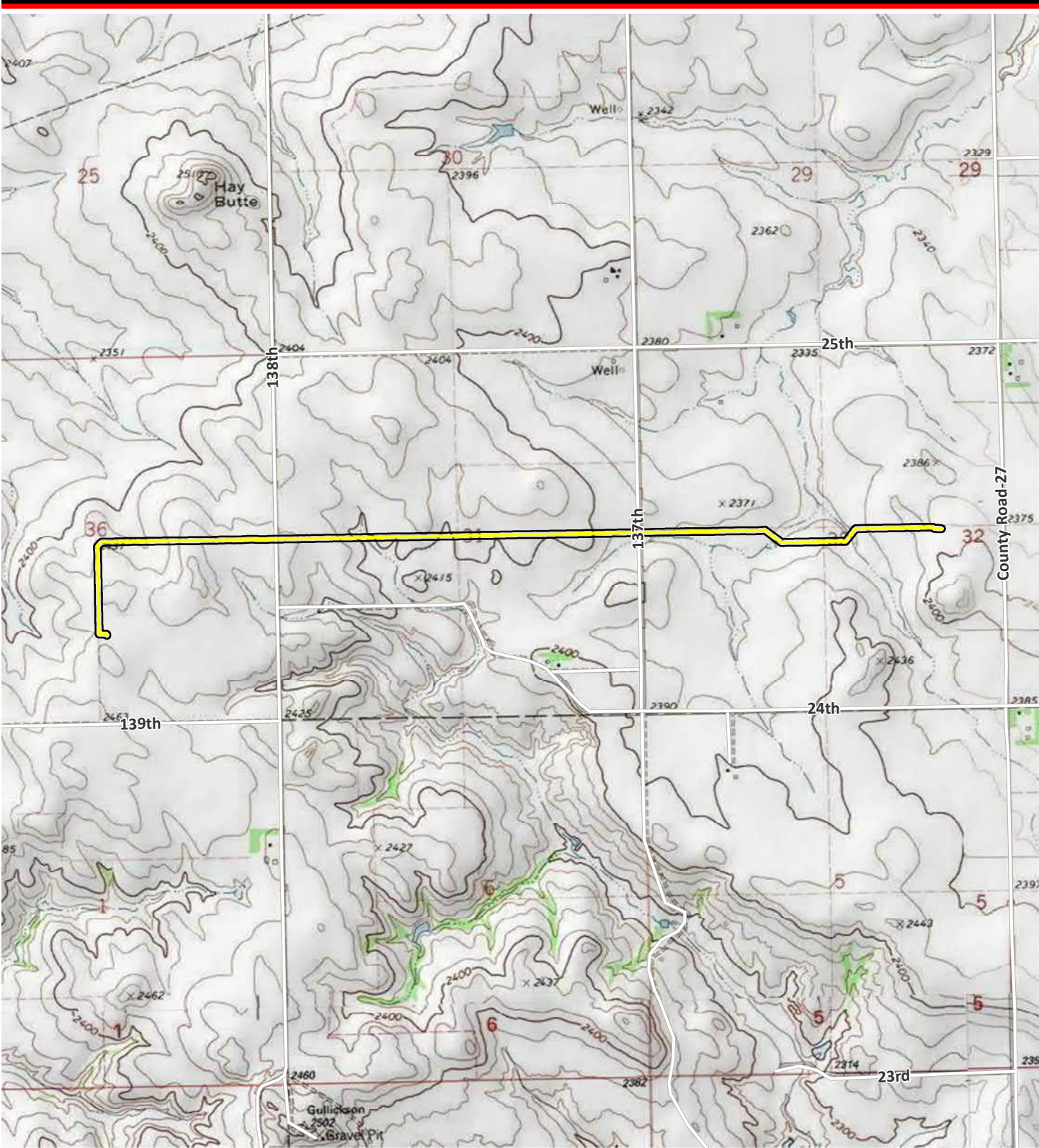
Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

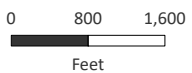
Tel.: 303-443-3282
wsp.com



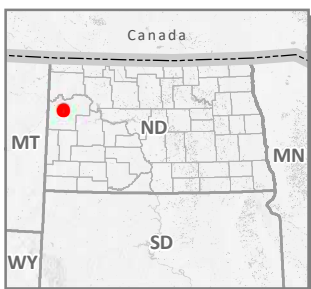
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
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USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

From: Feilmeier, Marcy - FPAC-FSA, Watford City, ND <marcy.feilmeier@usda.gov>
Sent: Wednesday, October 27, 2021 12:19 PM
To: Oliveira, Cassandra
Subject: RE: [External Email]Caliber Midstream Notification Letter and Review Request

Thanks Cassandra! I will take a look at the pipeline project notification letter/proposal.

Marcy Feilmeier
County Executive Director
McKenzie County FSA Office
USDA - Farm Service Agency
PO Box 604
Watford City, ND 58854
701-842-3628 (o)

USDA is an equal opportunity provider, employer and lender.

From: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Sent: Wednesday, October 27, 2021 1:13 PM
To: ug-NDWATFORDC-fsa <ndwatfordc-fsa@usda.gov>
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: [External Email]Caliber Midstream Notification Letter and Review Request

[External Email]

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Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

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Respectfully,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

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Appendix B-28



October 26, 2021

Western Area Water Supply Authority
1117 East Broadway
PO Box 2343
Williston, ND 58802

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

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WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

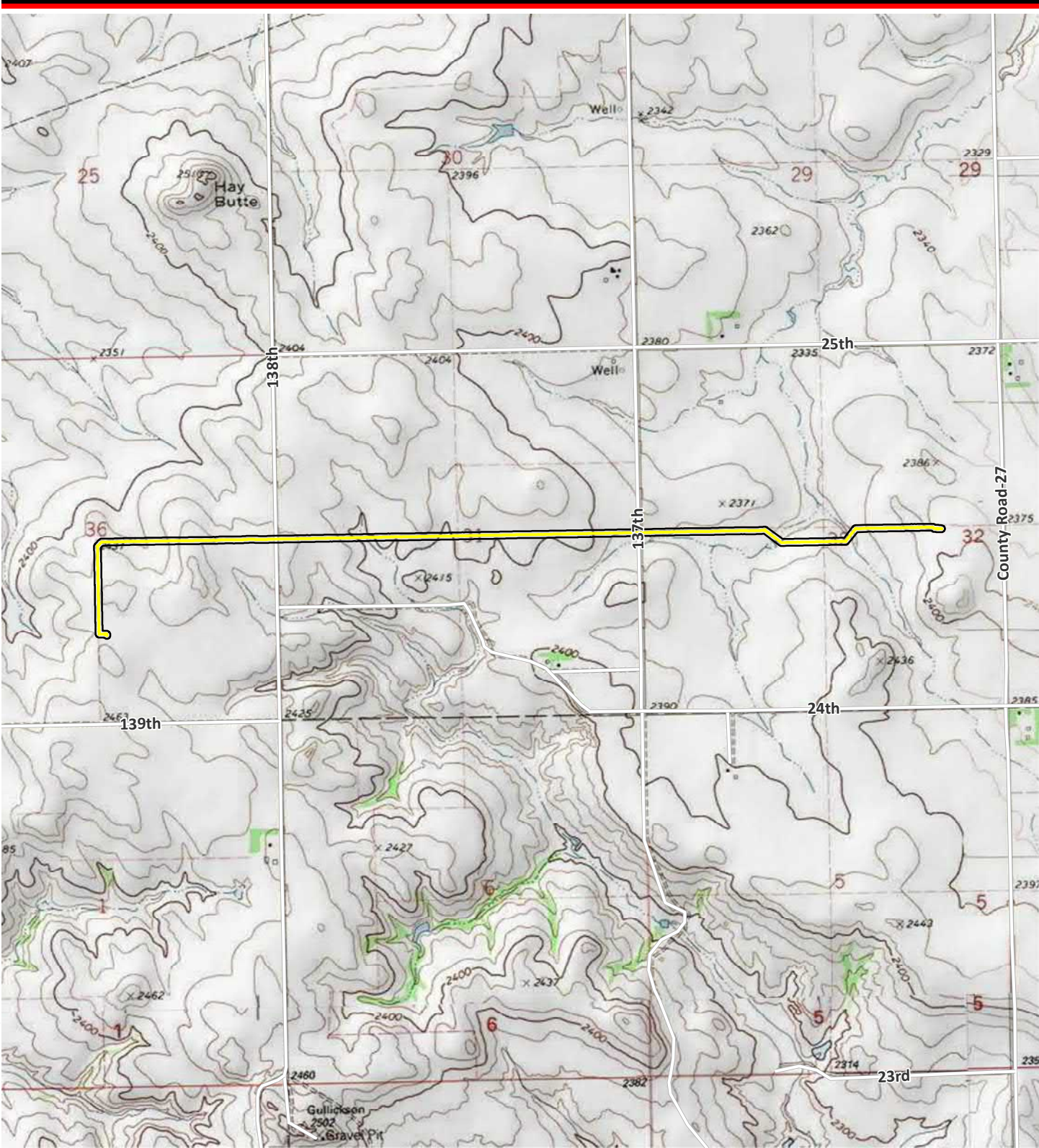
Sincerely,

WSP USA, Inc.

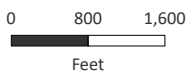
A handwritten signature in black ink that reads "Bonnie Gibson, RPA". The signature is written in a cursive, flowing style.

Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

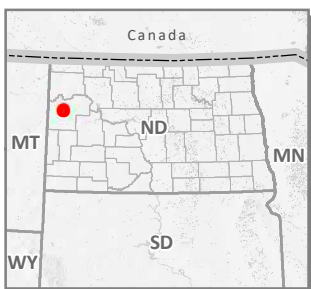
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Western Area Water Supply Authority
1117 East Broadway
PO Box 2343
Williston, ND 58802

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

To whom it may concern,

Caliber North Dakota LLC (Caliber) owns and operates an existing 2.62-mile long, 8-inch diameter natural gas pipeline (Project). WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for the Project. The purpose of this correspondence is to clarify WSP's prior correspondence regarding the Project and to solicit comments to assist in the Project's review.

The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

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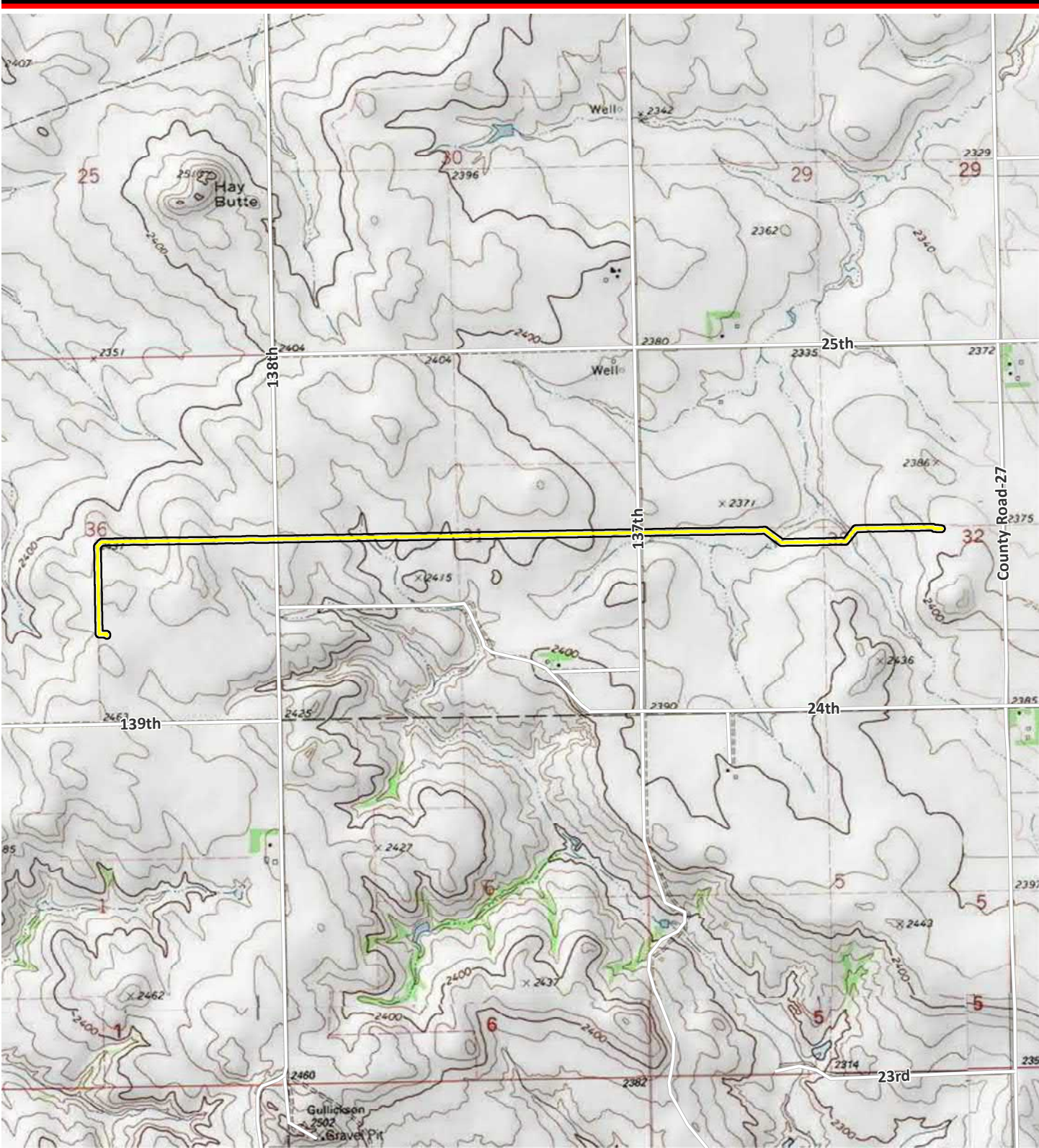
Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

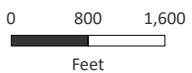
Tel.: 303-443-3282
wsp.com



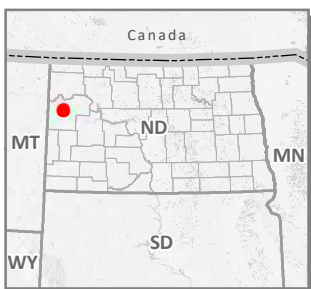
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

Appendix B-29



October 26, 2021

Howdy Lawlar, Chair
McKenzie County Commissioners
201 5th Street Northwest, Suite 543
Watford, ND 58854

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Lawlar,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

Caliber proposes to modify facilities at its existing interconnection with Northern Border to allow gas to flow bi-directionally. Caliber proposes to transport gas from Northern Border to the adjacent trucking facility. The gas from the pipeline would be loaded into trucks, and from there the CNG would be delivered to production facilities for use as fuel in hydraulic fracturing operations and would be consumed wholly within North Dakota. Gas flows from Northern Border would be seasonal and intermittent with minimal volumes, anywhere between 0.1 and 5 mcf/d. Caliber anticipates these volumes will be delivered by actual flows of gas, and by displacement. Caliber does not own the CNG trucking facility and would not take title to any gas flowed from Northern Border.

Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber



estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

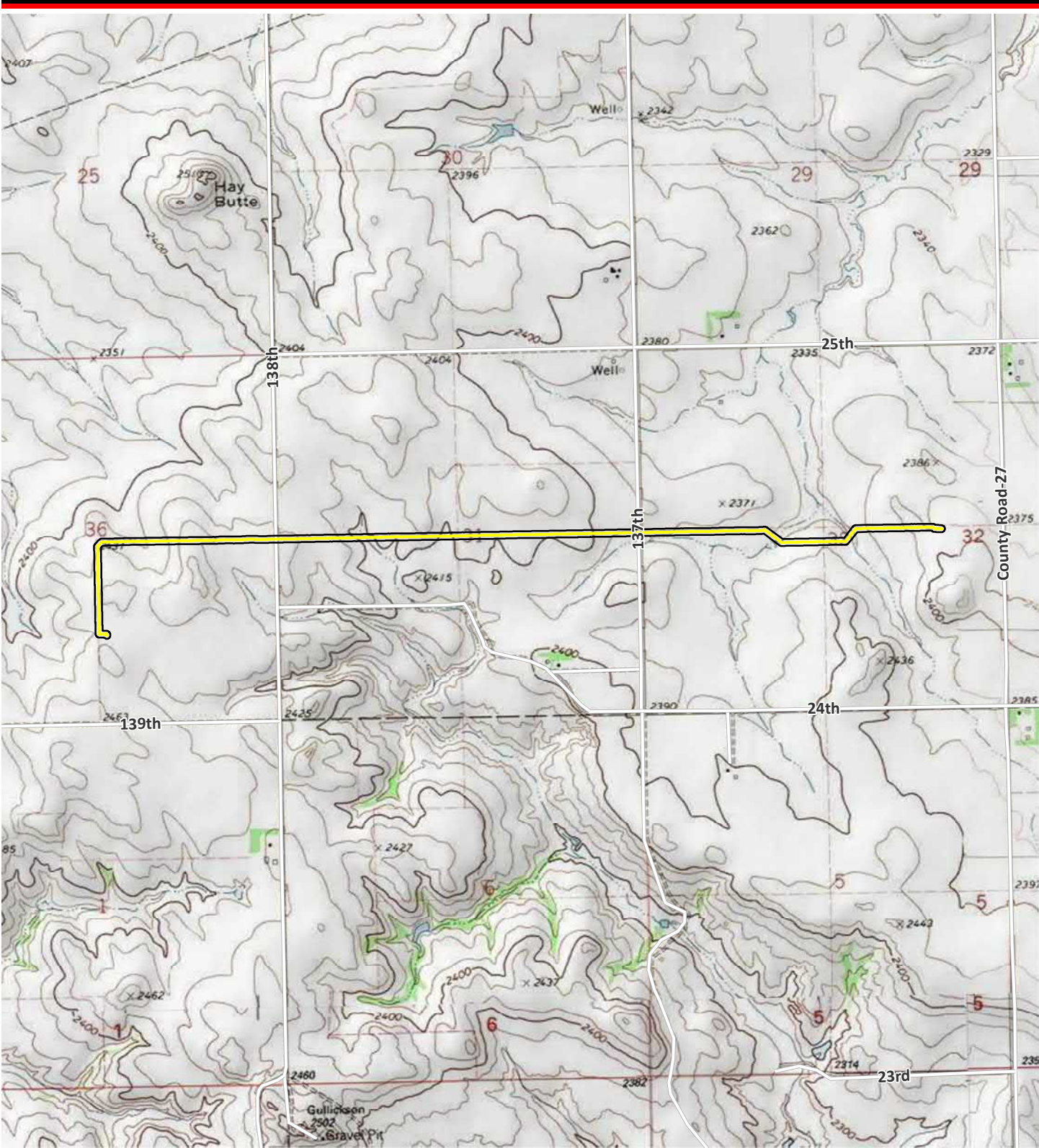
Sincerely,

WSP USA, Inc.

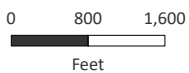
A handwritten signature in black ink that reads "Bonnie Gibson, RPA". The signature is written in a cursive style.

Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

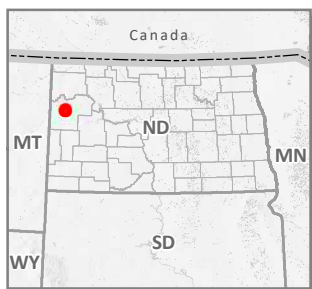
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\Projection\caliber.mxd
 Copyright 2021, WSP



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Howdy Lawlar, Chair
McKenzie County Commissioners
201 5th Street Northwest, Suite 543
Watford, ND 58854

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Lawlar,

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Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

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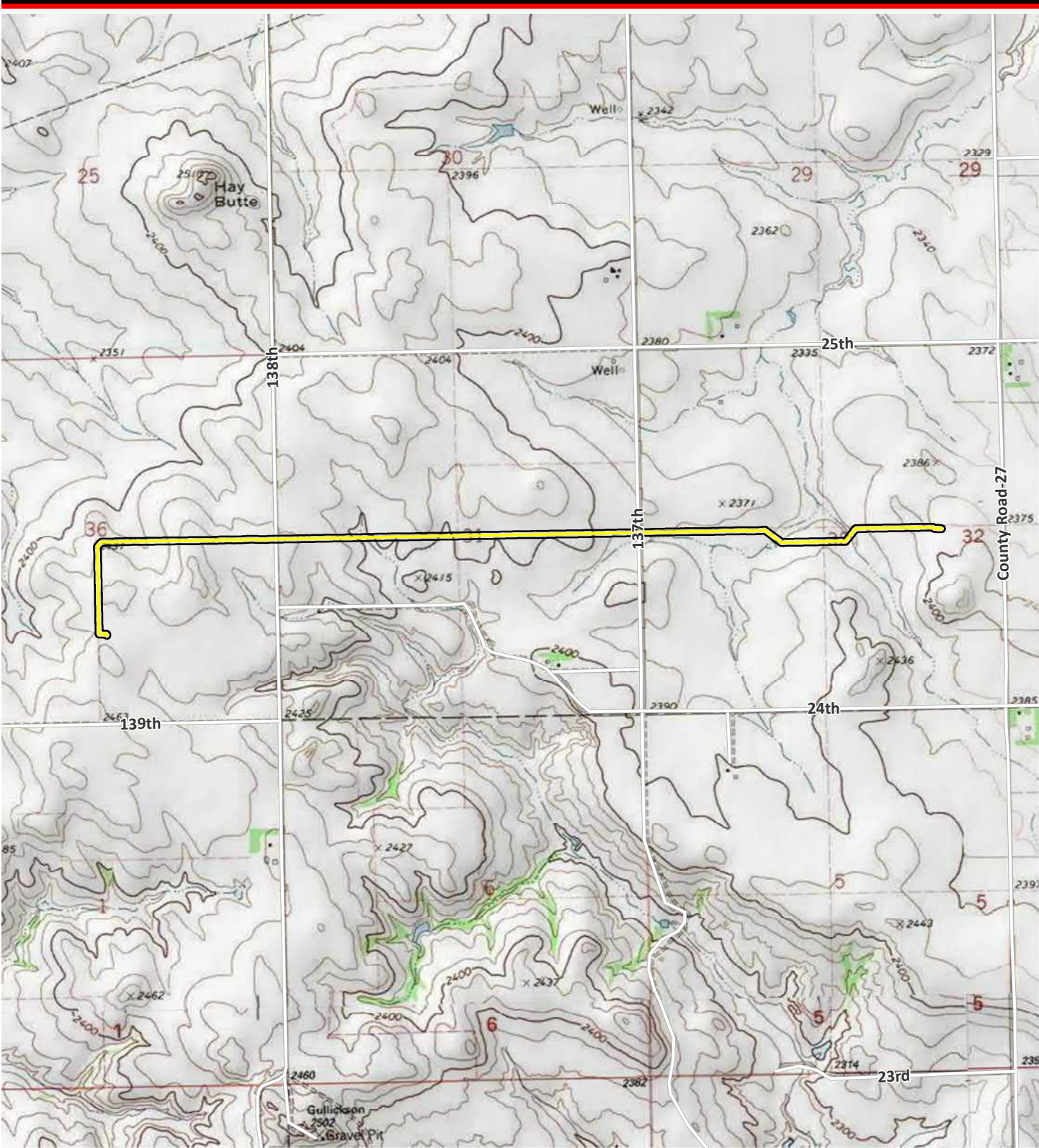
Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

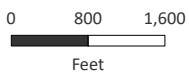
Tel.: 303-443-3282
wsp.com



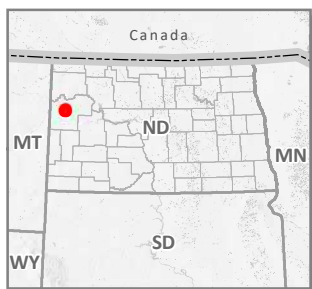
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

From: Casey A. Furey <cfurey@crowleyfleck.com>
Sent: Monday, November 22, 2021 1:23 PM
To: ejohnsrud@co.mckenzie.nd.us
Cc: Lisa Herberholz
Subject: FW: Caliber 2.62-mile 8-inch pipeline
Attachments: #7 - 2021-11-05 Furey Ltr to Kahl re Correction to Legal Description(11284095.1).pdf; #4 - Order Granting Temporary Operations(11276311.1).pdf; Reside Pipeline Agency Letter_County Commissioners 11-9-21.pdf; Reside Pipeline Agency Letter_County Commissioners 10-26-2021.pdf(11292917.1).pdf; #10 - Corrected Order Granting Temporary Operations.PDF

Ms. Johnsrud, As indicated below, I serve as local counsel for Caliber relating to siting of its 2.62-mile natural gas line in McKenzie County. I received an inquiry regarding the project from Vice Chair Skarda and forwarded the below email and attachments in response. Ms. Skarda requested that this information be directed to you as well. As an update to the below email, the PSC issued a corrected Order regarding the Project's legal description. A copy of the corrected Order is attached hereto. Once the siting application is filed with the PSC, I will also send you a copy.

With respect to requesting copies of previously issued local permits that may relate to this project, would you have this information or should I direct the inquiry to a different department?

Thank you,

CASEY A. FUREY
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58501
Main: 701.223.6585 | Fax: 701.222.4853
Direct: 701.224.7552



WITH OFFICES IN MONTANA, NORTH DAKOTA, AND WYOMING:
[BILLINGS](#) [BISMARCK](#) [BOZEMAN](#) [BUTTE](#) [CASPER](#) [CHEYENNE](#) [HELENA](#) [KALISPELL](#) [MISSOULA](#) [SHERIDAN](#) [WILLISTON](#)

From: Casey A. Furey
Sent: Wednesday, November 10, 2021 1:23 PM
To: kskarda@co.mckenzie.nd.us
Cc: Lisa Herberholz <lherberholz@crowleyfleck.com>
Subject: Caliber 2.62-mile 8-inch pipeline

Vice Chair Skarda, Thank you for your time this morning.

As referenced, I serve as local counsel for Caliber on siting matters relating to Caliber's 2.62 8-inch pipeline. Caliber has retained environmental consultant WSP to assist with project review for siting before the North Dakota Public Service Commission (PSC). Caliber submitted a request to the PSC requesting temporary authorization to continue operating the line while the siting process proceeds before the PSC. A copy of Caliber's interim request is too large to attach to this email, but the filing can be accessed at the following link <https://psc.nd.gov/database/documents/21-0406/001-010.pdf>.

The interim filing contains a project map. The project is located in Township 150 North, Range 101 West, Section 36 and Township 150 North, Range 100 West, Sections 31 and 32. Please note, the text of the interim request (pg. 2) references the line as being located in Section 29. As you will see from the project map, the project is not located in Section 29. The reference to Section 29 was inadvertently included and it should have instead stated **Section 31**. Caliber has subsequently filed a notice with the PSC to correct the record. A copy of this corrective filing is attached.

On Nov. 3, the PSC issued an order temporarily permitting the project to operate while the project undergoes the siting process before the PSC. The temporary authorization will expire when the PSC makes a determination on the siting proceeding. A copy of the interim order is attached. Caliber will file a full siting application with the PSC on or before Nov. 30. At this same time, the County Auditor will also be served with a copy of the siting application as required under law. The siting process includes a public hearing on the project's siting application. Once the siting application is filed with the PSC, reviewed by PSC staff, and found to contain the required information, the PSC will set the matter for public hearing and issue a notice of public hearing.

Attached are copies of correspondence previously sent by Caliber's consultant WSP to the County regarding the line. WSP's first letter references the project and the regulatory process before the PSC. To clarify, the intent of this correspondence was to solicit feedback for the project's siting application that is being prepared for submittal. Because the project will undergo a siting review by the PSC,

WSP seeks feedback from the County. As we discussed, the siting process is ongoing and a PSC siting application is forthcoming. WSP sent a second letter to the County to clarify the intent and purpose of its initial correspondence, and to provide additional information regarding the location of the line.

For reference, the following information is provided:

- Caliber's Interim Request to PSC (see above link)
- Temporary PSC Order (attached)
- Caliber's Notice of Correction to correct the record regarding the Section 29 reference (attached)
- WSP's Oct 26 and Nov 9 letters to the McKenzie County Commission (attached)

Please let me know if I can provide any additional information.

Thank you,

Casey Furey

CASEY A. FUREY
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58501
Main: 701.223.6585 | Fax: 701.222.4853
Direct: 701.224.7552



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[BILLINGS](#) [BISMARCK](#) [BOZEMAN](#) [BUTTE](#) [CASPER](#) [CHEYENNE](#) [HELENA](#) [KALISPELL](#) [MISSOULA](#) [SHERIDAN](#) [WILLISTON](#)

Appendix B-30



October 26, 2021

Sandee Kimpel, Assistant Planning & Zoning Director
McKenzie County Planning & Zoning Department
1300 12th Street Southwest, Suite 214
Watford City, ND 58854

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Ms. Kimpel,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

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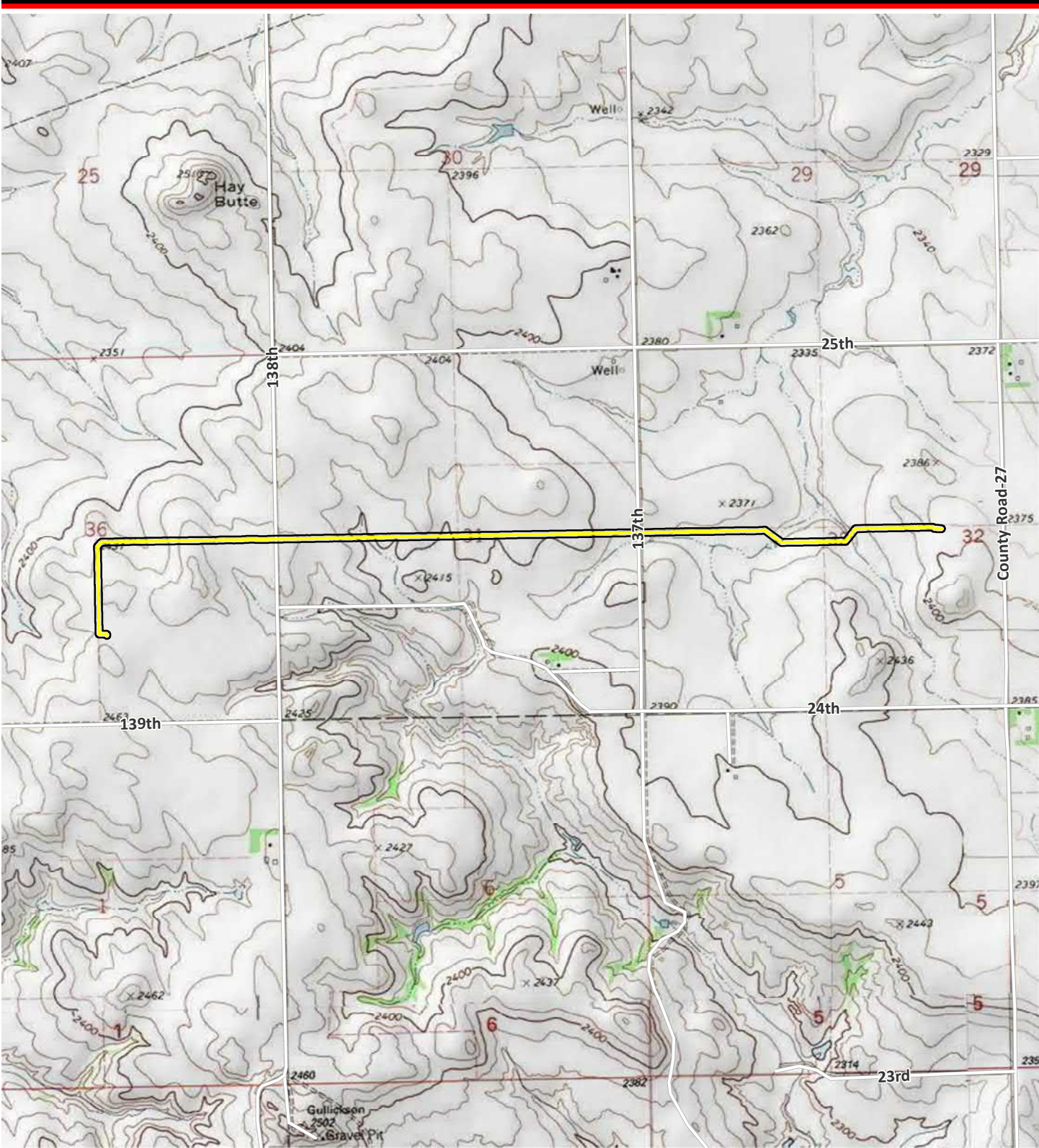
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WSP USA, Inc.

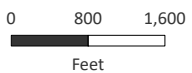
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

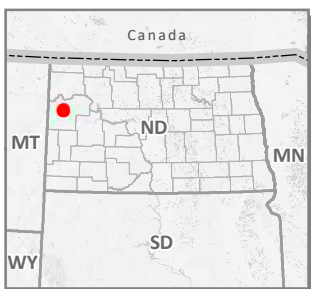
Attachment: Project Map



C:\PROJECTS\Caliber\MapDocs\MapDocs\ProjectLocationMap-USGS_Topo.mxd



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Sandee Kimpel, Assistant Planning & Zoning Director
McKenzie County Planning & Zoning Department
1300 12th Street Southwest, Suite 214
Watford City, ND 58854

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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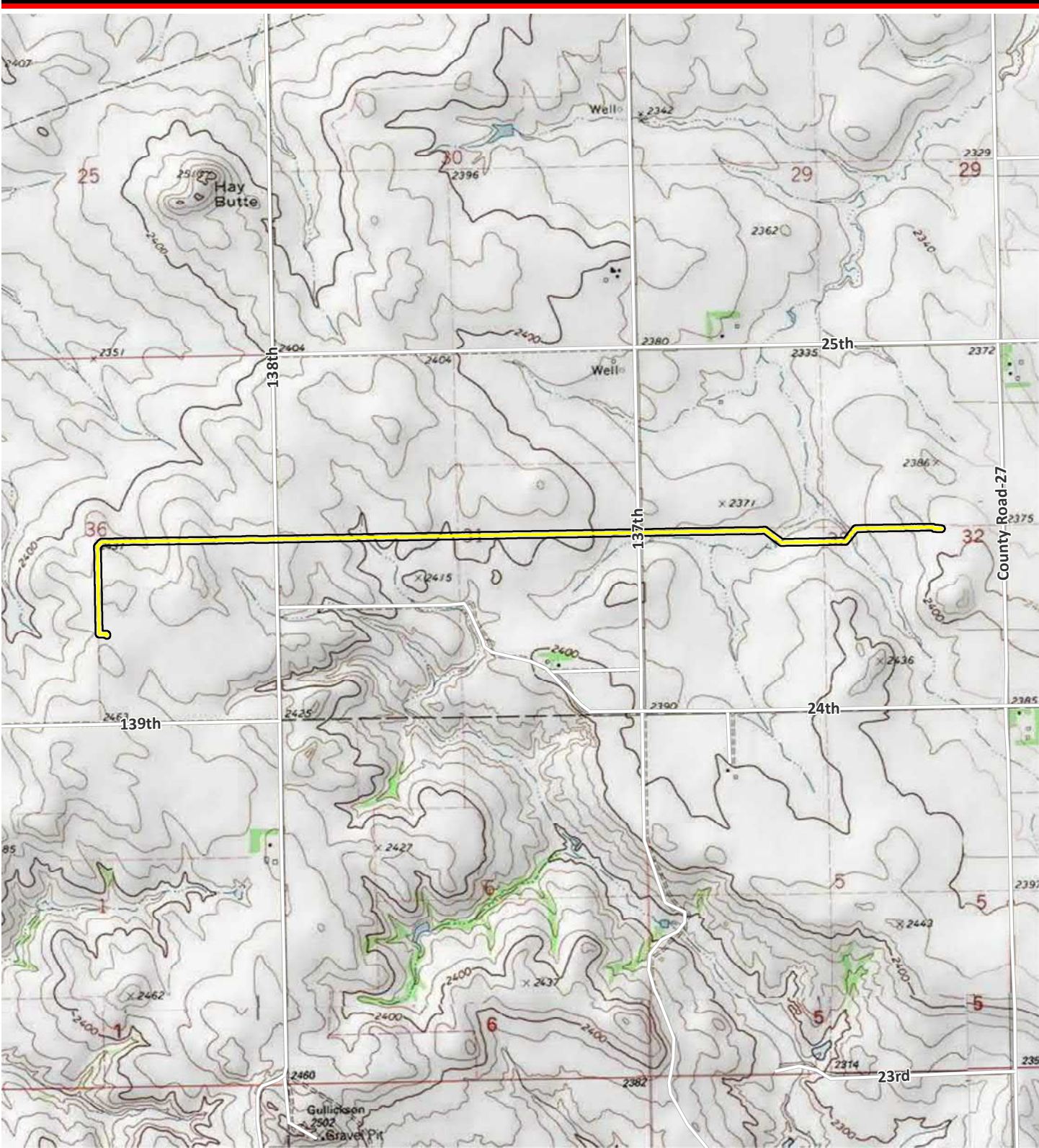
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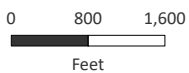
Bonnie Gibson, RPA



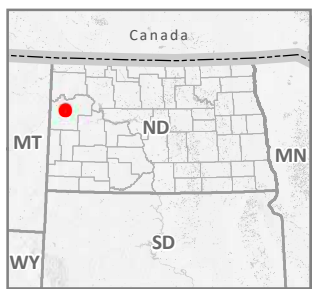
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

From: Tim Pickering <tpickering@co.mckenzie.nd.us>
Sent: Tuesday, November 23, 2021 11:23 AM
To: Casey A. Furey; Lisa Herberholz
Cc: Erica Johnsrud; Curt Huus; Dawn Tschetter; Cindy Glover
Subject: RE: Caliber 2.62-mile 8-inch pipeline
Attachments: CM071513TS.pdf

This message was received from an external email account. Please use caution when opening messages, attachments or external links from unknown senders.

Hello Casey, I was only able to locate a utility permit with a poor exhibit. I did not find an approach permit for the facilities. You may need to apply for those permits if you are unable to locate them in your records.

