

Energy Infrastructure and Impact Office
North Dakota Department of Trust Land
1707 North 9th Street
PO Box 5523
Bismarck ND 58506

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

To Whom it may Concern,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to an existing Enbridge crude terminal in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge storage facility is owned by Enbridge Pipelines North Dakota. These two facilities are not part of the TBPL Project because they are owned by third-party entities.

The Project will consist of construction of a new underground pipeline and conversion of the existing Enbridge collector (gathering) pipeline to a transmission pipeline, along with an above ground midline pump station and a permanent access roads in Ward and Mountrail counties.

TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

The project will include installation of a proposed 3.84-mile-long underground carbon steel pipeline with a 6.625-inch outer diameter (OD) originating at the existing TBPS Facility approximately 2.6 miles northwest of Makoti, North Dakota and terminating at the interconnection with the existing 30.8-mile-long Enbridge pipeline approximately 2.1 miles southeast of Plaza, North Dakota. The Project will also include conversion of the existing Enbridge 6.625-inch OD collector pipeline to a transmission pipeline within the existing 30-foot-wide permanent easement. From the interconnect point of the new pipeline, the existing Enbridge pipeline will transport crude oil to the existing Enbridge storage facility in Stanley, North Dakota. Associated aboveground facilities will include a proposed 4.0-acre midline pump station adjacent to the existing Enbridge pipeline along with two associated permanent access roads, each 40-foot long, 30-foot wide (**Figure 1**).

The Project is located within the following portions of Ward and Mountrail Counties, North Dakota:

- Proposed new pipeline: Sections 18 and 19, Township (T) 152 North (N), Range (R) 87 West (W), and Sections 13, 14, 11, and 2, T152N R88W
- Midline Pump Station and two permanent access roads: Section 21, T154 N R89W

- Existing Enbridge pipeline: Sections 2 and 3, T152N R88W, and Sections 36, 35, 26, 27, 22, 21, 16, 17, 8, and 7, T153N R88W, and Sections 12, 1, and 2, T153N R89W, and Sections 35, 34, 27, 28, 21, 20, 17, 8, 7, and 6, T154N R89W, and Sections 1 and 2, T154N R90W, and Sections 35, 26, 27, 22, 21, 20, 17, 18, 7, and 6, T155N R90W, and Sections 1 and 2, T155N R91W, and Sections 35, 26, and 27, T156N R91W

The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Approximately three miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land. During construction, several temporary access roads and additional temporary workspaces may be required.

Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



Grand Forks Air Force Base
344 Tuskegee Airmen Boulevard
Grand Forks Air Force Base ND 58205

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Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

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PO Box 5507
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Military Aviation and Installation Assurance Siting Clearinghouse
400 Defense Pentagon
Room 5C646
Washington DC 20301-3400

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Minot Air Force Base
362 Missile Avenue
Minot Air Force Base ND 58705

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Mountrail County Commission
c/o Stephanie Pappa, Mountrail County Auditor
PO Box 69
Stanley ND 58784

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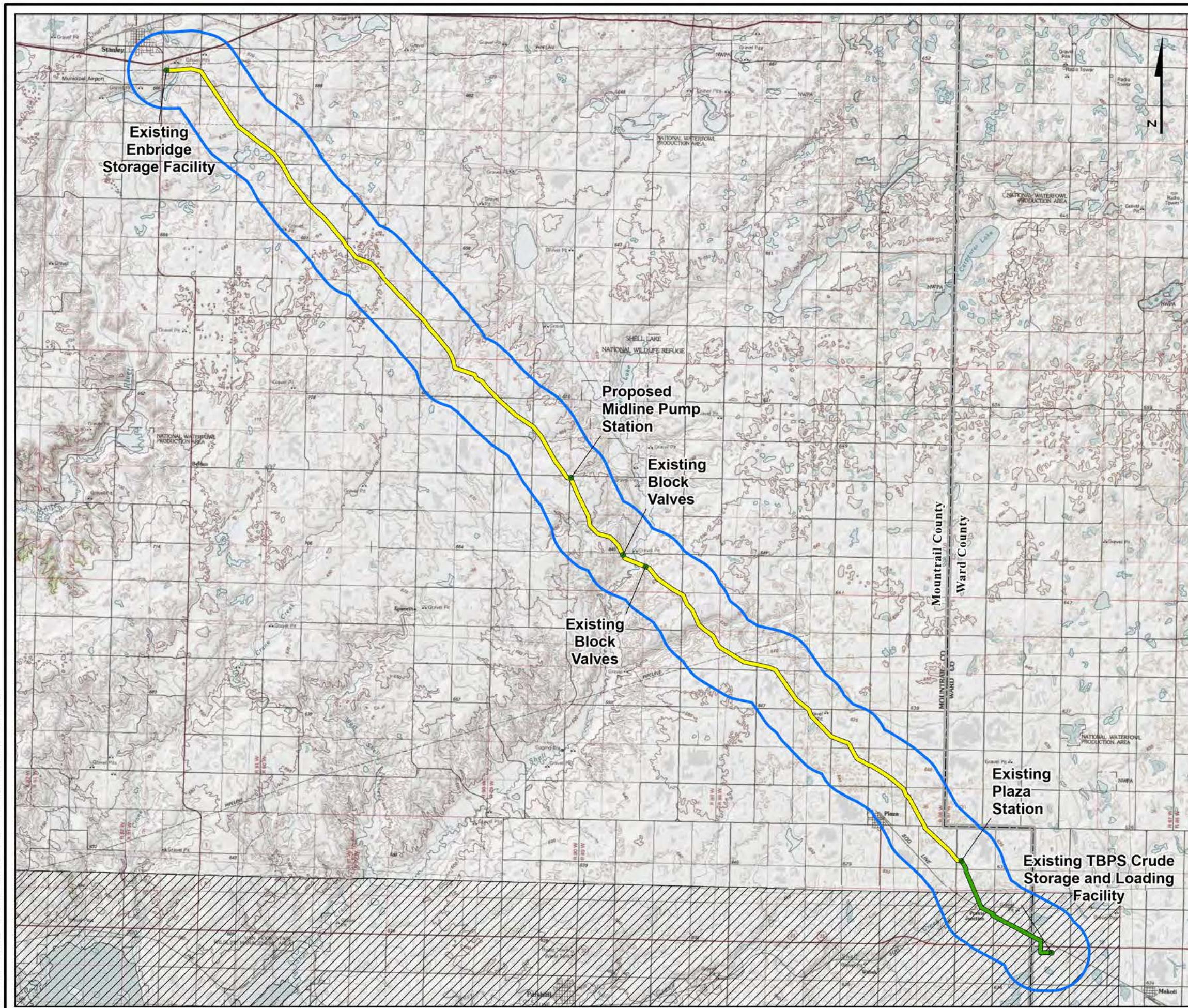
Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