Regards,

Tim Pickering

From: Casey A. Furey <cfurey@crowleyfleck.com>
Sent: Tuesday, November 23, 2021 12:11 PM
To: Tim Pickering <tpickering@co.mckenzie.nd.us>; Lisa Herberholz <lherberholz@crowleyfleck.com>
Cc: Erica Johnsrud <ejohnsrud@co.mckenzie.nd.us>; Curt Huus <chuus@co.mckenzie.nd.us>; Dawn Tschetter <dawnt@co.mckenzie.nd.us>; Cindy Glover <csmith@co.mckenzie.nd.us>
Subject: RE: Caliber 2.62-mile 8-inch pipeline

Tim, The project was constructed in 2014 and yes, it is an 8-inch steel line. Thank you

CASEY A. FUREY
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58501
Main: 701.223.6585 | Fax: 701.222.4853
Direct: 701.224.7552



WITH OFFICES IN MONTANA, NORTH DAKOTA, AND WYOMING:
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From: Tim Pickering <tpickering@co.mckenzie.nd.us>
Sent: Monday, November 22, 2021 5:47 PM
To: Lisa Herberholz <lherberholz@crowleyfleck.com>; Casey A. Furey <cfurey@crowleyfleck.com>
Cc: Erica Johnsrud <ejohnsrud@co.mckenzie.nd.us>; Curt Huus <chuus@co.mckenzie.nd.us>; Dawn Tschetter <dawnt@co.mckenzie.nd.us>; Cindy Glover <csmith@co.mckenzie.nd.us>
Subject: RE: Caliber 2.62-mile 8-inch pipeline

This message was received from an external email account. Please use caution when opening messages, attachments or external links from unknown senders.

Hello Casey and Lisa,

What year was the pipeline constructed?
To Confirm, is it an 8 inch steel line?

Thank you,

Tim

From: Erica Johnsrud
Sent: Monday, November 22, 2021 4:22 PM
To: 'Casey A. Furey' <cfurey@crowleyfleck.com>; Curt Huus <chuus@co.mckenzie.nd.us>
Cc: Lisa Herberholz <lherberholz@crowleyfleck.com>
Subject: RE: Caliber 2.62-mile 8-inch pipeline

Good afternoon Casey,

I've copied on this email our County Engineer, Curt Huus, as his team should have the permits you are looking for in regards to the project.

Thank you for the update,

Erica

Erica Johnsrud
McKenzie County Auditor/Treasurer
201 5th St NW Suite 543
Watford City, ND 58854
(701) 444-3616 Ext. 3 – Telephone
(701) 444-4113 – Fax
www.mckenziecounty.net

From: Casey A. Furey [<mailto:cfurey@crowleyfleck.com>]
Sent: Monday, November 22, 2021 2:23 PM
To: Erica Johnsrud
Cc: Lisa Herberholz
Subject: FW: Caliber 2.62-mile 8-inch pipeline

Ms. Johnsrud, As indicated below, I serve as local counsel for Caliber relating to siting of its 2.62-mile natural gas line in McKenzie County. I received an inquiry regarding the project from Vice Chair Skarda and forwarded the below email and attachments in response. Ms. Skarda requested that this information be directed to you as well. As an update to the below email, the PSC issued a corrected Order regarding the Project's legal description. A copy of the corrected Order is attached hereto. Once the siting application is filed with the PSC, I will also send you a copy.

With respect to requesting copies of previously issued local permits that may relate to this project, would you have this information or should I direct the inquiry to a different department?

Thank you,

CASEY A. FUREY
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58501
Main: 701.223.6585 | Fax: 701.222.4853
Direct: 701.224.7552

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This email has been scanned for email related threats and delivered safely by Mimecast. For more information please visit <http://www.mimecast.com>

From: Casey A. Furey
Sent: Wednesday, November 10, 2021 1:23 PM
To: kskarda@co.mckenzie.nd.us
Cc: Lisa Herberholz <lherberholz@crowleyfleck.com>
Subject: Caliber 2.62-mile 8-inch pipeline

Vice Chair Skarda, Thank you for your time this morning.

As referenced, I serve as local counsel for Caliber on siting matters relating to Caliber's 2.62 8-inch pipeline. Caliber has retained environmental consultant WSP to assist with project review for siting before the North Dakota Public Service Commission (PSC). Caliber submitted a request to the PSC requesting temporary authorization to continue operating the line while the siting process proceeds before the PSC. A copy of Caliber's interim request is too large to attach to this email, but the filing can be accessed at the following link <https://psc.nd.gov/database/documents/21-0406/001-010.pdf>.

The interim filing contains a project map. The project is located in Township 150 North, Range 101 West, Section 36 and Township 150 North, Range 100 West, Sections 31 and 32. Please note, the text of the interim request (pg. 2) references the line as being located in Section 29. As you will see from the project map, the project is not located in Section 29. The reference to Section 29 was inadvertently included and it should have instead stated **Section 31**. Caliber has subsequently filed a notice with the PSC to correct the record. A copy of this corrective filing is attached.

On Nov. 3, the PSC issued an order temporarily permitting the project to operate while the project undergoes the siting process before the PSC. The temporary authorization will expire when the PSC makes a determination on the siting proceeding. A copy of the interim order is attached. Caliber will file a full siting application with the PSC on or before Nov. 30. At this same time, the County Auditor will also be served with a copy of the siting application as required under law. The siting process includes a public hearing on the project's siting application. Once the siting application is filed with the PSC, reviewed by PSC staff, and found to contain the required information, the PSC will set the matter for public hearing and issue a notice of public hearing.

Attached are copies of correspondence previously sent by Caliber's consultant WSP to the County regarding the line. WSP's first letter references the project and the regulatory process before the PSC. To clarify, the intent of this correspondence was to solicit feedback for the project's siting application that is being prepared for submittal. Because the project will undergo a siting review by the PSC, WSP seeks feedback from the County. As we discussed, the siting process is ongoing and a PSC siting application is forthcoming. WSP sent a second letter to the County to clarify the intent and purpose of its initial correspondence, and to provide additional information regarding the location of the line.

For reference, the following information is provided:

- Caliber's Interim Request to PSC (see above link)
- Temporary PSC Order (attached)
- Caliber's Notice of Correction to correct the record regarding the Section 29 reference (attached)
- WSP's Oct 26 and Nov 9 letters to the McKenzie County Commission (attached)

Please let me know if I can provide any additional information.

Thank you,

Casey Furey

CASEY A. FUREY
100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58501
Main: 701.223.6585 | Fax: 701.222.4853
Direct: 701.224.7552

WITH OFFICES IN MONTANA, NORTH DAKOTA, AND WYOMING:

[BILLINGS](#) [BISMARCK](#) [BOZEMAN](#) [BUTTE](#) [CASPER](#) [CHEYENNE](#) [HELENA](#) [KALISPELL](#) [MISSOULA](#) [SHERIDAN](#) [WILLISTON](#)

Appendix B-31



October 26, 2021

Jeff Shaffer, Director
McKenzie County Water Resources Board
1300 12th Street Southeast, Suite 128
Watford City, ND 58854

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Shaffer,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

Caliber constructed the pipeline in August of 2014 and does not currently have an issued PSC certificate or permit. Caliber is requesting an approval for a temporary operation or variance under Chapter 49-22.1-23 to continue beneficial operation of our pipeline system. Caliber is also requesting in the application process to modify certain valves and structures at interconnection with Northern Border Pipeline located in McKenzie County, North Dakota permitting bi-directional flows on an intermittent and seasonal basis to support operations in the Bakken region. Caliber anticipates placing the facilities in-service by November 1, 2021.

Caliber proposes to modify facilities at its existing interconnection with Northern Border to allow gas to flow bi-directionally. Caliber proposes to transport gas from Northern Border to the adjacent trucking facility. The gas from the pipeline would be loaded into trucks, and from there the CNG would be delivered to production facilities for use as fuel in hydraulic fracturing operations and would be consumed wholly within North Dakota. Gas flows from Northern Border would be seasonal and intermittent with minimal volumes, anywhere between 0.1 and 5 mcf/d. Caliber anticipates these volumes will be delivered by actual flows of gas, and by displacement. Caliber does not own the CNG trucking facility and would not take title to any gas flowed from Northern Border.

Reconfiguration of Caliber’s facilities to support bi-directional gas flows from Northern Border to the CNG trucking facility will require only minor construction activities, all of which will take place on land owned by Caliber, thus there will be no impact on any landowners. Caliber will not be taking customers from any other pipeline or replace pipeline capacity that customers are currently using on another pipeline. Caliber’s construction activities do not require construction of a new pipeline, nor would construction require the use



of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

The purpose of this letter is to provide notification of the Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

WSP USA, Inc. (WSP) has been retained by Caliber to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

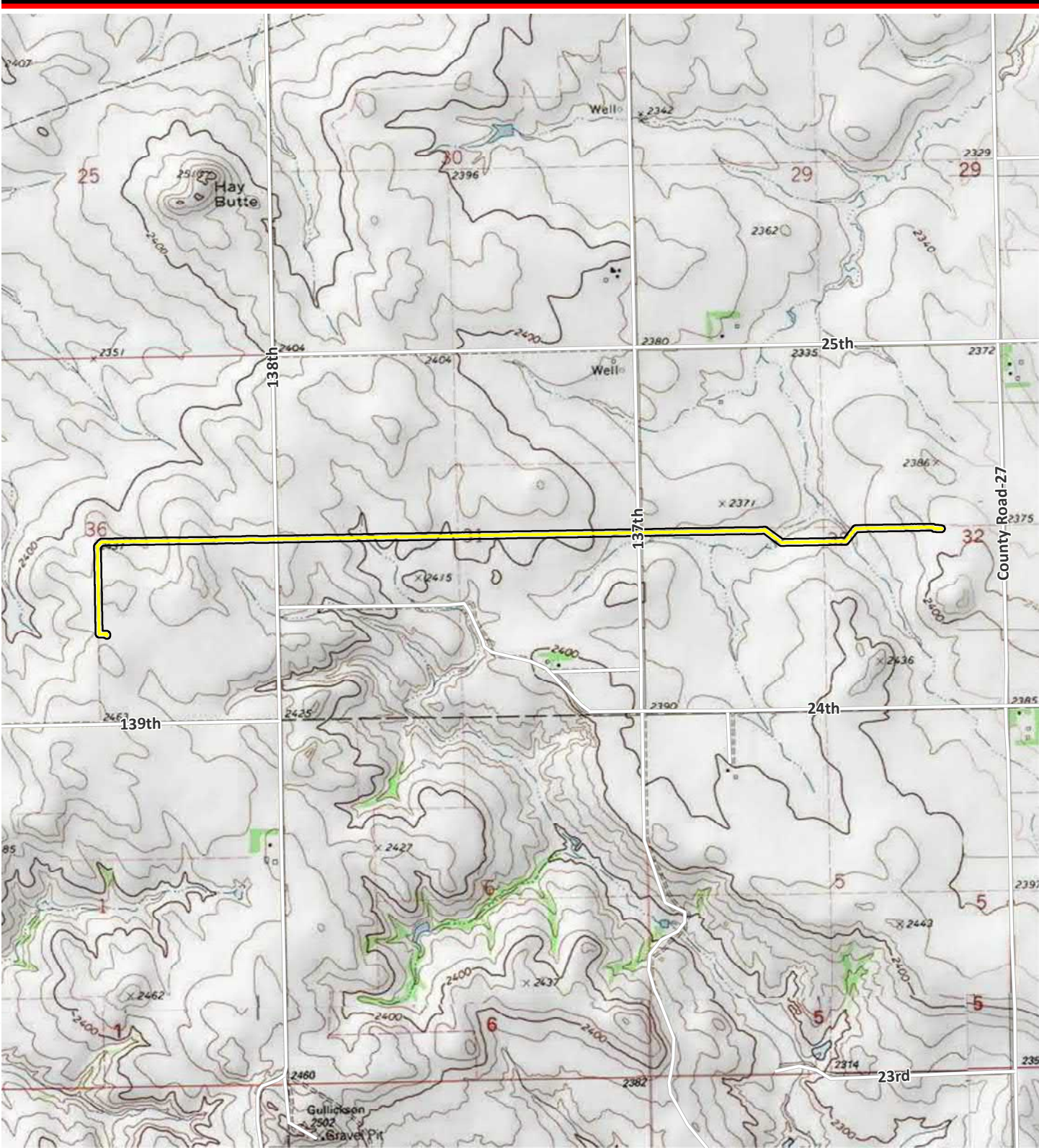
Sincerely,

WSP USA, Inc.

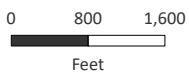
A handwritten signature in black ink that reads "Bonnie Gibson, RPA". The signature is written in a cursive style.

Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

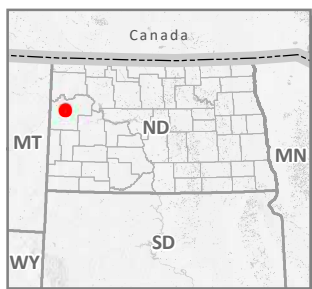
Attachment: Project Map



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Jeff Shaffer, Director
McKenzie County Water Resources Board
1300 12th Street Southeast, Suite 128
Watford City, ND 58854

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

Mr. Shaffer,

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The Project was originally constructed in 2014 and is located entirely within McKenzie County, North Dakota. The Project originates at Caliber's mechanical refrigeration natural gas processing Hay Butte Plant and terminates at an interconnect with the Northern Border Pipeline (see enclosed map). WSP seeks to provide additional information regarding the Project's location. In addition to crossing Township 150 North, Range 101 West, Section 36, the Project's route also crosses Township 150 North, Range 100 West, Sections 31 and 32.

The Project is within the jurisdiction of the North Dakota Public Service Commission (NDPSC). WSP is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1. A copy of this letter and comments received in response will be included in the Project's siting application and filed with the NDPSC.

Should you have any questions or require additional information, please contact me at (303) 746-6656 or Bonnie.Gibson@wsp.com. In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

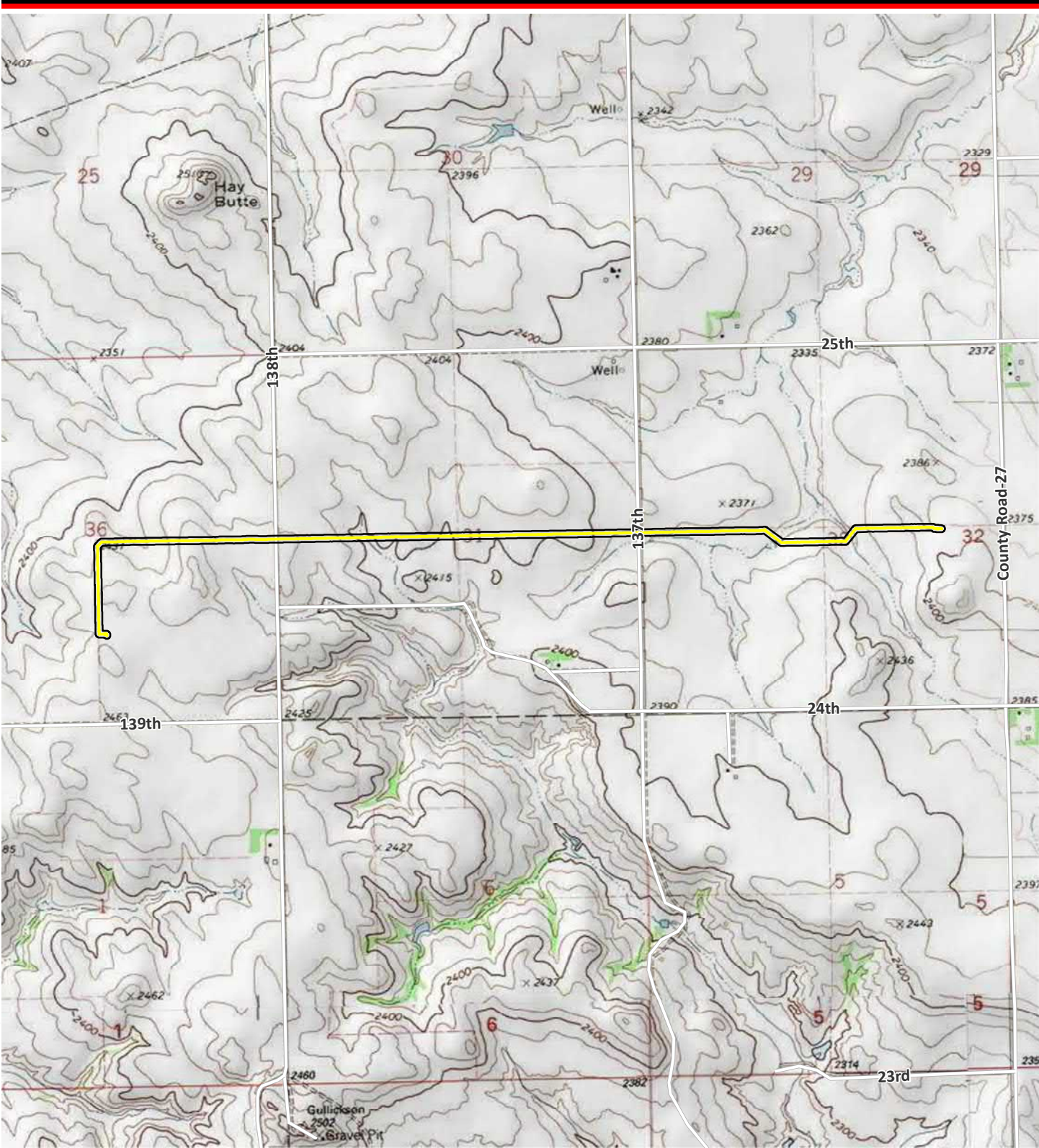
Sincerely,

WSP USA, Inc.

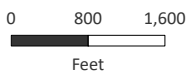
Bonnie Gibson, RPA



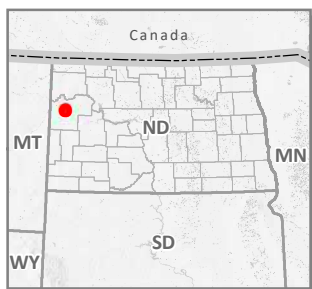
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

From: Jeff Shaffer <jshaffer@co.mckenzie.nd.us>
Sent: Wednesday, October 27, 2021 3:39 PM
To: Gibson, Bonnie
Cc: ndpsc@nd.gov; Tami L Norgard; Larry Novak (coyote@ruggedwest.com)
Subject: FW: Caliber Midstream Notification Letter and Review Request
Attachments: Reside Pipeline Agency Letter_County Water Resources Board.pdf

Ms. Gibson

MCWRD is interested in reviewing this project and providing comments. However, we feel that your timeline is unrealistic for us to adequately obtain and review the information, the impact of the bi-directional flow on said facilities and any potential impact on water resources in this area. We would need at least two weeks to do so and then I would need to inform the MCWRD board, which meets the second Tuesday of each month, before I could comment.

Regards

Jeff Shaffer

Director
McKenzie County Water Resource District
(t) 701-842-2821
(f) 701-842-2822
(c) 701-580-6167
jshaffer@co.mckenzie.nd.us
<https://www.facebook.com/mckenziecountynd>



From: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Sent: Wednesday, October 27, 2021 1:16 PM
To: Jeff Shaffer <jshaffer@co.mckenzie.nd.us>
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: Caliber Midstream Notification Letter and Review Request

Mr. Shaffer,

I am writing on behalf of Caliber Midstream Partners, L.P. to provide notification of the Caliber Pipeline Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project. The details of the project are included in the attached letter. Please contact Bonnie Gibson at Bonnie.Gibson@wsp.com or 303-746-6656 if you have any questions or concerns.

Respectfully,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

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Appendix B-32



October 26, 2021

Amber Higgins, Weed Control Officer
McKenzie County Weed Board
512 14th Street Southwest
PO Box 930
Watford City, ND 58854

RE: Caliber Midstream Partners, L.P.
Caliber Pipeline Project
Project Notification Letter and Review Request

Ms. Higgins,

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile long, 8-inch diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to Northern Border Pipeline (150T 101R 36S). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (“mcf/d”) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas (“CNG”) truck fueling facility adjacent to Caliber’s processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

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construction activities do not require construction of a new pipeline, nor would construction require the use of eminent domain, as the construction would be conducted entirely on land owned by Caliber. Caliber estimates construction including less than 100' of pipe, less than 3 valves, one pressure regulator to connect the new buyback meter installed by Northern Border to the Caliber pipeline. All work will be above ground on land already owned by Caliber. Northern Border operates the interconnect, Caliber owns some of the equipment there. Northern Border will need to install a tee, valving, and meter to allow the buyback. Caliber will install a regulator, tee and valving to connect the buyback.

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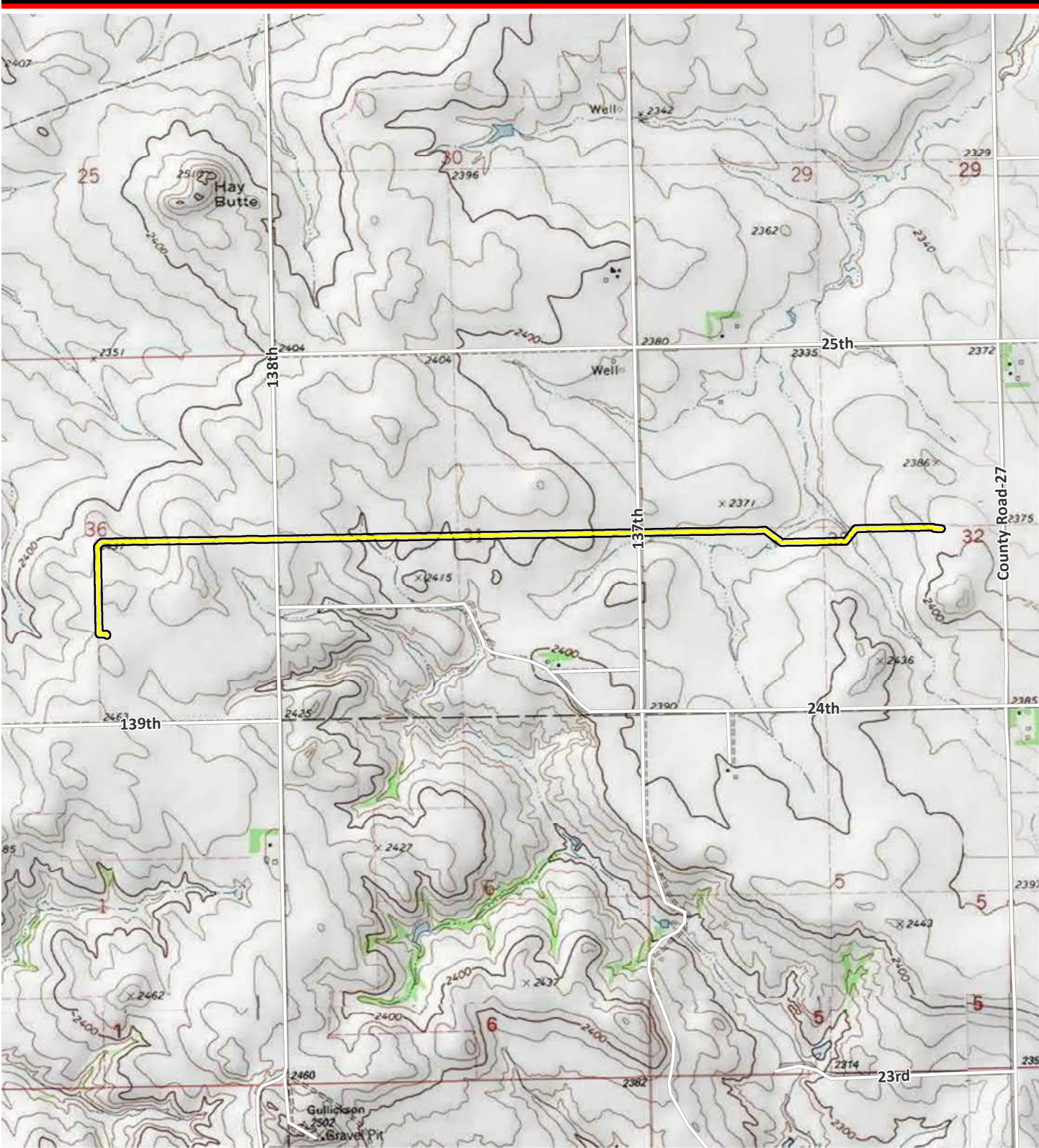
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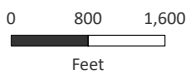
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Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead

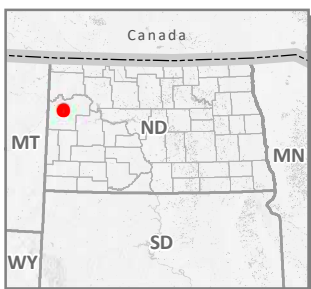
Attachment: Project Map



C:\PROJECTS\Caliber\MapDocs\MapDocs\ProjectLocationMap-USGS_Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline



November 9, 2021

Sent Via E-Mail

Amber Higgins, Weed Control Officer
McKenzie County Weed Board
512 14th Street Southwest
PO Box 930
Watford City, ND 58854

RE: Caliber North Dakota LLC
Caliber Pipeline Project
Project Notification Letter and Review Request

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Sincerely,

WSP USA, Inc.

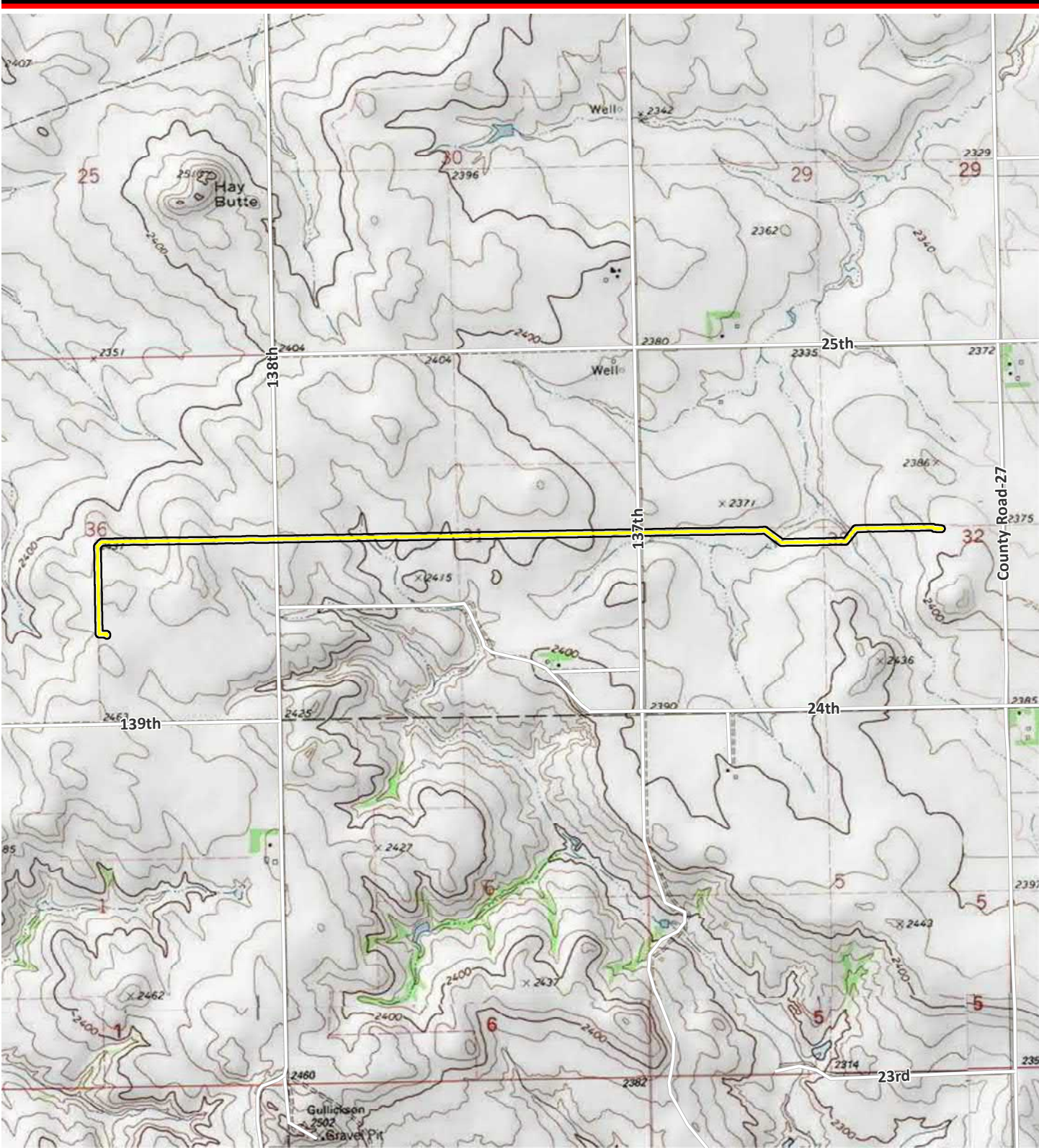
Bonnie Gibson, RPA

WSP USA
5665 FLATIRON PARKWAY
SUITE 250
BOULDER, CO 80301

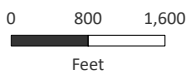
Tel.: 303-443-3282
wsp.com



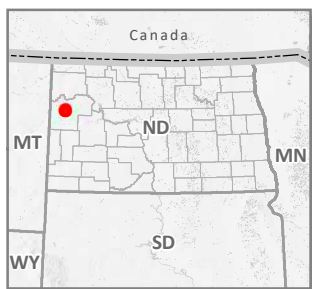
Bonnie Gibson, MBA, RPA
Senior Director – Local Business Lead



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USGS Topographic



Sources: ESRI 2020; WSP 2021.



- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

From: mcweed@restel.net
Sent: Tuesday, November 2, 2021 6:58 AM
To: Oliveira, Cassandra
Subject: RE: Caliber Midstream Notification Letter and Review Request
Attachments: Doc0510.pdf; approval.docx

Cassandra-

Good morning sorry for the delay I thought I sent this out yesterday!!!!
If you could print off both attachments and staple together your good to go on our end!

Amber Higgins
McKenzie County Weed Officer
Phone- 701-842-4131
Fax -701-8424731

From: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Sent: Thursday, October 28, 2021 10:22 AM
To: mcweed@restel.net
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: RE: Caliber Midstream Notification Letter and Review Request

Hello Amber,

Attached is the weed management plan for your review.

Thank you,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

From: mcweed@restel.net <mcweed@restel.net>
Sent: Wednesday, October 27, 2021 12:35 PM
To: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Subject: RE: Caliber Midstream Notification Letter and Review Request

Cassandra-

Good afternoon, thank you so much for the information. If you could please fill out the attached Weed Management Plan and get it back to my office. I can review it for approval.
If you have any questions feel free to reach out to us!

Thank You!

Amber Higgins
McKenzie County Weed Officer
Phone- 701-842-4131
Fax -701-8424731

From: Oliveira, Cassandra <Cassie.Oliveira@wsp.com>
Sent: Wednesday, October 27, 2021 1:16 PM
To: mcweed@restel.net
Cc: Gibson, Bonnie <Bonnie.Gibson@wsp.com>
Subject: Caliber Midstream Notification Letter and Review Request

Ms. Higgins,

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Respectfully,

Cassandra Oliveira
Associate Consultant, Environmental Scientist

WSP USA



Email: Cassie.Oliveira@wsp.com
Phone: +1 435 414 4358

WSP USA
6510 South, Millrock Drive Suite 225
Salt Lake City, Utah 84121

wsp.com

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-LAEmHhHzdJzBITWfa4Hgs7pbKI

McKenzie County Weed Management Plan

Purpose: This is a simplified weed management template that is specifically designed for small properties/areas. It is designed to assist in controlling noxious weeds by documenting areas at risk whether it be currently infested or could possibly become infected in the future. This weed management template is also to assist in coordinating efforts between McKenzie County Weed Control and landowners/operators/developers to accomplish noxious weed control goals in McKenzie County. A copy of this weed management plan will be kept on file with McKenzie County Weed Control as well as with all parties involved in the ownership and/or management of the property.

Date 10/27/2021

Circle One: PRIVATE

COMMERCIAL

Name of Landowner _____

Name of Party Responsible for Weed Control if Different than Landowner

Caliber North Dakota LLC-
Allison Porter – Director of Engineering and Operations
Carol Butero – Director of Regulatory Safety and Compliance

Address of Responsible Party

Caliber Midstream 950 20th Street #268 Denver CO, 80201

Phone Number 303-628-1410

E-Mail aporter@calibermidstream.com, cbutero@calibermidstream.com

Approximate Size of Property _____

Legal Description of Property _____

Purpose of Property

Surface Movement for Commercial Construction Purposes: Circle or highlight one

**Scoria Manure Dirt Sand Gravel Construction Other ROW
construction complete in 2014**

1.0 Management Goals: Management goals describe the purpose/use of the property and what you are trying to achieve. Having clear management goals is key to developing a weed management plan. (The minimum amount required by North Dakota and McKenzie County Weed Law is to mow noxious weeds to prevent them from going to seed. Another management goal may be to restore an area with native vegetation. Management goals might also include preventing contamination and/or spread of noxious weeds due to mining or storage of construction materials by a yearly or bi-yearly application of herbicide.)

Please list your management goals as they apply to this property: Management goals for this easement property are primarily to prevent the contamination and spread of noxious weeds on Caliber Midstream facilities and within the easement. Caliber Midstream facilities primarily utilizes herbicide application and mowing to prevent contamination and spread of noxious weeds.

2.0 Weed Control Objectives:

Knowing which weed species occur on your property and where they are located is very important in developing control priorities. Weed species vary considerably in the threat that they pose to the resource values of the property. In addition, weed species vary greatly in their susceptibility to control measures. Thus, weed species that pose the greatest threat to achieving the management goals for the property and which can be most easily controlled are the highest priority for management. To create weed control objectives for your weed management plan, first search your property for weeds (if you have not already done so).

3.0 Weed Control Objectives – 3 year plan

1st Year Weed Control Objective:
Stabilize construction area and reestablish native re-seeded vegetation. Caliber will respond to landowner requests for weed remediation in areas of disturbed by the project.

2nd Year Weed Control Objective:
Same as 1st year, in addition, prevent noxious weed contamination by herbicide application or mowing.

3rd Year Weed Control Objective:
Same as 1st and 2nd year.

4.0 Evaluating Weed Control: After you have created weed control objectives and have begun to control the priority weed species on your property, you should evaluate the results of your control methods. This requires follow-up visits to the areas where weeds were controlled and a re-assessment of the size and density of an infestation. (For example, compare the size of the infestation after a growing season has elapsed to the size before control actions were initiated.) In most cases, the elimination of an infestation will take several years with multiple treatments per year to kill the plants and eliminate the bank of weed seeds in the soil.

ND Law 4.1-47. Control of noxious weeds.

Each Person shall do all things necessary and proper to control the spread of noxious weeds.

In signing this document, I understand that I will be responsible for noxious weed control on the property listed above.

Responsible Party Carol Bates Date 10/27/2021

McKenzie County
Weed Board: Amber Higgins Date 11-1-2021

Please allow 48 hours for review of this plan prior to receiving confirmation of approval.

Sir/Madame,

After review of your noxious weed containment plan, I have found that it meets all North Dakota and McKenzie County Weed Law requirements.

PLEASE PRINT AND ATTACH THIS EMAIL TO YOUR C.U.P. TO SHOW YOU HAVE COMPLIED WITH STATE AND COUNTY WEED LAW FOR ERADICATION AND CONTAINMENT OF McKenzie COUNTY NOXIOUS WEEDS.

Also, remember that your property will be periodically and randomly inspected for compliance with your proposed form of weed control – so please be diligent in your efforts to help us with this problem.

Thank you for helping in our continuing efforts to keep McKenzie County noxious weed free.

Sincerely,

Amber Higgins

McKenzie County Weed Officer

Office 701-842-4131

Fax 701-842-4731

Appendix C: Natural Resource Report



REPORT

Caliber North Dakota LLC Reside Pipeline Project
Desktop Survey and Biological Field Assessment

Submitted to:

Caliber Midstream

950 17th Street, Ste 1000 Denver, CO 80202, USA

Submitted by:

Golder Associates Inc.

2000 Schafer Street, Suite H, Bismarck, North Dakota 58501, USA

November 22, 2021



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Appendix A – Photographic Log

Appendix B – Residue Pipeline As-Built Plan Set

Appendix C – U.S. Fish and Wildlife Service IPaC Official Species List

1.0 INTRODUCTION

Caliber Midstream Partners, L.P. (Caliber) owns and operates a 2.62-mile-long, 8-inch-diameter pipeline (Caliber Pipeline) that connects its mechanical refrigeration natural gas processing plant (Hay Butte Plant) to the Northern Border Pipeline (Project). The Caliber Pipeline currently delivers between 2 and 8 million cubic feet per day (mcf/d) of treated natural gas to Northern Border. Natural gas flows on the Caliber Pipeline are intermittent. There is an existing compressed natural gas truck fueling facility adjacent to Caliber's processing plant. Gas also flows from the processing plant directly to the truck fueling facility.

Caliber constructed the pipeline in August of 2014 and does not currently have an issued North Dakota Public Service Commission (PSC) certificate or permit. WSP USA, Inc. (WSP) is conducting an analysis of the Project and preparing a siting application for a certificate of corridor compatibility and route permit under North Dakota Century Code Chapter 49-22.1.

The Project is in Sections 31-32, Township 150 N, Range 100W and Section 36, Township 150N, Range 101W, 4 miles southwest of Arnegard, in McKenzie County, North Dakota (Figure 1).

In support of the PSC application, Golder Inc., a member of WSP, was retained by Caliber to provide environmental field surveys that included the identification of waterbody/wetland boundaries, an evaluation of the Project for federally listed species habitat, noxious weed inventory, woody vegetation inventory, and a line-of-sight raptor nest survey. A 100-foot-wide corridor (50 feet on either side of the pipeline centerline) was surveyed, for a total study area of 31.8 acres. The results of the evaluation are discussed in this report.

2.0 METHODOLOGY

Golder conducted a literature and database review to identify historical records of regulated natural resources in the survey corridor and to determine their potential to occur. The status and distributions of special status plant and wildlife species and waters of the United States, including wetlands and landcover, within the survey area were evaluated based on review of publicly available data in federal and state databases. The following resources were investigated:

- U.S. Fish and Wildlife Service (USFWS) Information Planning and Consultation (IPaC) System
- USFWS National Wetlands Inventory (NWI)
- U.S. Geological Survey National Hydrography Dataset
- North Dakota State Water Commission database
- North Dakota Department of Environmental Quality Source Water Protection Areas
- U.S. Department of Agriculture Web Soil Survey
- Google Earth aerial imagery from 2014, 2017 and 2021

Following completion of the desktop-based assessment, Mia McCraw, biologist, performed a reconnaissance-level survey throughout the survey corridor on September 2, 2021. The survey included habitat suitability for sensitive species, identification of waterways and potential wetlands, and identification of any areas that may be biologically significant. The reconnaissance-level survey did not include formal delineation of wetlands and waterbodies or presence/absence surveys for sensitive species. Geospatial data were recorded using a Trimble R1 handheld GPS unit and ArcGIS Collector professional field mapping software. A photolog of general habitat conditions is provided in Appendix A.

3.0 RESULTS

3.1 Land Cover

The survey corridor encompasses approximately 31.8 acres within the Northwestern Glaciated Plains – Missouri Plateau ecoregion. The northwestern Great Plains is a semiarid rolling plain containing shale, siltstone, and sandstone, interrupted by sporadic buttes and badlands (Bryce et al. 1998). Land cover within the survey corridor is primarily comprised of cultivated durum wheat (*Triticum durum*), with areas of remnant mixed-grass prairie along fence lines and roads. No shrubs or trees were observed within the survey corridor. Table 1 lists the plant species observed within the survey corridor and their general abundance.