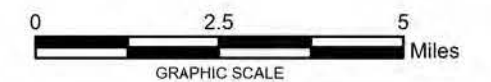
Office: 303-471-3410

Enclosures:

Figure



- Legend
- Existing Enbridge Pipeline
 - Proposed New Pipeline
 - 1 Mile Buffer
 - Fort Berthold Indian Reservation Boundary
 - County Boundary



NOTE:
1. USGS 7.5' TOPOGRAPHIC QUADRANGLE(S) STANLEY, STANLEY SE, PALERMO, TAGUS SE, BLAISDELL, TAGUS, SIKES DAM, BELDEN, EPWORTH NW, SHELL LAKE, PLAZA NE, PLAZA NW, BELDEN SW, BELDEN SE, EPWORTH, EPWORTH SE, PLAZA SE, NEW TOWN, SHELL CREEK BAY, PARSHALL, PARSHALL NE, WABEK, MAKOTI, WISCONSIN. OBTAINED FROM ESRI IMAGE SERVICE.

Thunder Butte Pipeline Project
Mountrail and Ward
Counties, North Dakota

**FIGURE 1
PROJECT OVERVIEW MAP
OVERVIEW**

PN:CO002338.0001
Date: 11/21/2023



North Dakota Aeronautics Commission
PO Box 5020
Bismarck ND 58502

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

To Whom it may Concern,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to an existing Enbridge crude terminal in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge storage facility is owned by Enbridge Pipelines North Dakota. These two facilities are not part of the TBPL Project because they are owned by third-party entities.

The Project will consist of construction of a new underground pipeline and conversion of the existing Enbridge collector (gathering) pipeline to a transmission pipeline, along with an above ground midline pump station and a permanent access roads in Ward and Mountrail counties.

TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

The project will include installation of a proposed 3.84-mile-long underground carbon steel pipeline with a 6.625-inch outer diameter (OD) originating at the existing TBPS Facility approximately 2.6 miles northwest of Makoti, North Dakota and terminating at the interconnection with the existing 30.8-mile-long Enbridge pipeline approximately 2.1 miles southeast of Plaza, North Dakota. The Project will also include conversion of the existing Enbridge 6.625-inch OD collector pipeline to a transmission pipeline within the existing 30-foot-wide permanent easement. From the interconnect point of the new pipeline, the existing Enbridge pipeline will transport crude oil to the existing Enbridge storage facility in Stanley, North Dakota. Associated aboveground facilities will include a proposed 4.0-acre midline pump station adjacent to the existing Enbridge pipeline along with two associated permanent access roads, each 40-foot long, 30-foot wide (**Figure 1**).

The Project is located within the following portions of Ward and Mountrail Counties, North Dakota:

- Proposed new pipeline: Sections 18 and 19, Township (T) 152 North (N), Range (R) 87 West (W), and Sections 13, 14, 11, and 2, T152N R88W
- Midline Pump Station and two permanent access roads: Section 21, T154 N R89W

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The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Approximately three miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land. During construction, several temporary access roads and additional temporary workspaces may be required.

Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



North Dakota Career and Technical Education
600 East Boulevard Avenue
15th Floor
Bismarck ND 58505-0610

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
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Date: September 29, 2023
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Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

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Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

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North Dakota Department of Agriculture
600 East Boulevard Avenue
Department 602
Bismarck ND 58505

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
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North Dakota Department of Commerce
1600 East Century Avenue #6
Bismarck ND 58503

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

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Figure



October 18, 2023

Kathryn Cloutier
Project Manager
Arcadis U.S., Inc.
630 Plaza Drive, Suite 200
Highlands Ranch, CO 80129

Re: Thunder Butte Pipeline Project in Mountrail and Ward Counties

Dear Ms. Cloutier:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on October 2, 2023, with respect to possible environmental impacts.

1. All necessary measures must be taken to minimize fugitive dust emissions created during construction activities. Any complaints that may arise are to be dealt with in an efficient and effective manner.
2. 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.
3. Oil and gas related construction activities located within tribal boundaries within North Dakota may be required to obtain a permit to discharge stormwater runoff from the U.S. Environmental Protection Agency (USEPA). Further information may be obtained from the USEPA website or by calling the USEPA – Region 8 at 303-312-6312. Oil and gas related construction activities outside of tribal boundaries, that disturb one or more acres, and have the ability to discharge sediment laden stormwater to waters of the state are required to have a permit to discharge stormwater runoff until the site is stabilized by the re-establishment 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 at 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.


4. The construction project overlies the Hiddenwood Lake surficial aquifer. Care should be taken to avoid spills of any materials that may have an adverse effect on groundwater quality. All spills must be immediately reported to this department and appropriate remedial actions performed.
5. The proposed project appears to have the potential to be a source of emissions to the air capable of causing or contributing to air pollution and may be required to have an Air Pollution Control Permit to Construct/Operate as required by Chapter 33.1-15-14 of the North Dakota Air Pollution Control Rules. The applicant should contact the department's Air Pollution Control Program at 701-328-5188 prior to commencing construction.
6. 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.
7. Projects that involve construction of pipelines should select locations that minimize the potential for impacts to human health and the environment during and after construction by avoiding, when possible, source water protection areas and sensitive surface and groundwater environments. Additionally, when possible, pipeline routes should select areas with natural barriers to both surface and ground waters. Human health and the environment should be further protected by developing a spill response plan that emphasizes rapid deployment of prepositioned assets necessary to contain spills and subsequent cleanup. Proper surveillance and monitoring for early detection of leaks should be required.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

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,



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

LDG:ll
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.

North Dakota Department of Health
600 East Boulevard Avenue
Bismarck ND 58505

Date: September 29, 2023
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Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

To Whom it may Concern,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to an existing Enbridge crude terminal in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge storage facility is owned by Enbridge Pipelines North Dakota. These two facilities are not part of the TBPL Project because they are owned by third-party entities.

The Project will consist of construction of a new underground pipeline and conversion of the existing Enbridge collector (gathering) pipeline to a transmission pipeline, along with an above ground midline pump station and a permanent access roads in Ward and Mountrail counties.

TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

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The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Approximately three miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land. During construction, several temporary access roads and additional temporary workspaces may be required.

Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



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

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

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600 East Boulevard Avenue
Department 406
Bismarck ND 58505

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Kathryn Cloutier
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Office: 303-471-3410

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North Dakota Department of Transportation
608 East Boulevard Avenue
Bismarck ND 58505

Date: September 29, 2023
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Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



October 5, 2023

Kathy Cloutier
Project Manager
Arcadis U.S., Inc
630 Plaza Drive, Suite 200
Highlands Ranch, CO 80129

THUNDER BUTTE PIPELINE PROJECT FOR TRANSPORT OF CRUDE OIL FROM
EXISTING THUNDER BUTTE PETROLEUM SERVICES, WARD AND MOUNTRAIL
COUNTIES, NORTH DAKOTA

We have reviewed your September 29, 2023, 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, Korby Seward, Minot at 701-857-6907.



JON KETTERLING, P.E., DIRECTOR – OFFICE OF PROJECT DEVELOPMENT

57/jk/js

c: Korby Seward, Minot District Engineer



October 6, 2023

Kathryn Cloutier, Project Manager
ARCADIS U.S., Inc.
630 Plaza Drive, Suite 200
Highlands Ranch, CO 80129

Re: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project, Ward & Mountrail Counties

The North Dakota Geological Survey (NDGS) appreciates the notification and opportunity to provide comment on your proposed project work. The September 29, 2023, comment solicitation letter was reviewed by our office on October 6, 2023. After a review of the proposed new pipeline route corridor against available geologic and landslide area mapping and contemporary aerial imagery we would not note any geologic concerns with the project at this time.

All of our geologic mapping products and data sets are available on our website at:
<https://www.dmr.nd.gov/ndgs/landslides/>

Please feel free to contact our offices at any time at (701) 328-8000 or via email at fjanderson@nd.gov if there are any additional questions or comments.