Table 1. Plant Species, Residue Pipeline Project, September 2021

Scientific Name	Common Name	Native	Comments	Form
<i>Asclepias syriaca</i>	Common milkweed	Yes	Small populations in upland areas not under agriculture	Herbaceous
<i>Bromus inermis</i>	Smooth brome	No	Predominant in drainage areas and along fence lines	Herbaceous
<i>Calamovilfa longifolia</i>	Prairie sandreed	Yes	Small populations in drainage areas	Herbaceous
<i>Cirsium arvense</i>	Canada thistle	No	Predominant across entire survey area	Herbaceous
<i>Eleocharis palustris</i>	Spike rush	Yes	Predominant in drainage areas	Herbaceous
<i>Eleocharis quinqueflora</i>	Few flower spike rush	Yes	Small populations in drainage areas	Herbaceous
<i>Glycyrrhiza lepidota</i>	American licorice	Yes	Small populations in drainage areas	Herbaceous
<i>Grindelia squarrose</i>	Curlycup gumweed	Yes	Small populations in upland areas not under agriculture	Herbaceous
<i>Helianthus annuus</i>	Annual sunflower	Yes	Small populations in drainage areas	Herbaceous
<i>Kochia scoparia</i>	Kochia	No	Predominant across entire survey area	Herbaceous
<i>Pascopyrum smithii</i>	Western wheatgrass	Yes	Small populations in upland areas not under agriculture	Herbaceous
<i>Rumex crispus</i>	Curly dock	No	Small populations in drainage areas	Herbaceous
<i>Rumex triangulivalvis</i>	Willow dock	Yes	Small populations in drainage areas	Herbaceous
<i>Symphyotrichum oblongifolium</i>	Fall aster	Yes	Small populations in drainage areas	Herbaceous
<i>Triticum durum</i>	Durum wheat	No	Planted throughout the survey area	Herbaceous
<i>Typha angustifolia</i>	Narrow-leaved cattail	Yes	Predominant in drainage areas	Herbaceous
<i>Typha latifolia</i>	Common cattail	Yes	Predominant in drainage areas	Herbaceous

A review of historic aerial images available through Google Earth indicates that approximately 70 percent of the survey corridor was planted in wheat crop in 2014. In 2017, approximately 95 percent of the survey corridor was cultivated, and in 2021, 90 percent of the corridor was cultivated, which is consistent with conditions observed during the September 2021 field survey.

3.2 Waterways, Waterbodies and Wetlands

Desktop analysis identified three NWI-mapped waterways within the corridor: one waterway classified as riverine habitat and two waterways classified as freshwater emergent wetland habitat (Figure 2). The field survey recorded two streams with adjacent emergent wetlands within the survey corridor, labeled Stream 1 and Stream 2 on Figure 2. Discrepancies between the NWI database and current conditions are common. The waterway classified as riverine by the NWI is located in an area now under agricultural cultivation and no longer functions as a drainage.

WSP documented the two waterways classified by the NWI as freshwater emergent wetlands. Stream 1 is a section of Timber Creek, the primary drainage within the Timber Creek Basin, which flows north to the Arengard dam. Stream 2 is a tributary of Timber Creek, joining the main stem of Timber Creek 0.09 miles to the north of the survey corridor. Both stream channels are heavily vegetated with narrow-leaved cattail (*Typha angustifolia*), common cattail (*Typha latifolia*), curly dock (*Rumex crispus*), common spike rush (*Eleocharis palustris*), smooth brome (*Bromus inermis*), wild licorice (*Glycyrrhiza lepidota*), Canada thistle (*Cirsium arvense*), annual sunflower (*Helianthus annuus*), fall aster (*Symphotrichum oblongifolium*), and prairie sandreed (*Calamovilfa longifolia*). Table 2 summarizes the waterways and wetlands observed during the survey.

Table 2. Waterways and Wetlands, Residue Pipeline Project, September, 2021

Feature	Type	National Wetland Inventory	Approximate Area within Survey Corridor	Comments	Latitude	Longitude
Stream 1 (Timber Creek)	Natural	Freshwater Emergent PEM1C	0.7 acres	Seasonal drainage with adjacent wetlands	47.768228	-103.511089
Stream 2 (Tributary of Timber Creek)	Natural	Freshwater Emergent PEM1A	0.3 acres	Seasonal drainage with adjacent wetlands	47.768200	-103.506853

At the time of Project installation, Caliber avoided impacts to these waterways and wetlands by horizontally drilling under these features. The as-built plan set is included in Appendix B. The Project does not entail any additional actions that would impact surface waters and wetlands.

No waterbodies were identified within the survey corridor.

3.3 Soils

Twelve soil types are present within the survey corridor, based on the Natural Resources Conservation Service web soil survey (USDA 2021). The area analyzed for soils covers the 100-foot-wide survey corridor. Table 3 lists all soil units within the survey corridor, and Figure 3 shows their location across the Project.

Table 3. Soils, Residue Pipeline Project, September 2021

Soil Map Unit	Soil Type
E0605A	Belfield-Grail clay loams, 0 to 2 percent slopes
E1333C	Vebar-Cohagen fine sandy loams, 6 to 9 percent slopes

Table 3. Soils, Residue Pipeline Project, September 2021

Soil Map Unit	Soil Type
E1355D	Vebar-Flasher-Tally complex, 9 to 15 percent slopes
E2120B	Farnuf loam, 2 to 6 percent slopes
E2737C	Chama-Cabba-Sen silt loams, 6 to 9 percent slopes
E2741D	Cabba-Chama-Sen silt loams, 9 to 15 percent slopes
E2819B	Reeder-Farnuf loams, 3 to 6 percent slopes
E2913B	Chama-Sen-Cabba silt loams, 3 to 6 percent slopes
E3013D	Brandenburg-Searing-Dogtooth complex, 6 to 15 percent slopes
E3541C	Williams-Zahl loams, 6 to 9 percent slopes
E3639C	Zahl-Williams-Cabba complex, 6 to 9 percent slopes
E3703C	Dooley-Zahl complex, 6 to 9 percent slopes

3.4 Threatened and Endangered Species Habitat Assessment

The USFWS IPaC screening tool was used to evaluate the potential for Endangered Species Act-listed species that may occur within the survey corridor (USFWS 2021a; Appendix C). Four species listed as federally threatened, one species listed as endangered, and one candidate species have the potential to occur within the survey corridor (Table 2). No designated critical habitat was identified within the survey corridor.

Table 4. Threatened and Endangered Species Occurrence, Residue Pipeline Project, September 2021

Scientific Name	Common Name	Status	Habitat	Likelihood of Occurrence
<i>Myotis septentrionalis</i>	Northern long-eared bat	FT	Utilizes tree bark, crevices, and snags as roosting habitat during the summer months and hibernates in caves and mines in the winter.	Unlikely
<i>Charadrius melodus</i>	Piping plover	FT	Inhabits sandflats, washed-out hillside beaches on smaller semipermanent alkali wetlands both for breeding and during migration (Elliot et al. 2020).	Unlikely
<i>Calidris cantutus rufa</i>	Red knot	FT	Utilizes sandy or gravelly beaches, sandbars, and freshwater wetlands.	Unlikely
<i>Grus americana</i>	Whooping crane	FE	Suitable stopover habitat consists of palustrine wetlands and cropland ponds.	Unlikely
<i>Hesperia dacotae</i>	Dakota skipper	FT	Upland grasslands consisting of little bluestem and prairie coneflower matrix.	Unlikely
<i>Danaus plexippus</i>	Monarch butterfly	Candidate	Fields, roadside areas, open areas, wet areas, or urban gardens with milkweed and flowering plants.	Possible

FE = Federally endangered

FT = Federally threatened

3.4.1 Northern Long-eared Bat

The northern long-eared bat is a species federally listed as threatened. It is a forest-dwelling mammal, with a home range that covers much of the eastern and north-central United States, including all of North Dakota (USFWS 2020a). Northern long-eared bats spend winter hibernating in caves and mines, using areas within these caves or mines that have constant temperatures, high humidity, and no air currents. In the summer, they roost singly or in colonies underneath bark, in cavities, or in crevices of both live trees and snags. No critical habitat has been designated for northern long-eared bat.

Few occurrences of the northern long-eared bat have been documented in North Dakota, but it has been historically documented in McKenzie County using the riparian corridors of the Little Missouri and Missouri Rivers (Dyke et al. 2015). White-nose syndrome (WNS) is the predominant threat to the northern long-eared bat currently, and North Dakota is included in the current extent of WNS zone per the Final 4(d) Rule (USFWS 2016a). The USFWS Final 4(d) ruling prohibits incidental take from areas affected by WNS if take occurs within a hibernaculum or take occurs as the result of tree removal within 0.25 miles of a hibernaculum. The ruling also prohibits incidental take by cutting trees within a 150-foot radius from a maternity roost tree during the pup season from June 1 through July 31.

During the site survey, Golder did not observe trees or shrubs within the survey corridor that would provide suitable habitat for this species. In addition, no potential winter hibernacula were observed within the survey corridor. It is unlikely that the northern long-eared bat occurs in the survey corridor since there is a lack of suitable habitat. It is also reasonable to expect that the Project did not adversely affect the northern long-eared bat during the time of the initial installation in 2014.

3.4.2 Whooping Crane

The whooping crane is a federally endangered species in all counties of North Dakota. It migrates through North Dakota in April to mid-May and September to early November (Dyke et al. 2015). Preferred stopover habitat includes wetlands, but they may also use harvested grain fields and cropland (Urbanek et al. 2021). The survey corridor does not overlap designated critical habitat or the current range for this species as documented by the Cornell Lab of Ornithology eBird database (eBird 2021a). According to eBird, the closest area within the range is 10 miles away, just northeast of Watford City, North Dakota.

Land use within the survey corridor consists of cropland with two minor natural drainages toward the eastern end of the corridor. Although Timber Creek and its associated drainage support adjacent wetland plant communities, these areas do not support pools or standing water that would create marsh conditions. While it is possible that whooping crane could use landcover types found within the survey corridor during migration, there are no known historic observations near the Project. Therefore, it is reasonable to expect that the Project did not adversely impact whooping crane habitat at the time of installation.

3.4.3 Piping Plover

The piping plover is a migratory shorebird federally listed as threatened. It breeds in North Dakota. Suitable nesting habitat for piping plovers in the Missouri River system is characterized as sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel (Dyke et al. 2015; NDGFD 2019a). The piping plover feeds on worms, insects, and mollusks. Degradation of habitat related to the channelization of river systems, nest predation, and human disturbance has led to the decline of piping plover populations.

Critical habitat for the Northern Great Plains piping plover has been designated on alkali lakes and wetlands, the Yellowstone River, and the Missouri River in North Dakota (Dyke et al. 2015; USFWS 2021b). The physical and biological features that are essential to the conservation of the species, referred to as the primary constituent elements, require special consideration for protection. In riverine habitat, these include sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel, all protected from disturbance. The Project is approximately 15 miles south of the nearest critical habitat, which is the Lake Sakakawea/Missouri River System (USFWS 2002).

The survey corridor is predominantly cropland and contains surface waters and wetlands that are well vegetated and do not provide bare ground suitable for nesting habitat. Due to the lack of breeding habitat, it is unlikely that the piping plover will occur at the Project. It is reasonable to expect that the Project did not adversely impact piping plover habitat during initial installation.

3.4.4 Red Knot

The red knot is a shorebird species federally listed as threatened. It breeds in the Canadian Arctic (USFWS 2021a). It is a long-distance migrant, with relatively few stopover sites (Baker et al. 2020). The red knot migrates annually from its breeding grounds in the Arctic to wintering habitat in southern climates. It does not nest in North Dakota but may use areas along the Missouri River as stopover habitat. It migrates through North Dakota in mid-May and mid-September to October (Dyke et al. 2015). Although red knots primarily use marine habitats for their breeding and wintering grounds, both alkaline and freshwater lakes have been used in North Dakota during migration (Dyke et al. 2015). The observations of red knots in North Dakota are scattered throughout the state (NDGFD 2019a). There are no stopover sites consistently used by red knots.

The USFWS has proposed critical habitat for red knot along the Atlantic coast and Gulf of Mexico. There are no inland areas proposed for critical habitat. The Project is located approximately 15 miles south of the Lake Sakakawea/Missouri River System and the survey corridor does not have suitable shoreline stopover habitat for the red knot. It is unlikely that the red knot would occur within the survey corridor and based on this; it is reasonable to expect that the Project did not adversely impact suitable habitat for the red knot at the time of installation.

3.4.5 Dakota Skipper

The Dakota skipper is a butterfly species federally listed as threatened (USFWS 2021a). The Dakota skipper lives in high-quality mixed and tallgrass prairie and requires nectar-producing native flowers and grasses. The Dakota skipper occurs in two general habitat types (USFWS 2016b). The first (Type A) is a low, wet-mesic prairie with little topographic relief that occurs on near-shore glacial lake deposits. Type A habitats also contain small patches of dry-mesic prairie. Type A habitat primarily occurs in North Dakota, with a small amount of habitat occurring in northeastern South Dakota. The second habitat (Type B) primarily occurs on rolling terrain over gravelly glacial moraine deposits and is dominated by big bluestem (*Andropogon gerardi*), little bluestem (*Schizachyrium scoparium*), and needle or porcupine grasses (*Hesperostipa* spp.). Larvae require grass components of mixed-grass prairie that include bluestem grasses and needlegrasses, while adults require nectar sources; therefore, suitable prairie must include nectar-producing forbs. These may include purple coneflower (*Echinacea purpurea*), blue bells (*Campanula rotundifolia*), blanket flower (*Gaillardia aristata*), wood lily (*Lilium philadelphicum*), or other species that are in bloom during the adult life cycle of the Dakota skipper (Dana 1991).

The Project does not overlap designated critical habitat (USFWS 2019a) for the Dakota skipper. The closest critical habitat to the Project is 37 miles northeast along the Missouri River Basin and Lake Sakakawea (USFWS 2019b). Although this species is known to occur in McKenzie County, no suitable habitat was

observed during the field survey on September 2, 2021, and it is unlikely the Dakota skipper will occur at the Project. While the survey corridor contains very small areas of remnant prairie plant communities, these areas are along the edges of the corridor and comprise less than 5 percent of the total corridor. Due to the limited availability of prairie plant communities within the survey corridor, it is reasonable to expect that the Project did not adversely impact the Dakota skipper.

3.4.6 Monarch Butterfly

The monarch butterfly is a candidate species for federal protection but is not yet listed or proposed for listing. Although there are no Section 7 requirements for candidate species, the USFWS encourages all agencies to take advantage of any opportunity to conserve this species (USFWS 2021c). The monarch butterfly requires healthy and abundant milkweed for oviposition and larval consumption (USFWS 2020b). Throughout the breeding and migration seasons, they also need sufficient quality and quantity of nectar from flowers.

There are two main populations of migratory monarchs in North America. One breeds west of the Rocky Mountains and overwinters in California. The second, the population to which the monarchs found in North Dakota belong, breed east of the Rocky Mountains and overwinter in Mexico (NDGFD 2019b). There are 11 species of native milkweed in North Dakota. The North Dakota Game and Fish Department and numerous other partners developed a North Dakota Monarch Butterfly and Native Pollinator Strategy in 2016 (NDGFD et al. 2018). This strategy includes habitat conservation, education, outreach, research, and monitoring efforts.

Milkweed observed along the edges of the survey corridor provide suitable habitat for monarch butterfly reproduction. While it is possible the survey corridor previously contained larger populations of milkweed than what was observed in 2021, the conversion of native grassland appears to be due to agricultural cultivation, based on the review of historic aerial imagery. It is possible that a small number of milkweed plants were disturbed during the Project installation in 2014; however, at the time, the monarch butterfly was not listed as a candidate species for protection under the Endangered Species Act. Currently, the Project does not include any additional landcover disturbances or conversions that would result in new impacts to monarch butterfly.

3.5 Noxious Weeds

A pedestrian survey of the survey corridor was conducted for state and county listed noxious weeds. Canada thistle (*Cirsium arvense*) was the only classified noxious weed observed consistently across the survey corridor. A large, 3.7-acre patch of Canada thistle was recorded and mapped (Figure 2). Kochia, while not a classified noxious weed by the state or county, is listed in adjacent states as such and is seen in very large populations throughout the survey corridor. Due to recent harvest of the wheat a full inventory of noxious weeds was not able to be determined.

3.6 Woody Vegetation Inventory

There are no trees, shrubs, or other woody vegetation within the survey corridor.

3.7 Raptor Nest Survey

A 0.5-mile line-of-sight survey from the survey corridor was performed to determine the presence of nesting raptors. There are no trees or shrubs suitable for raptor nests within 0.5 miles of the survey corridor and no nests were observed on powerlines or other man-made structures.

4.0 CONCLUSION

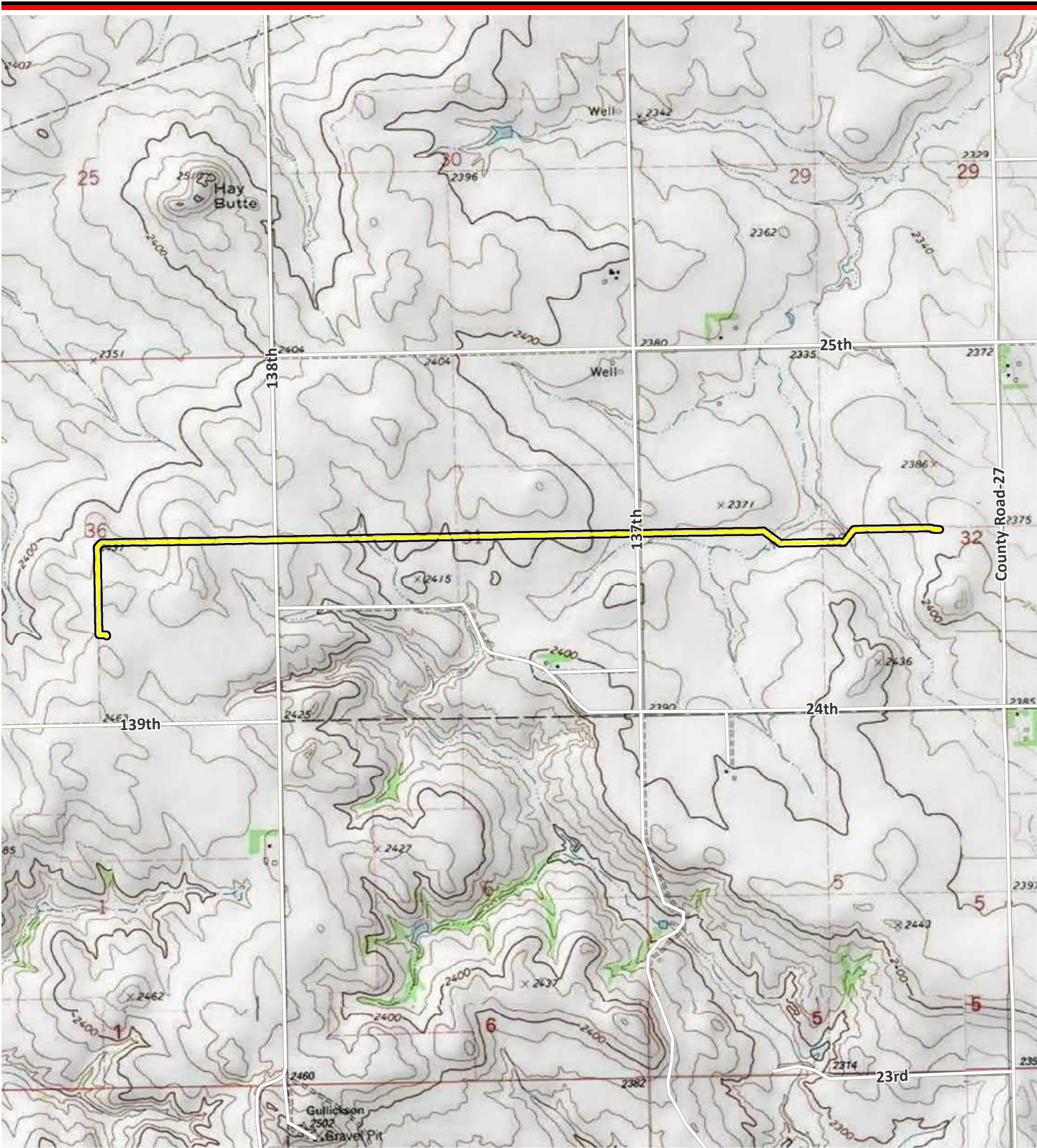
Following the desktop review and on-site survey, Golder determined the following conclusions regarding natural resources within the Residue Pipeline survey corridor:

- The survey corridor is mostly comprised of cultivated crops (durum wheat) with remnant areas of native mixed-grass prairie vegetation along the roads and fence lines.
- Golder identified two streams with adjacent wetland vegetation within the survey corridor. The total area of streams and wetlands is 1.0 acres. This area was avoided during Project installation by horizontal directional drilling.
- The survey corridor does not contain designated critical habitat for threatened or endangered species and no threatened or endangered species were observed during the field survey. Golder concludes that based on the past and current landcover dominated by agricultural crops, impacts to threatened or endangered species at the time of Project installation are unlikely. The Project does not include any additional actions or changes in landcover that would result in new impacts to threatened or endangered species.
- Large populations of Canada thistle, which is classified as a noxious weed by the state of North Dakota and McKenzie County, were observed consistently across the survey corridor. Kochia, while not a classified noxious weed by the state or county, is listed in adjacent states as such and is seen in very large populations throughout the survey corridor. The Project does not include any additional actions or changes in landcover that could result in increased spread of noxious weeds.
- No active raptor nests or trees were observed during the site survey. The Project does not include any additional actions or changes in landcover that would result in potential disturbances to raptors or other breeding birds.

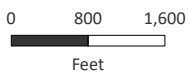
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- USFWS 2019a. Recovery Plan for the Dakota Skipper (*Hesperia dacotae*). Draft. August 2019. U.S. Fish and Wildlife Service, Midwest Region, Bloomington, Minnesota. [accessed November 2021]. https://ecos.fws.gov/docs/recovery_plan/Dakota%20Skipper%20Draft%20Recovery%20Plan_final.pdf

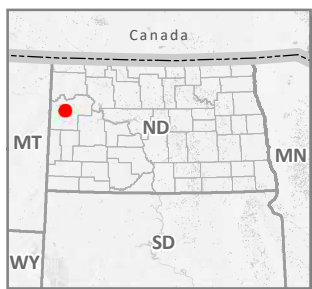
- USFWS 2019b. Dakota Skipper and Poweshiek Skipperling Critical Habitat. [accessed November 2021]. <https://www.fws.gov/midwest/endangered/insects/dask/finalch.html>.
- USFWS. 2020a. Northern Long-Eared Bat (*Myotis septentrionalis*). USFWS: Northern Long-Eared Bat. [accesses November 2021]. <https://www.fws.gov/Midwest/Endangered/mammals/nleb/index.html>.
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- USFWS. 2021c. ECOS Environmental Conservation Online System for Monarch Butterfly (*Danaus plexippus*). [accessed November 2021]. <https://ecos.fws.gov/ecp/species/9743>.
- Urbanek, R. P. and J. C. Lewis. 2020. Whooping Crane (*Grus americana*), version 1.0. In Birds of the World (A. F. Poole, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bow.whocra.01>.



C:\PROJECTS\CaliberResidue\Maps\MXD\ProjectLocation.mxd USCS Topographic



Sources: ESRI 2020; WSP 2021.



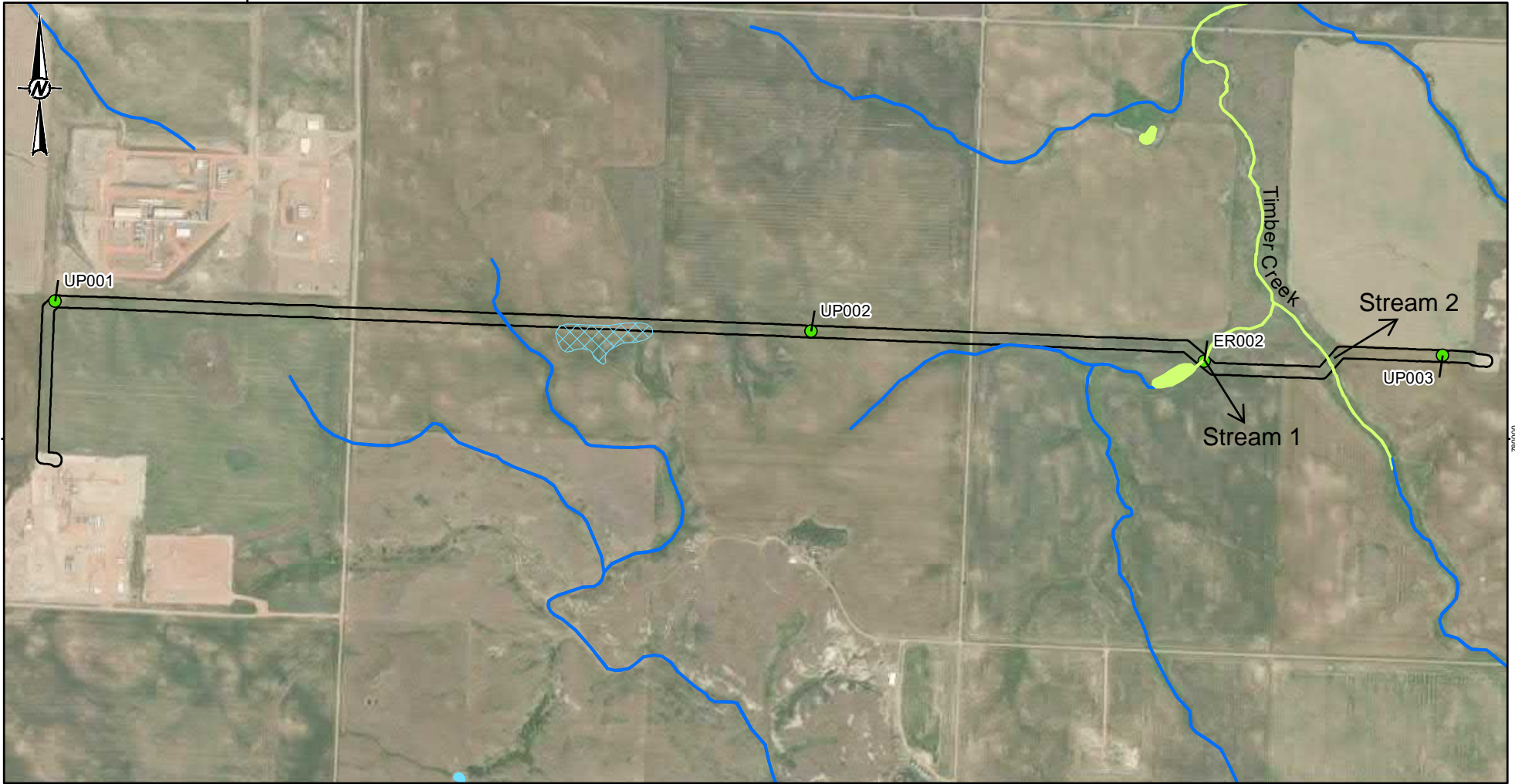
- Road
- Pipeline Centerline
- Study Area

**Project Location Map-
USGS Topographic**
1:24,000

McKenzie County, North Dakota
October 2021

Caliber Residue Pipeline

1220000



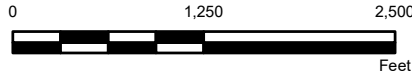
780000

780000

1220000

LEGEND

- Photo Points
- Survey Corridor
- Area of High Density Canada Thistle and Kochia
- NWI Wetlands**
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine



REFERENCE(S)

COORDINATE SYSTEM: NAD 1983 STATEPLANE NORTH DAKOTA SOUTH FIPS 3302 FEET
 PROJECTION: LAMBERT CONFORMAL CONIC
 DATUM: NORTH AMERICAN 1983
 SERVICE LAYER CREDITS: SOURCE: ESRI, MAXAR, GEOEYE, EARTHSTAR GEOGRAPHICS, CNES/AIRBUS DS, USDA, USGS, AEROGRIID, IGN, AND THE GIS USER COMMUNITY

CLIENT
CALIBER MAINSTREAM

PROJECT
CALIBER MIDSTREAM RESIDUE PIPELINE

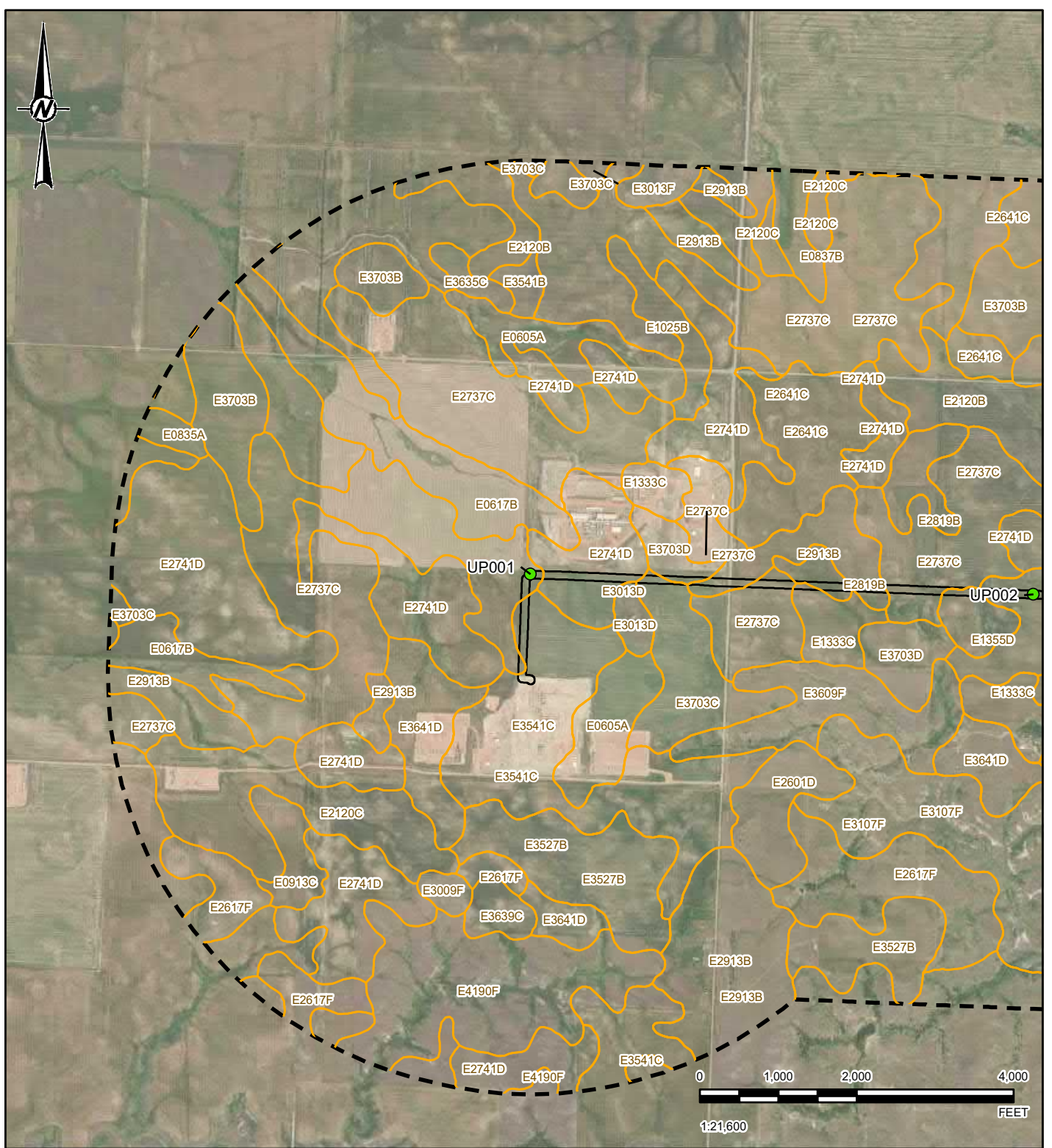
CONSULTANT		
	YYYY-MM-DD	2021-11-10
	DESIGNED	JGW
	PREPARED	JGW
	REVIEWED	AP
	APPROVED	AP

TITLE
NATURAL RESOURCES SURVEY MAP



PROJECT NO.	CONTROL	REV.	FIGURE
21477636	A004	0	2

1" IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET HAS BEEN MODIFIED FROM ANS/A



LEGEND

- Photo Points
- Survey Corridor
- 1 Mile Buffer
- USGS 7.5 Minute Quad Boundary
- USDA/NRCS Soils

REFERENCE(S)

COORDINATE SYSTEM: NAD 1983 STATEPLANE NORTH DAKOTA SOUTH FIPS 3302 FEET
 PROJECTION: LAMBERT CONFORMAL CONIC
 DATUM: NORTH AMERICAN 1983
 SERVICE LAYER CREDITS: SOURCE: ESRI, MAXAR, GEOEYE, EARTHSTAR GEOGRAPHICS, CNES/AIRBUS DS, USDA, USGS, AEROGRIID, IGN, AND THE GIS USER COMMUNITY

CLIENT
CALIBER MIDSTREAM

PROJECT
CALIBER MIDSTREAM RESIDUE PIPELINE

TITLE
SOILS MAP

CONSULTANT



YYYY-MM-DD 2021-11-10

DESIGNED JGW

PREPARED JGW

REVIEWED MH

APPROVED AT

PROJECT NO.
21477636

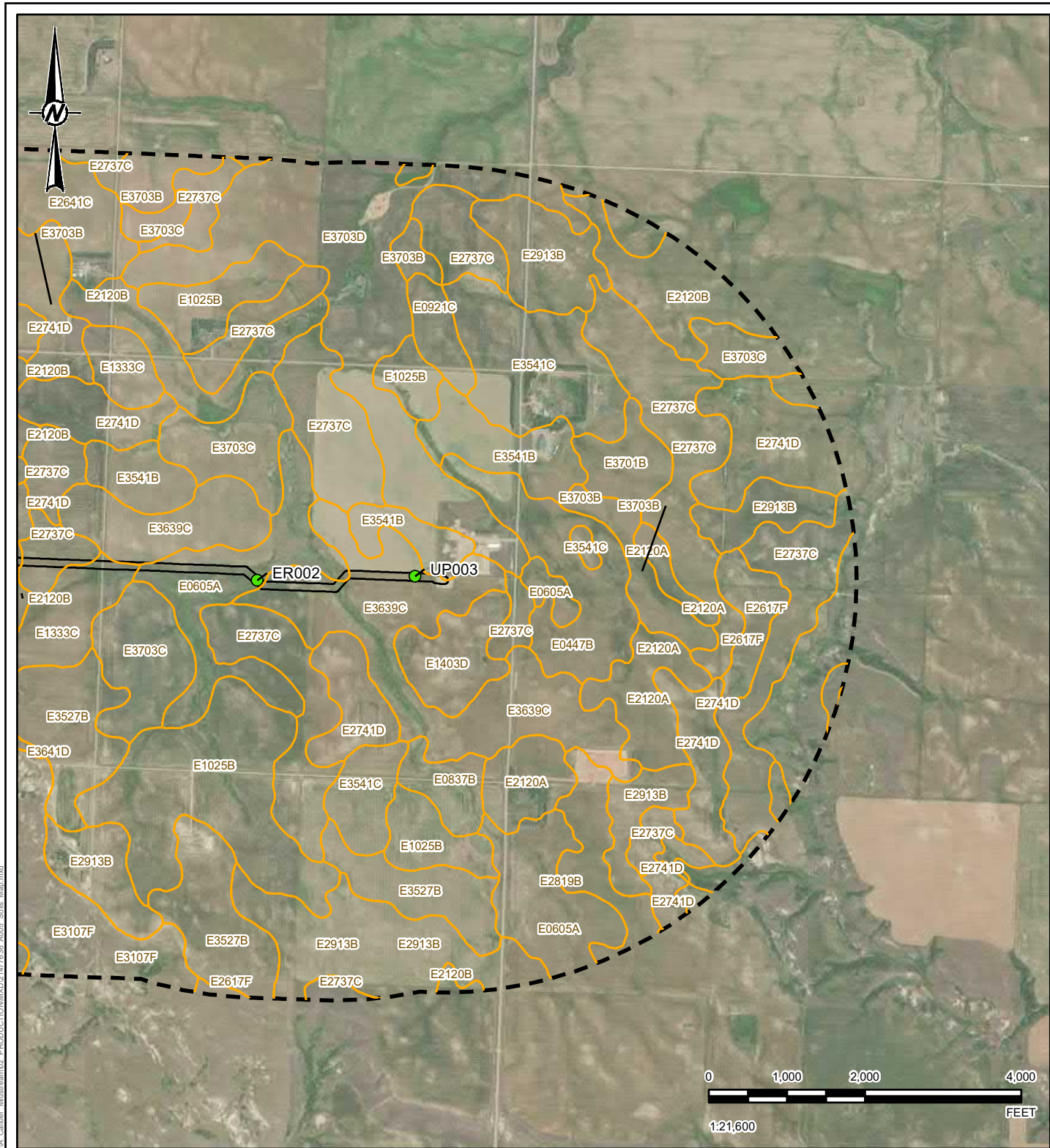
CONTROL
A005

REV.
0

FIGURE
3

PATH: G:\Projects\WSP\Bismarck - CementUA - Caliber_Midstream02 - PRODUCTION\A005 - Soils_Map.mxd

1 in IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM: ANSI/A



PATH: G:\Projects\WSP\Bismarck - General\A - Caliber Midstream\02 - PRODUCTION\A005 - Soils Map.mxd
 PROJECT: S21477636 - Bismarck - General\A - Caliber Midstream\02 - PRODUCTION\A005 - Soils Map.mxd

LEGEND

- Photo Points
- Survey Corridor
- 1 Mile Buffer
- USGS 7.5 Minute Quad Boundary
- USDA/NRCS Soils

REFERENCE(S)

COORDINATE SYSTEM: NAD 1983 STATEPLANE NORTH DAKOTA SOUTH FIPS 3302 FEET
 PROJECTION: LAMBERT CONFORMAL CONIC
 DATUM: NORTH AMERICAN 1983
 SERVICE LAYER CREDITS: SOURCE: ESRI, MAXAR, GEOEYE, EARTHSTAR GEOGRAPHICS, CNES/AIRBUS DS, USDA, USGS, AEROGRIID, IGN, AND THE GIS USER COMMUNITY

CLIENT
CALIBER MIDSTREAM

PROJECT
CALIBER MIDSTREAM RESIDUE PIPELINE

TITLE
SOILS MAP

CONSULTANT



YYYY-MM-DD	2021-11-10
DESIGNED	JGW
PREPARED	JGW
REVIEWED	MH
APPROVED	AT


PROJECT NO. 21477636	CONTROL A005	REV. 0	FIGURE 3
-------------------------	-----------------	-----------	--------------------