Sincerely,

North Dakota Geological Survey:

Fred Anderson

Fred J. Anderson,
Geologist

FJA

North Dakota Department of Trust Lands
1707 North 9th Street
Bismarck ND 58506

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

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North Dakota Career and Technical Education
Department of Vocational Education
State Capitol - 15th Floor
600 East Boulevard Avenue, Department 270
Bismarck ND 58505

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Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



North Dakota Forest Service
1037 Forestry Drive
Bottineau ND 58318

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

To Whom it may Concern,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to an existing Enbridge crude terminal in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge storage facility is owned by Enbridge Pipelines North Dakota. These two facilities are not part of the TBPL Project because they are owned by third-party entities.

The Project will consist of construction of a new underground pipeline and conversion of the existing Enbridge collector (gathering) pipeline to a transmission pipeline, along with an above ground midline pump station and a permanent access roads in Ward and Mountrail counties.

TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

The project will include installation of a proposed 3.84-mile-long underground carbon steel pipeline with a 6.625-inch outer diameter (OD) originating at the existing TBPS Facility approximately 2.6 miles northwest of Makoti, North Dakota and terminating at the interconnection with the existing 30.8-mile-long Enbridge pipeline approximately 2.1 miles southeast of Plaza, North Dakota. The Project will also include conversion of the existing Enbridge 6.625-inch OD collector pipeline to a transmission pipeline within the existing 30-foot-wide permanent easement. From the interconnect point of the new pipeline, the existing Enbridge pipeline will transport crude oil to the existing Enbridge storage facility in Stanley, North Dakota. Associated aboveground facilities will include a proposed 4.0-acre midline pump station adjacent to the existing Enbridge pipeline along with two associated permanent access roads, each 40-foot long, 30-foot wide (**Figure 1**).

The Project is located within the following portions of Ward and Mountrail Counties, North Dakota:

- Proposed new pipeline: Sections 18 and 19, Township (T) 152 North (N), Range (R) 87 West (W), and Sections 13, 14, 11, and 2, T152N R88W
- Midline Pump Station and two permanent access roads: Section 21, T154 N R89W

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The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Approximately three miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land. During construction, several temporary access roads and additional temporary workspaces may be required.

Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

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Office: 303-471-3410

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North Dakota Geological Survey
600 East Boulevard Avenue
Bismarck ND 58505-0840

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Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

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October 6, 2023

Kathryn Cloutier, Project Manager
ARCADIS U.S., Inc.
630 Plaza Drive, Suite 200
Highlands Ranch, CO 80129

Re: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project, Ward & Mountrail Counties

The North Dakota Geological Survey (NDGS) appreciates the notification and opportunity to provide comment on your proposed project work. The September 29, 2023, comment solicitation letter was reviewed by our office on October 6, 2023. After a review of the proposed new pipeline route corridor against available geologic and landslide area mapping and contemporary aerial imagery we would not note any geologic concerns with the project at this time.

All of our geologic mapping products and data sets are available on our website at:
<https://www.dmr.nd.gov/ndgs/landslides/>

Please feel free to contact our offices at any time at (701) 328-8000 or via email at fjanderson@nd.gov if there are any additional questions or comments.

Sincerely,

North Dakota Geological Survey:

Fred Anderson

Fred J. Anderson,
Geologist

FJA

North Dakota Indian Affairs Commission
State Capitol Building
600 East Boulevard Avenue
1st Floor, Judicial Wing - Room 117
Bismarck ND 58505

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
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Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
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Office: 303-471-3410

Enclosures:

Figure



North Dakota Industrial Commission
State Capitol - 14th Floor
600 East Boulevard Avenue, Department 405
Bismarck ND 58505

Arcadis U.S., Inc.
630 Plaza Drive
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North Dakota Office of Attorney General
600 East Boulevard Avenue
Department 125
Bismarck ND 58505

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North Dakota Parks and Recreation Department
Liberty Memorial Building
604 East Boulevard Avenue, Department 750
Bismarck ND 58505

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October 18, 2023

Arcadis
Kathryn Cloutier
630 Plaza Drive, Suite 200
Highlands Ranch, Colorado 80129

Re: Thunder Butte Pipeline, LLC Thunder Butte Pipeline Project

Dear Kathryn,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-referenced Thunder Butte Pipeline, LLC Thunder Butte Pipeline Project in Ward and Mountrail Counties, North Dakota.

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants; and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties NDPRD owns, leases, or manages.
The project does not appear to affect any properties protected under Section 6(f) of the LWCF.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, no known plant or animal species of concern or significant ecological communities are documented within or immediately adjacent to the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation. For additional information, please contact me at 701-328-5370, 701-220-3377 (cell), or kgduttonhefner@nd.gov.

Thank you for the opportunity to comment on the proposed project.

Sincerely,



Kathy Duttonhefner, Chief Natural Resources Division

North Dakota Pipeline Authority
c/o North Dakota Industrial Commission
State Capitol - 14th Floor
600 East Boulevard Avenue, Department 405
Bismarck ND 58505

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

To Whom it may Concern,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to an existing Enbridge crude terminal in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge storage facility is owned by Enbridge Pipelines North Dakota. These two facilities are not part of the TBPL Project because they are owned by third-party entities.