1 in IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM: ANSI/A


APPENDIX A

Photographic Log

Photographic Log

Caliber North Dakota LLC		Location: 47.68606, -103.550801
Project Name: Residue Pipeline Project		Project Number: 21477636
Photograph Number: 1		
Feature: UP001S		
Date: September 2, 2021		
<p>Comments: Photo facing south looking across ROW towards facility</p> <p>Land cover: Planted wheat field</p> <p>Soils: Chama-Cabba-Sen silt loams</p>		
Photograph Number: 2		
Feature: UP001E		
Date: September 2, 2021		
<p>Comments: Photo facing east across ROW</p> <p>Land cover: Planted wheat field</p> <p>Soils: Chama-Cabba-Sen silt loams</p>		

Caliber North Dakota LLC		Location: 47.768580, -103.524697	
Project Name: Residue Pipeline Project		Project Number: 21477636	
Photograph Number: 3			
Feature: UP002E			
Date: September 2, 2021			
Comments: Photo facing east looking across ROW Land cover: Planted wheat field with kochia Soils: Farnuf loam			
Photograph Number: 4			
Feature: UP002W			
Date: September 2, 2021			
Comments: Photo facing west looking across ROW Land cover: Planted wheat field with kochia Soils: Farnuf loam			

Caliber North Dakota LLC		Location: 47.768234, -103.511104	
Project Name: Residue Pipeline Project		Project Number: 21477636	
Photograph Number: 5			
Feature: ER002W			
Date: September 2, 2021			
<p>Comments: Photo facing west looking across stream 1 drainage area within ROW</p> <p>Land cover: Herbaceous wetland with Narrow-leaved cattail, curly dock, spike rush, smooth brome, wild licorice, Canada thistle, annual sunflower, fall aster</p> <p>Soils: Belfield-Grail clay loams</p>			
Photograph Number: 6			
Feature: ER002N			
Date: September 2, 2021			
<p>Comments: Photo facing north looking across stream 1 drainage area within ROW</p> <p>Land cover: Herbaceous wetland with Narrow-leaved cattail, curly dock, spike rush, smooth brome, wild licorice, Canada thistle, annual sunflower, fall aster</p> <p>Soils: Belfield-Grail clay loams</p>			

Caliber North Dakota LLC		Location: 47.768588, -103.502908
Project Name: Residue Pipeline Project		Project Number: 21477636
Photograph Number: 7		
Feature: UP003E		
Date: September 2, 2021		
Comments: Photo facing east looking across ROW Land cover: Planted wheat field Soils: Zahl-Williams-Cabba complex		
Photograph Number: 8		
Feature: UP003W		
Date: September 2, 2021		
Comments: Photo facing west looking across ROW Land cover: Planted wheat field Soils: Zahl-Williams-Cabba complex		

APPENDIX B

Residue Pipeline As-Built Plan Set

Hay Butte Facility & Northern Border Connect

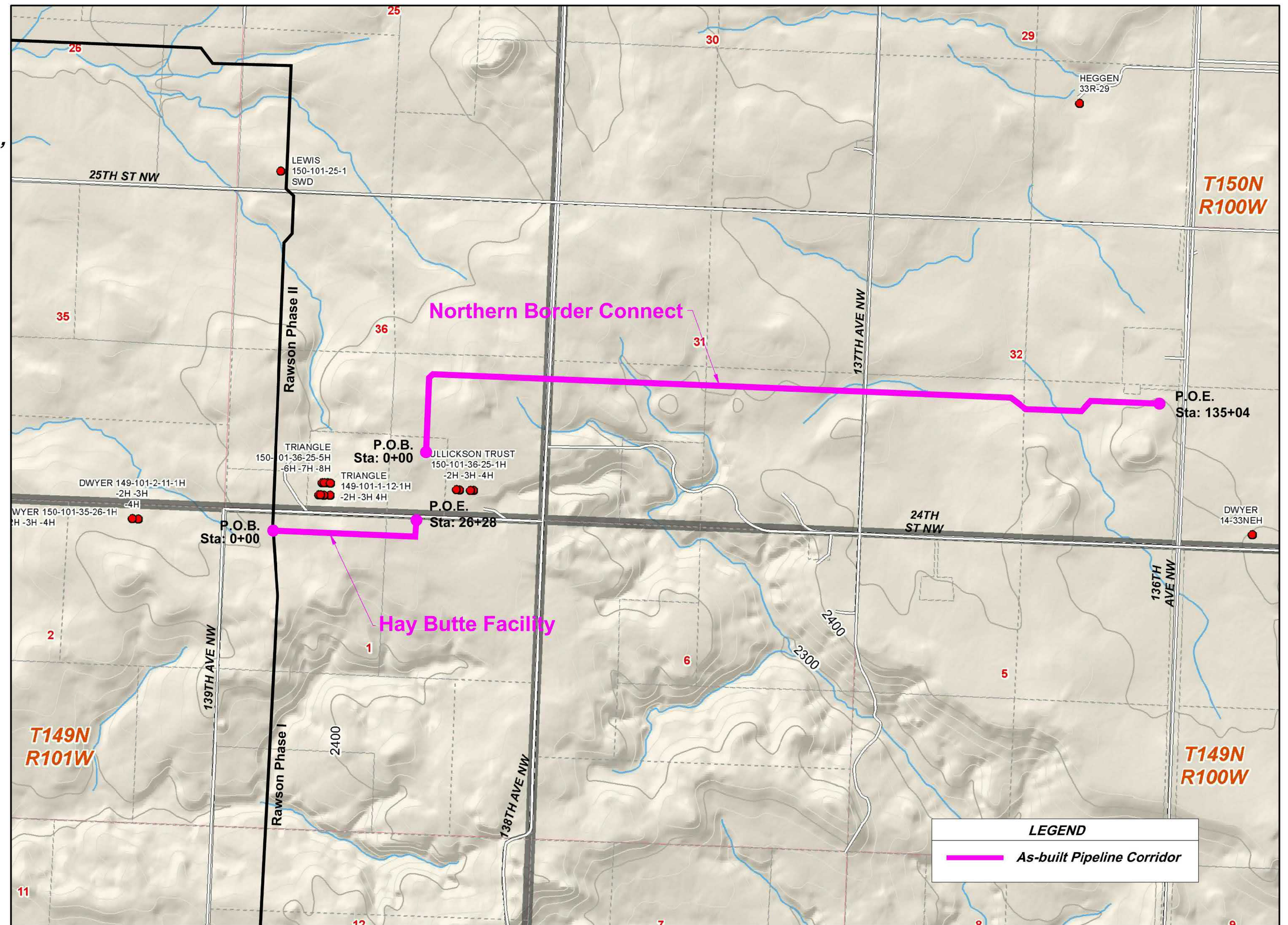
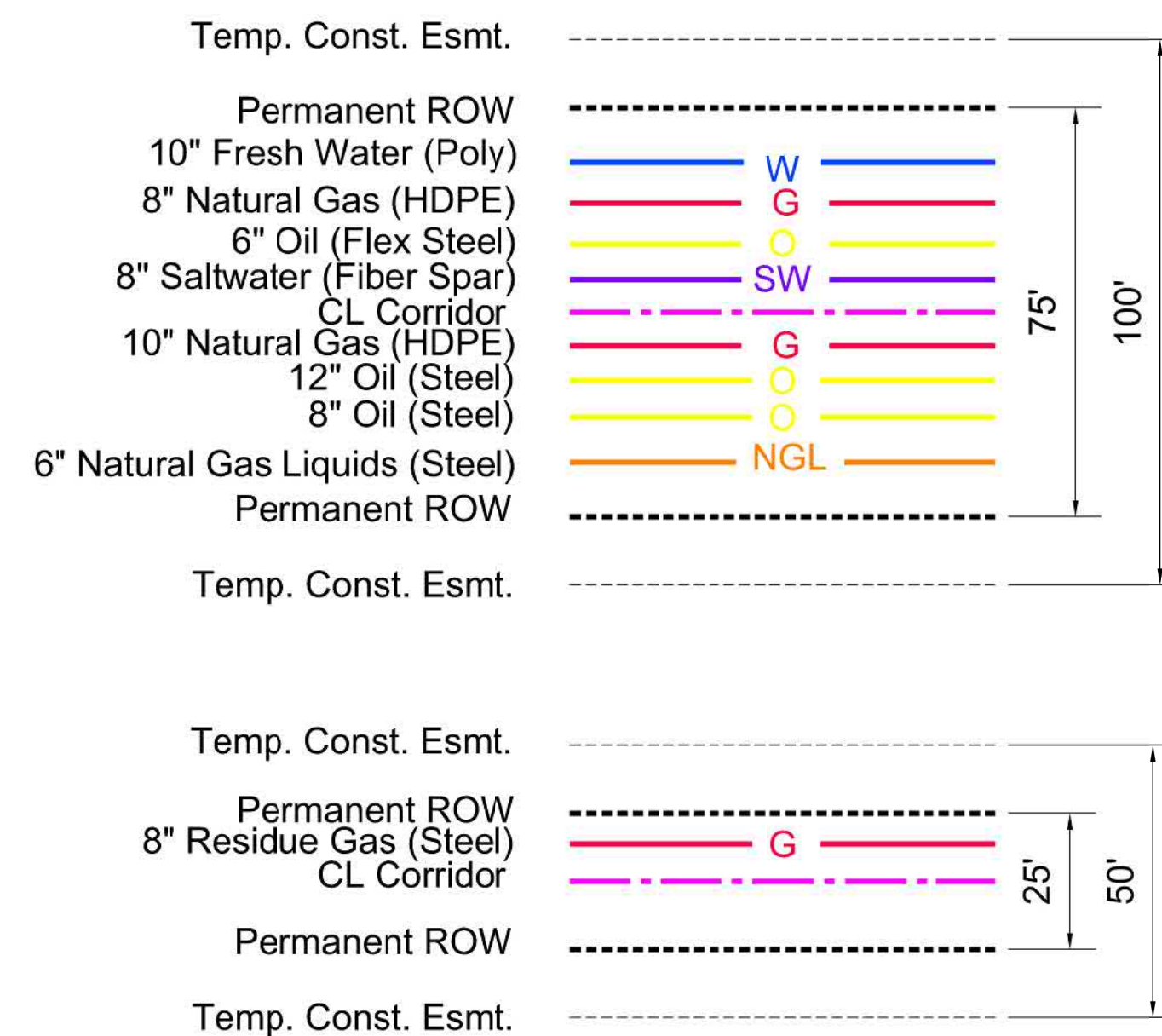
25' & 75' PIPELINE CORRIDOR

50' & 100' TEMPORARY CONSTRUCTION R.O.W.

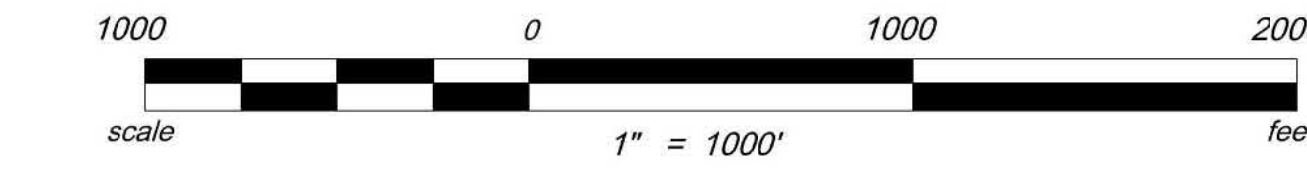
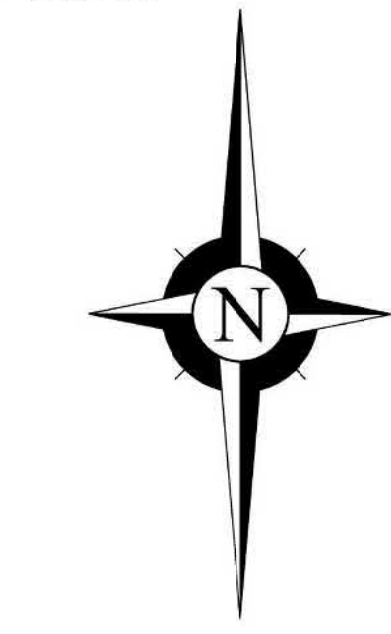
T149N R101W, T150N R101W & T150N R100W, 5th P.M.,
McKenzie County, North Dakota

Sheet Index	Description
Sheet 1	Sta 0+00 - 26+28 Hay Butte Facility
Sheet 2	Sta 0+00 - 50+00 Northern Border Connect
Sheet 3	Sta 50+00 - 100+00 Northern Border Connect
Sheet 4	Sta 100+00 - 135+04 Northern Border Connect

Bore Index				
Bore No.	Location	Design Footage	Beginning Station	Ending Station
1	Sheet 2	180'	37+50	39+30
2	Sheet 3	180'	90+00	91+80
3	Sheet 4	312'	109+00	112+12
4	Sheet 4	229'	121+32	123+61



VICINITY MAP



Survey Datum

Horizontal Datum: North Dakota State Plane Coordinates
North Zone (NAD83) - U.S. Survey Foot
Vertical Datum: NAVD 88 - U.S. Survey Foot
*Distances are Grid Distances. Combined Scale Factor = 0.9997856
Grid Distance x 1.00021445 = Ground Distance.

Notes:

- All underground utilities depicted hereon are based upon field survey locations of marked utility lines per an 811 utility location request. The surveyor cannot attest or certify to the actual location, existence, size, type, condition or use of said underground utilities.
- Date of Survey November 2013.



Call before you dig.
MT - 1-800-424-6555
ND - 1-800-795-0555

Surveying & Drafting Services By: ERICKSON CONTRACT SURVEYING 333 10th Ave. SE Sianey, Montana Office 406-482-6606 / Fax 406-482-6600	Date Surveyed: November, 2013	ECS Project #
	Surveyed By: MF/AH	2015-14-008.512
Drawing Date: 10-05-15 Drawn By: F. Syth Checked By: S. Frost	Coversheet	
	Revision No.: _____	Revision Date: _____

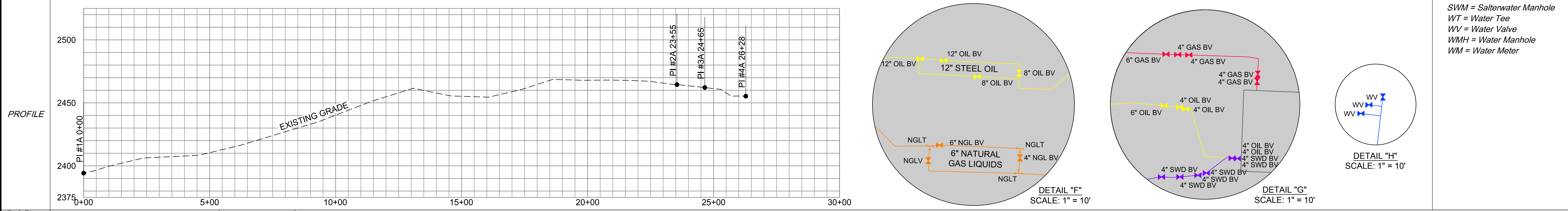
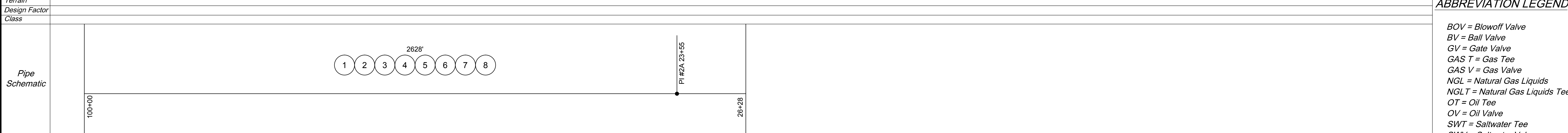
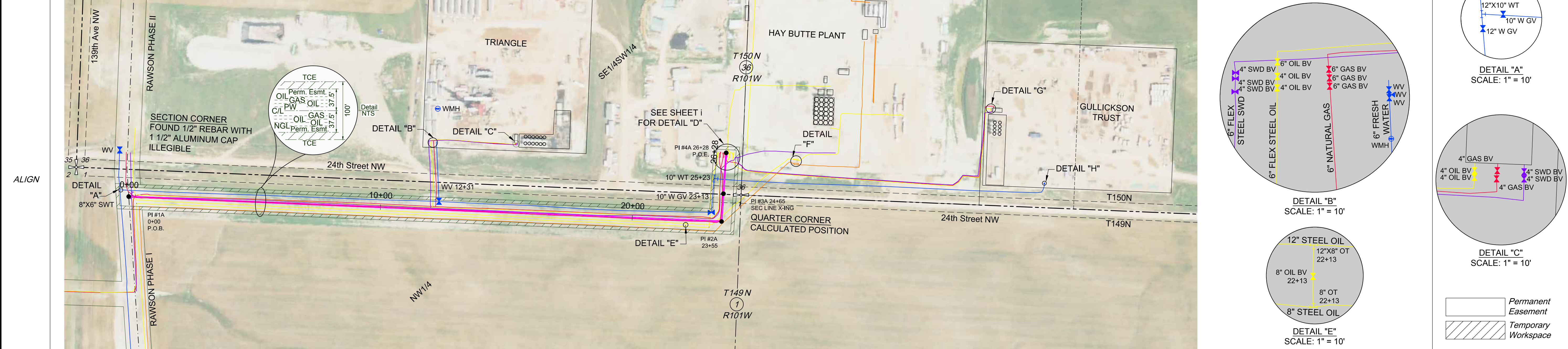


Hay Butte Facility & Northern Border Connect
As-built Pipeline

Size & Type of Pipe	Multiple
	16,132' / 3.06 mi

Co, State	Section 1, T149N, R101W, & Section 36, T150N, R101W, MCKENZIE COUNTY, NORTH DAKOTA	
OWNER	Irene Gullickson Trust NW1/4 Sec. 1, T149N, R101W	Triangle USA Petroleum Corp SE1/4SW1/4 Sec. 36, T150N, R101W
RODDAGE	2465.3' / 149.4 Rods	162.7' / 9.9 Rods
Align. Data	S87°35'49"E 2354.76' N03°57'05"E 110.57'	N03°57'05"E 162.74'
Bore		

FEATURES	PI TABLE		
	PI #	STATION	DEFLECTION
	PI #2A	23+55	88°30' LT



Ref. Dwgs. USDA-FSA NAIP AERIAL IMAGERY 2014

Surveying & Drafting Services By:

ERICKSON CONTRACT SURVEYING
333 10th Ave. SE Sidney, Montana
Office 406-482-6606 / Fax 406-482-6600

LEGEND:

⊖ Bore	— Alignment
● Alignment PI	- - - Section Line
⊗ Valve	- - - Quarter Line
○ Utility Pole	— Oil Line
⊕ Well	— Natural Gas
⊗ Block Valve	— Produced Water
	— Fresh Water
	— Gas Liquids

MATERIAL SUMMARY

Mark	Quantity	Description
1		FRESH WATER 10" PVC .793"
2		NATURAL GAS 8" HDPE 1.232"
3		6" FLEX STEEL OIL .6635"
4		PRODUCED WATER 6" FLEX STEEL .6635"
5		NATURAL GAS 10" HDPE 1.190"
6		12" STEEL OIL .188"
7		8" STEEL OIL .188"
8		NATURAL GAS LIQUIDS 6" STEEL .188"

REVISIONS

No.	Date	Description

SURVEY DATUM
Horizontal Datum: State Plane Coordinate System Zone: 3301 North Dakota North NAD83(2011) U.S. Survey Foot
Vertical Datum: NAVD83(GEOD12A) GNSS Derived
*Distances are Grid Distances
Combined Scale Factor = 0.9997856
Grid Distance X 1.00021445 = Ground Distance

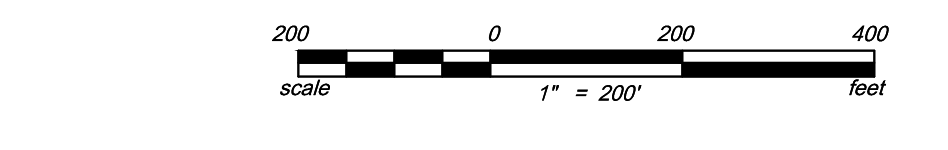
ECS Project # 2015-14-008.512
Drawing Date: 10-05-2015
Drawn By: F. Syth
Checked by: S. Frost

Hay Butte Facility & Northern Border Connect Pipeline As-built

Sec. 1, T149N, R101W & Sec. 36, T150N, R101W, 5th P.M., McKenzie Co., North Dakota

Sheet 1 R0

SCALE:
1" = 200' HORIZ. 22"x34"
1" = 400' HORIZ. 11"x17"
1" = 40' VERT.



ABBREVIATION LEGEND:

	Permanent Easement
	Temporary Workspace

- BOV = Blowoff Valve
- BV = Ball Valve
- GV = Gate Valve
- GAS T = Gas Tee
- GAS V = Gas Valve
- NGL = Natural Gas Liquids
- NGLT = Natural Gas Liquids Tee
- OT = Oil Tee
- OV = Oil Valve
- SWT = Saltwater Tee
- SWV = Saltwater Valve
- SWM = Salterwater Manhole
- WT = Water Tee
- WV = Water Valve
- WMH = Water Manhole
- WM = Water Meter

Section 36, T150N, R101W & Section 31, T150N, R100W, MCKENZIE COUNTY, NORTH DAKOTA

OWNER
 Irene A Gullickson Testamentary Trust
 SE1/4
 Sec. 36, T150N, R101W

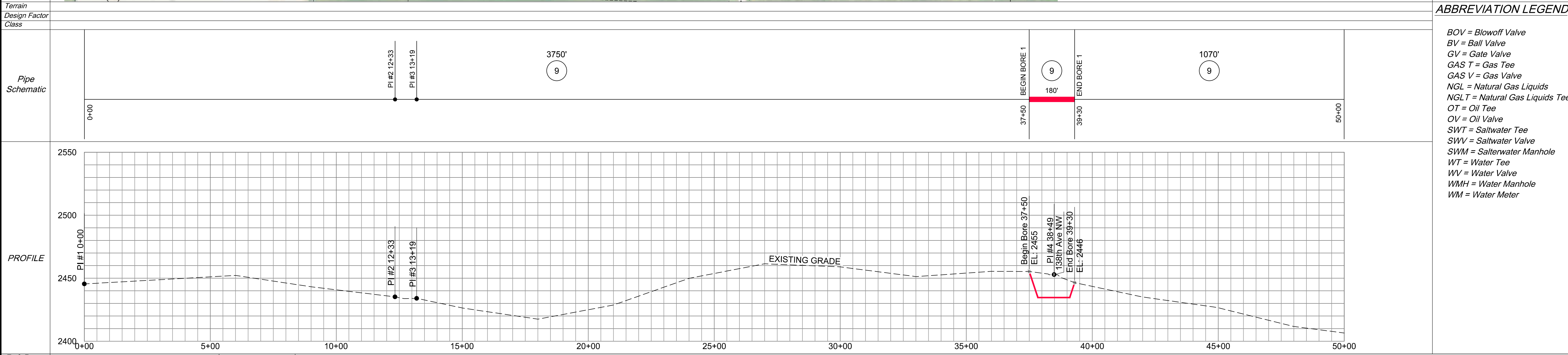
Roger and Kay Thompson
 SW1/4
 Sec. 31, T150N, R100W

RODDAGE
 3848.8' / 233.3 Rods

Align. Data
 N02°16'41"E 1232.98' | N47°16'41"E 85.84' | S87°40'53"E 2529.93'

2602.8' / 157.7 Rods
 S87°40'53"E 2602.85'

Bore
 | Bore #1 - 180'



Ref. Dwgs. USDA-FSA NAIP AERIAL IMAGERY 2014

Surveying & Drafting Services By: **ECS INC.**
 ERICKSON CONTRACT SURVEYING
 333 10th Ave. SE Sidney, Montana
 Office 406-482-6606 / Fax 406-482-6600

LEGEND:

- Bore
- Alignment PI
- Valve
- Utility Pole
- Well
- Block Valve
- Alignment
- Section Line
- Quarter Line
- Oil Line
- Natural Gas
- Produced Water
- Fresh Water
- Gas Liquids

MATERIAL SUMMARY

Mark	Quantity	Description
9		RESIDUE GAS 8" STEEL .218"

REVISIONS

No.	Date	Description
-----	------	-------------

SURVEY DATUM
 Horizontal Datum: State Plane Coordinate System Zone: 3301 North Dakota North NAD83(2011) U.S. Survey Foot
 Vertical Datum: NAVD88(GEOD12A) GNSS Derived
 Distances are Grid Distances
 Combined Scale Factor = 0.9997856
 Grid Distance X 1.00021445 = Ground Distance

ECS Project # 2015-14-008.512
Drawing Date: 10-05-2015
Drawn By: F. Syth
Checked by: S. Frost

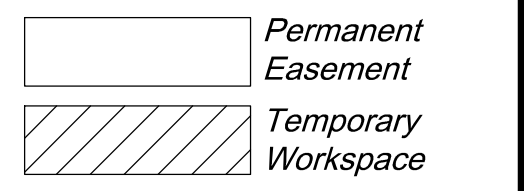
SCALE:
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 1" = 400' HORIZ. 11"x17"
 1" = 40' VERT.

Sec. 36, T150N, R101W & Sec. 31, T150N, R100W, 5th P.M., McKenzie Co., North Dakota

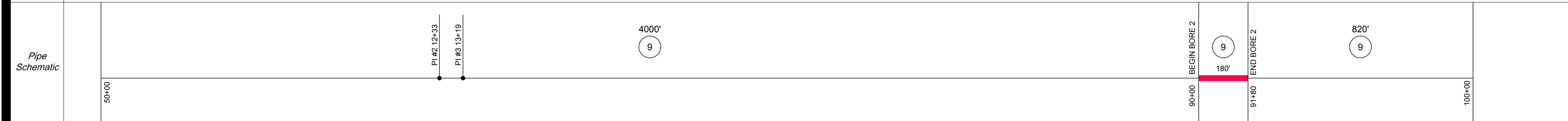
Hay Butte Facility & Northern Border Connect Pipeline As-built

Sheet 2 R0

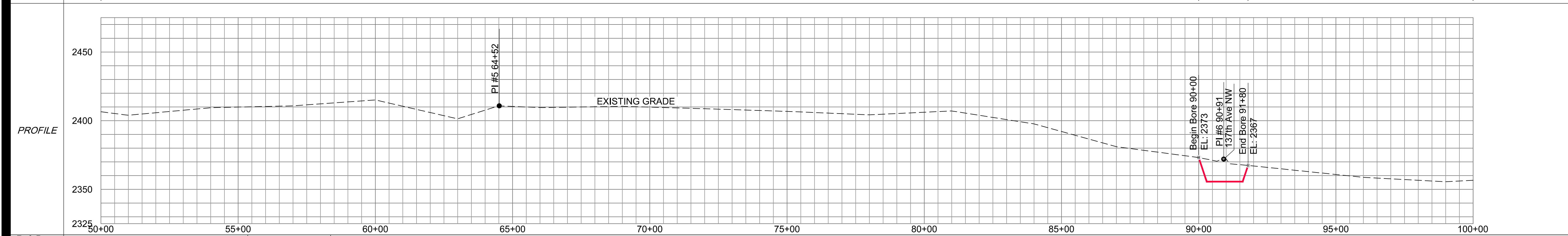
Co, State	Sections 31 & 32, T150N, R100W, MCKENZIE COUNTY, NORTH DAKOTA		
OWNER	Roger and Kay Thompson SW1/4 Sec. 31, T150N, R100W	Roger and Kay Thompson SE1/4 Sec. 31, T150N, R100W	James & Carol Norgard Trust SW1/4 Sec. 32, T150N, R100W
RODDAGE	2602.8' / 157.7 Rods	2639.7' / 160.0 Rods	2698.1' / 163.5 Rods
Align. Data	S87°40'53"E 2602.85'	S87°40'53"E 2639.73'	S87°40'53"E 1808.69' S52°15'12"E 311.65' S87°53'32"E 577.73'
Bore			Bore #2 - 180'



Terrain
Design Factor
Class



- ABBREVIATION LEGEND:**
- BOV = Blowoff Valve
 - BV = Ball Valve
 - GV = Gate Valve
 - GAS T = Gas Tee
 - GAS V = Gas Valve
 - NGL = Natural Gas Liquids
 - NGLT = Natural Gas Liquids Tee
 - OT = Oil Tee
 - OV = Oil Valve
 - SWT = Saltwater Tee
 - SWV = Saltwater Valve
 - SWM = Salterwater Manhole
 - WT = Water Tee
 - WV = Water Valve
 - WMH = Water Manhole
 - WM = Water Meter



Ref. Dwgs. USDA-FSA NAIP AERIAL IMAGERY 2014

Surveying & Drafting Services By:

ERICKSON CONTRACT SURVEYING
333 10th Ave. SE Sidney, Montana
Office 406-482-6606 / Fax 406-482-6600

LEGEND:

⊕ Bore	— Alignment
● Alignment PI	- - - Section Line
⊗ Valve	- - - Quarter Line
○ Utility Pole	— Oil Line
⊙ Well	— Natural Gas
⊗ Block Valve	— Produced Water
	— Fresh Water
	— Gas Liquids

MATERIAL SUMMARY

Mark	Quantity	Description
9		RESIDUE GAS 8" STEEL .218"

REVISIONS

No.	Date	Description

SURVEY DATUM

Horizontal Datum: State Plane Coordinate System Zone: 3301 North Dakota North NAD83(2011) U.S. Survey Foot
Vertical Datum: NAVD88(GEOD12A) GNSS Derived
*Distances are Grid Distances
Combined Scale Factor = 0.9997856
Grid Distance X 1.00021445 = Ground Distance

ECS Project # 2015-14-008.512
Drawing Date: 10-05-2015
Drawn By: F. Syth
Checked by: S. Frost

SCALE:
1" = 200' HORIZ. 22"x34'
1" = 400' HORIZ. 11"x17'
1" = 40' VERT.

Hay Butte Facility & Northern Border Connect Pipeline As-built

Sec. 31 & 32, T150N, R100W, 5th P.M., McKenzie Co., North Dakota

Sheet 3 R0

Section 32, T150N, R100W, MCKENZIE COUNTY, NORTH DAKOTA

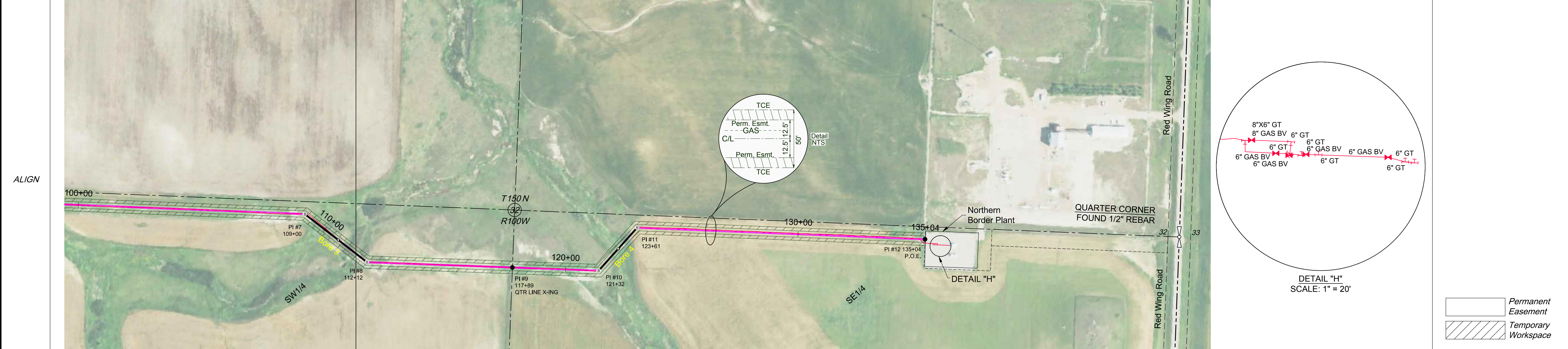
OWNER: James & Carol Norgard Trust SW1/4 Sec. 32, T150N, R100W; Cecil M Johnson L.E. Remainderman: David Lynn Johnson & Rita Sue Johnson SE1/4 Sec. 32, T150N, R100W

RODDAGE: 2698.1' / 163.5 Rods; 1715.0' / 103.9 Rods

Align. Data: S87°40'53"E 1808.69' S52°15'12"E 311.65' S87°53'32"E 577.73'; S87°54'50"E 342.22' N41°50'49"E 229.52' S87°40'51"E 1143.30'

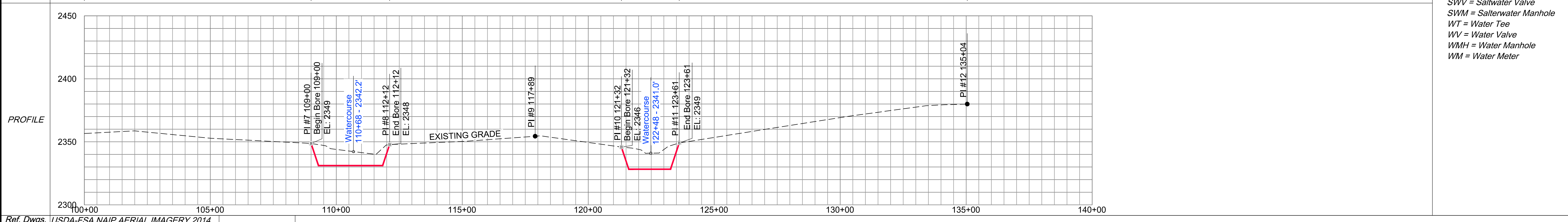
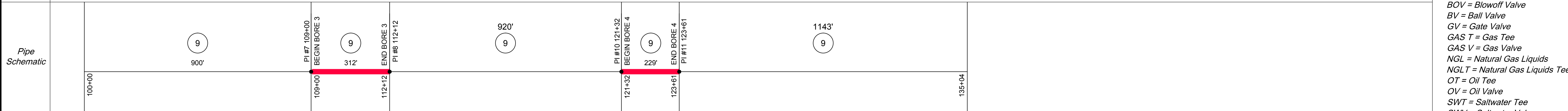
Bore: Bore #3 - 312'; Bore #4 - 229'

PI TABLE		
PI #	STATION	DEFLECTION
PI #7	109+00	18° RT
PI #8	112+12	18° LT
PI #10	121+32	50° LT
PI #11	123+61	50° RT



Terrain, Design Factor, Class

ABBREVIATION LEGEND:



<p>Surveying & Drafting Services By:</p> <p>ERICKSON CONTRACT SURVEYING 333 10th Ave. SE Sidney, Montana Office 406-482-6606 / Fax 406-482-6600</p>	<p>LEGEND:</p> <ul style="list-style-type: none"> Bore Alignment PI Valve Utility Pole Well Block Valve Alignment Section Line Quarter Line Oil Line Natural Gas Produced Water Fresh Water Gas Liquids 	<p>MATERIAL SUMMARY</p> <table border="1"> <thead> <tr> <th>Mark</th> <th>Quantity</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>9</td> <td></td> <td>RESIDUE GAS 8" STEEL .218"</td> </tr> </tbody> </table>	Mark	Quantity	Description	9		RESIDUE GAS 8" STEEL .218"	<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	No.	Date	Description				<p>SURVEY DATUM</p> <p>Horizontal Datum: State Plane Coordinate System Zone: 3301 North Dakota North NAD83(2011) U.S. Survey Foot Vertical Datum: NAVD88(GEIOD12A) GNSS Derived *Distances are Grid Distances Combined Scale Factor = 0.9997856 Grid Distance X 1.00021445 = Ground Distance</p>	<p>ECS Project # 2015-14-008.512 Drawing Date: 10-05-2015 Drawn By: F. Syth Checked by: S. Frost</p>	<p>Hay Butte Facility & Northern Border Connect Pipeline As-built</p>
			Mark	Quantity	Description													
9		RESIDUE GAS 8" STEEL .218"																
No.	Date	Description																
<p>Ref. Dwgs. USDA-FSA NAIP AERIAL IMAGERY 2014</p>	<p>Scale: 1" = 200' HORIZ. 22"x34" 1" = 400' HORIZ. 11"x17" 1" = 40' VERT.</p>	<p>Sec. 32, T150N, R100W, 5th P.M., McKenzie Co., North Dakota</p>																

APPENDIX C

**U.S. Fish and Wildlife Service
IPaC Official Species List**



United States Department of the Interior



FISH AND WILDLIFE SERVICE
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926

Phone: (701) 250-4481 Fax: (701) 355-8513

[http://www.fws.gov/northdakotafieldoffice/endspecies/
endangered_species.htm](http://www.fws.gov/northdakotafieldoffice/endspecies/endangered_species.htm)

In Reply Refer To:

October 10, 2021

Consultation Code: 06E15000-2022-SLI-0037

Event Code: 06E15000-2022-E-00095

Project Name: Caliber Midstream - ND PSC Siting Application for the Residue Gas Pipeline, McKenzie County, North

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

<http://>

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

North Dakota Ecological Services Field Office

3425 Miriam Avenue

Bismarck, ND 58501-7926

(701) 250-4481

Project Summary

Consultation Code: 06E15000-2022-SLI-0037

Event Code: Some(06E15000-2022-E-00095)

Project Name: Caliber Midstream - ND PSC Siting Application for the Residue Gas Pipeline, McKenzie County, North

Project Type: OIL OR GAS

Project Description: WSP will conduct a Class I files search through the North Dakota State Historic Preservation Office (SHPO) to identify any previous inventories and sites in the project area. The Government Land Office (GLO) database will also be queried to acquire homesteading and other historic information. All files search results and site forms will be included in the inventory report.

Upon completion of the files search, WSP will conduct a Class III cultural resource inventory of approximately 2.6 miles of pipeline (100 ft corridor) and no additional workspaces. We will follow all North Dakota SHPO guidelines and procedures to examine the area. Parallel transects will be walked to systematically locate sites, which will be recorded on approved field forms. All site geospatial data will be collected with Trimble GPS units. Sites will be photographed using a camera with 12-megapixel resolution. The survey crew will pay special attention to areas that have the highest probability of containing archaeological sites. A final report inclusive of the files search data, the results of the field inventory, and management recommendations will be prepared upon completion of the fieldwork. Report copies will be provided to Caliber for review, then sent to the North Dakota SHPO for agency review. All agency comments will be incorporated within 10 business days of receipt and a final report will be provided.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@47.766272099999995,-103.5278878392558,14z>



Counties: McKenzie County, North Dakota

Endangered Species Act Species

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

Insects

NAME	STATUS
<p>Dakota Skipper <i>Hesperia dacotae</i></p> <p>There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/1028</p>	Threatened
<p>Monarch Butterfly <i>Danaus plexippus</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743</p>	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.