The Project will consist of construction of a new underground pipeline and conversion of the existing Enbridge collector (gathering) pipeline to a transmission pipeline, along with an above ground midline pump station and a permanent access roads in Ward and Mountrail counties.

TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

The project will include installation of a proposed 3.84-mile-long underground carbon steel pipeline with a 6.625-inch outer diameter (OD) originating at the existing TBPS Facility approximately 2.6 miles northwest of Makoti, North Dakota and terminating at the interconnection with the existing 30.8-mile-long Enbridge pipeline approximately 2.1 miles southeast of Plaza, North Dakota. The Project will also include conversion of the existing Enbridge 6.625-inch OD collector pipeline to a transmission pipeline within the existing 30-foot-wide permanent easement. From the interconnect point of the new pipeline, the existing Enbridge pipeline will transport crude oil to the existing Enbridge storage facility in Stanley, North Dakota. Associated aboveground facilities will include a proposed 4.0-acre midline pump station adjacent to the existing Enbridge pipeline along with two associated permanent access roads, each 40-foot long, 30-foot wide (**Figure 1**).

The Project is located within the following portions of Ward and Mountrail Counties, North Dakota:

- Proposed new pipeline: Sections 18 and 19, Township (T) 152 North (N), Range (R) 87 West (W), and Sections 13, 14, 11, and 2, T152N R88W
- Midline Pump Station and two permanent access roads: Section 21, T154 N R89W

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The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Approximately three miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land. During construction, several temporary access roads and additional temporary workspaces may be required.

Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



North Dakota Soil Conservation Committee
c/o North DakotaSU Department 7390
PO Box 6050
Fargo ND 58108

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Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

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North Dakota State Water Commission and Western Area Water Supply
c/o Bank of North Dakota Building
1200 Memorial Highway
Bismarck ND 58504

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Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



October 23, 2023

Kathryn Cloutier
Project Manager
Arcadis US Inc.
630 Plaza Drive, STE 200
Highlands Ranch, CO 80129

Dear Ms. Cloutier:

This is in response to your request for a review of the environmental impacts associated the Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project located in Ward and Mountrail Counties.


The proposed project has been reviewed by Department of Water Resources, and the following comments are provided:

- There are no FEMA National Flood Insurance Program (NFIP) floodplains identified or mapped where the proposed project is to take place. No permit relative to the NFIP are likely required based on the current effective Flood Insurance Rate Map and State minimum standards. However, flood risk has been identified through the North Dakota Risk Assessment Mapservice and Base Level Engineering (BLE) (ndram.dwr.nd.gov). In the absence of FEMA NFIP data, BLE is often considered best available data and is recommended to be considered in the design process. The State of North Dakota has no formal NFIP permitting authority as all NFIP permitting decisions are considered by impacted NFIP participating communities, the community with zoning authority for the area in question. Please work directly with the local floodplain administrators of the zoning authorities impacted.
- The Department of Water Resources' (DWR) Engineering and Permitting Section reviewed the project location and determined that it may require a surface drain permit if the project impacts sloughs, ponds, lakes (i.e., wetlands) outside of the right-of-way. Also, the project location may potentially impact two permitted surface drains. The surface drain permits are Taylor Slough Drain (DR-661) and Wild Willow Drain (DR-4495). The DWR requests to be notified if either DR-661 or DR-4495 will be modified. Maps of the surface drains are attached. For more information on these requirements, please visit the Regulation & Appropriation tab on the DWR's website (dwr.nd.gov) or contact the DWR's Regulatory Division at (701) 328-4956 or dwrregpermits@nd.gov.
- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Department of Water Resources Water Appropriation Division if you have any questions at (701) 328-2754 or appropinfo@nd.gov.

- The Department of Water Resources maintains a network of observation wells across the state for monitoring the water levels and quality in glacial and bedrock aquifers. These wells are often installed in road and highway rights-of-way to limit inconvenience to the adjacent landowners. Department of Water Resources observation wells have a yellow protective casing extending between 1 and 3 feet above ground surface, and their locations are marked with a stake. If an observation well is encountered during project activities and must be removed, please contact the Water Appropriation Division. The Department of Water Resources hopes to keep all observation wells, but otherwise will ensure the well is properly abandoned.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at (701) 328-4967 or cjdrevecky@nd.gov.

Sincerely,


Cory Drevecky
Planner IV

CD:dm/1570

North Dakota Transmission Authority
c/o North Dakota Industrial Commission
State Capitol - 14th Floor
600 East Boulevard Avenue, Department 405
Bismarck ND 58505

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Office of Governor Doug Burgum
State of North Dakota
600 East Boulevard Avenue
Bismarck ND 58505

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Orlien Township, Ward County
Ward County Township Officers Association
6900 93rd Ave SW
Minot ND 58701

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TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

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The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Approximately three miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land. During construction, several temporary access roads and additional temporary workspaces may be required.

Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



Twentieth Air Force Ninety-first Missile Wing
Minot Air Force Base
362 Missile Avenue
Minot Air Force Base ND 58705

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Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
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The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Approximately three miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land. During construction, several temporary access roads and additional temporary workspaces may be required.

Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

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Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

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U.S. Department of Interior
Bureau of Land Management
North Dakota Field Office
99 23rd Avenue West #A
Dickinson ND 58601

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Highlands Ranch
Colorado 80129
Phone: 720 344 3500
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U.S. Department of Interior
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United States Department of Agriculture
North Dakota Natural Resources Conservation Service
220 East Rosser Avenue
Federal Building
Bismarck ND 58502-1458

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United States Department of Defense
DOD Public Affairs
1400 Defense Pentagon
Washington DC 20301

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United States Department of Transportation
Federal Aviation Administration
800 Independence Avenue SW
Washington DC 20591

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Ward County Commission
c/o Marisa Haman, Ward County Auditor/Treasurer
225 3rd Street SE
2nd Floor
Minot ND 58701

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The Project is located within the following portions of Ward and Mountrail Counties, North Dakota:

- Proposed new pipeline: Sections 18 and 19, Township (T) 152 North (N), Range (R) 87 West (W), and Sections 13, 14, 11, and 2, T152N R88W
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Ward County Commission
c/o Marisa Haman, Ward County Auditor/Treasurer
September 29, 2023

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Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.* Lands within and adjacent to both the proposed pipeline, midline pump station, and the existing Enbridge pipeline are previously disturbed agricultural land.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



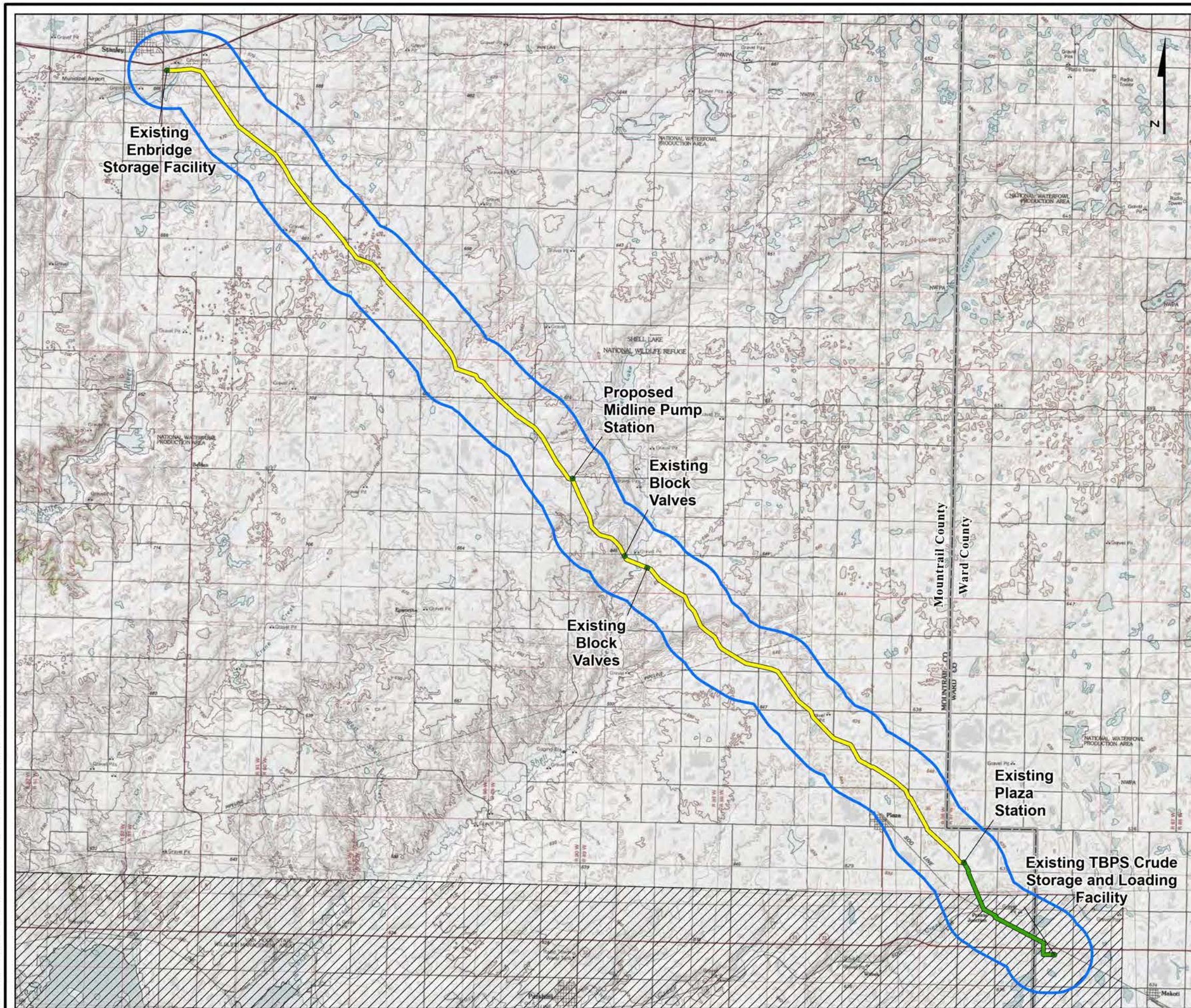
Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

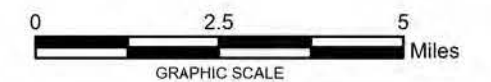
Office: 303-471-3410

Enclosures:

Figure



- Legend
- Existing Enbridge Pipeline
 - Proposed New Pipeline
 - 1 Mile Buffer
 - Fort Berthold Indian Reservation Boundary
 - County Boundary



NOTE:
1. USGS 7.5' TOPOGRAPHIC QUADRANGLE(S) STANLEY, STANLEY SE, PALERMO, TAGUS SE, BLAISDELL, TAGUS, SIKES DAM, BELDEN, EPWORTH NW, SHELL LAKE, PLAZA NE, PLAZA NW, BELDEN SW, BELDEN SE, EPWORTH, EPWORTH SE, PLAZA SE, NEW TOWN, SHELL CREEK BAY, PARSHALL, PARSHALL NE, WABEK, MAKOTI, WISCONSIN. OBTAINED FROM ESRI IMAGE SERVICE.

Thunder Butte Pipeline Project
Mountrail and Ward
Counties, North Dakota

**FIGURE 1
PROJECT OVERVIEW MAP
OVERVIEW**

PN:CO002338.0001
Date: 11/21/2023



Ward County Commission
c/o John Fjeldahl, Ward County Chairman
225 3rd Street SE
2nd Floor
Minot ND 58701

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

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Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

Office: 303-471-3410

Enclosures:

Figure



North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, North Dakota 58501

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

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To aid in your review of the project, the following background information is provided.

Lands within and adjacent to the ROWs for both the proposed pipeline and the existing Enbridge pipeline and the midline pump station site are previously disturbed agricultural land. No native prairie is present within the Project area. No active raptor nests have been identified within a ½-mile buffer of the construction ROW. Disturbances to streams and jurisdictional wetlands or Waters of the United States within the proposed pipeline corridor will be avoided by using horizontal directional drilling during construction.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com
Office: 303-471-3410

Enclosures:
Figure



October 23, 2023

Kathryn Cloutier
Project Manager
Arcadis US Inc.
630 Plaza Drive, STE 200
Highlands Ranch, CO 80129

Dear Ms. Cloutier:

This is in response to your request for a review of the environmental impacts associated the Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project located in Ward and Mountrail Counties.


The proposed project has been reviewed by Department of Water Resources, and the following comments are provided:

- There are no FEMA National Flood Insurance Program (NFIP) floodplains identified or mapped where the proposed project is to take place. No permit relative to the NFIP are likely required based on the current effective Flood Insurance Rate Map and State minimum standards. However, flood risk has been identified through the North Dakota Risk Assessment Mapservice and Base Level Engineering (BLE) (ndram.dwr.nd.gov). In the absence of FEMA NFIP data, BLE is often considered best available data and is recommended to be considered in the design process. The State of North Dakota has no formal NFIP permitting authority as all NFIP permitting decisions are considered by impacted NFIP participating communities, the community with zoning authority for the area in question. Please work directly with the local floodplain administrators of the zoning authorities impacted.
- The Department of Water Resources' (DWR) Engineering and Permitting Section reviewed the project location and determined that it may require a surface drain permit if the project impacts sloughs, ponds, lakes (i.e., wetlands) outside of the right-of-way. Also, the project location may potentially impact two permitted surface drains. The surface drain permits are Taylor Slough Drain (DR-661) and Wild Willow Drain (DR-4495). The DWR requests to be notified if either DR-661 or DR-4495 will be modified. Maps of the surface drains are attached. For more information on these requirements, please visit the Regulation & Appropriation tab on the DWR's website (dwr.nd.gov) or contact the DWR's Regulatory Division at (701) 328-4956 or dwrregpermits@nd.gov.
- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code § 61-04-02. Please consult with the Department of Water Resources Water Appropriation Division if you have any questions at (701) 328-2754 or appropinfo@nd.gov.

- The Department of Water Resources maintains a network of observation wells across the state for monitoring the water levels and quality in glacial and bedrock aquifers. These wells are often installed in road and highway rights-of-way to limit inconvenience to the adjacent landowners. Department of Water Resources observation wells have a yellow protective casing extending between 1 and 3 feet above ground surface, and their locations are marked with a stake. If an observation well is encountered during project activities and must be removed, please contact the Water Appropriation Division. The Department of Water Resources hopes to keep all observation wells, but otherwise will ensure the well is properly abandoned.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at (701) 328-4967 or cjdrevecky@nd.gov.

Sincerely,


Cory Drevecky
Planner IV

CD:dm/1570



October 26, 2023

Kathryn Cloutier
Project Manager
Arcadis U.S., Inc.
630 Plaza Drive – Suite 200
Highlands Ranch, CO 80129

Dear Ms. Cloutier:

RE: Thunder Butte Pipeline Project
Ward and Mountrail Counties, North Dakota

Thunder Butte Pipeline, LLC is proposing to construct approximately 3.84 miles of new steel pipeline to connect with the existing 30.8-mile-long Enbridge pipeline near Plaza, North Dakota, and conversion of the system to a transmission pipeline to transport crude oil to the existing Enbridge storage facility in Stanley, North Dakota. The North Dakota Game and Fish Department (NDGF) has reviewed this project for wildlife concerns.

The National Wetland Inventory indicates a variety of wetlands within the proposed project corridor. Steps should be taken to protect any wetlands that cannot be avoided, no alterations should be made to existing drainage patterns, and above-ground appurtenances should not be placed in wetland areas. Unavoidable destruction or degradation of wetland acres should be mitigated in kind.

Aerial surveys should be conducted for raptor nests before construction begins. We recommend that a ½-mile construction buffer be implemented around active eagle nest sites (known occupied within the past 5 years). Ms. Sandra Johnson, Conservation Biologist, may be contacted at 701-328-6327 for additional information on golden eagle nest sites in the state.

We do not believe this project will have significant adverse effects on wildlife or wildlife habitat provided these recommendations are implemented where appropriate during project construction and disturbed areas are reclaimed to pre-project conditions.

Sincerely,


Greg Link
Chief

Conservation & Communications Division

Governor
Doug Burgum

Director
Jeb Williams

Deputy Director
Scott A. Peterson

United States Army Corps of Engineers
North Dakota Regulatory Office
3319 University Drive
Bismarck, North Dakota 58504

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Date: September 29, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

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To aid in your review of the project, the following background information is provided.

Arcadis conducted a wetland and waterbody delineation survey for the Project area on August 7 and 8, 2018 identifying 10 aquatic features as summarized in the Wetland and Waterbody Delineation Report previously submitted to USACE on October 18, 2018. The approved jurisdictional determination dated November 29, 2018 determined that four identified wetlands (W1, W6, W7, and W9) are jurisdictional Waters of the United States (WOTUS). Disturbances to WOTUS within the proposed pipeline corridor will be avoided by using horizontal directional drilling during construction; therefore, no impacts to WOTUS are proposed for the Project.

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Email: Kathryn.Cloutier@arcadis.com

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Enclosures:

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U.S. Fish and Wildlife Service
North Dakota Field Office
3425 Miriam Avenue
Bismarck, North Dakota 58501

Date: September 29, 2023
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Following construction, the new pipeline will be buried with a minimum cover of 72 inches. TBPL will maintain a 30-foot-wide permanent easement for the new pipeline. This permanent easement along with the associated aboveground facilities will encompass a total of approximately 17 acres. The existing Enbridge pipeline is located within an existing 30-foot-wide permanent easement. *With the exception of a midline pump station and associated permanent access roads, no aboveground disturbances are anticipated to be required for conversion of the Enbridge pipeline.*

To aid in your review of the project, the following background information is provided.

Listed and candidate threatened and endangered species with the potential to be affected by the Project, as identified by the USFWS's Information Planning and Consultation (IPaC) tool completed on September 22, 2023, are listed in the following table. The Project area does not overlap the critical habitat for these species. Lands within and adjacent to the ROWs for both the proposed pipeline and the existing Enbridge pipeline and the midline pump station site are previously disturbed agricultural land. As result of historic disturbance, the pipeline corridors and midline pump station have little or no suitable habitat for these protected species. In addition, disturbances to streams and jurisdictional wetlands or Waters of the U.S. within the proposed pipeline corridor will be avoided by using horizontal directional drilling.

Name	Status	Comments
Piping Plover (<i>Charadrius melodus</i>)	Threatened	No impacts to WOUS are proposed. The Project will have no effect on this species.
Red Knot (<i>Calidris canutus rufa</i>)	Threatened	No impacts to WOUS are proposed. The Project will have no effect on this species
Whooping Crane (<i>Grus americana</i>)	Endangered	this species may occasionally traverse the Project area during migration. If whooping cranes are sighted within 1-mile (2 km) radius of any work site, all construction activities would be modified or curtailed until the bird(s) have left the area, USFWS would be contacted on how to proceed, and the TAT Fish and Wildlife Division would be notified. An identification guide will be provided for on-site personnel.
Dakota Skipper (<i>Hesperia dacotae</i>)	Threatened	No impacts to WOUS are proposed. The Project will have no effect on this species
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	The monarch butterfly is unlikely to be present because no milkweed or other nectar plants occur within or near the Project area; however, this species may occasionally traverse the Project area during migration.

U.S. Fish and Wildlife Service
North Dakota Field Office
September 29, 2023

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



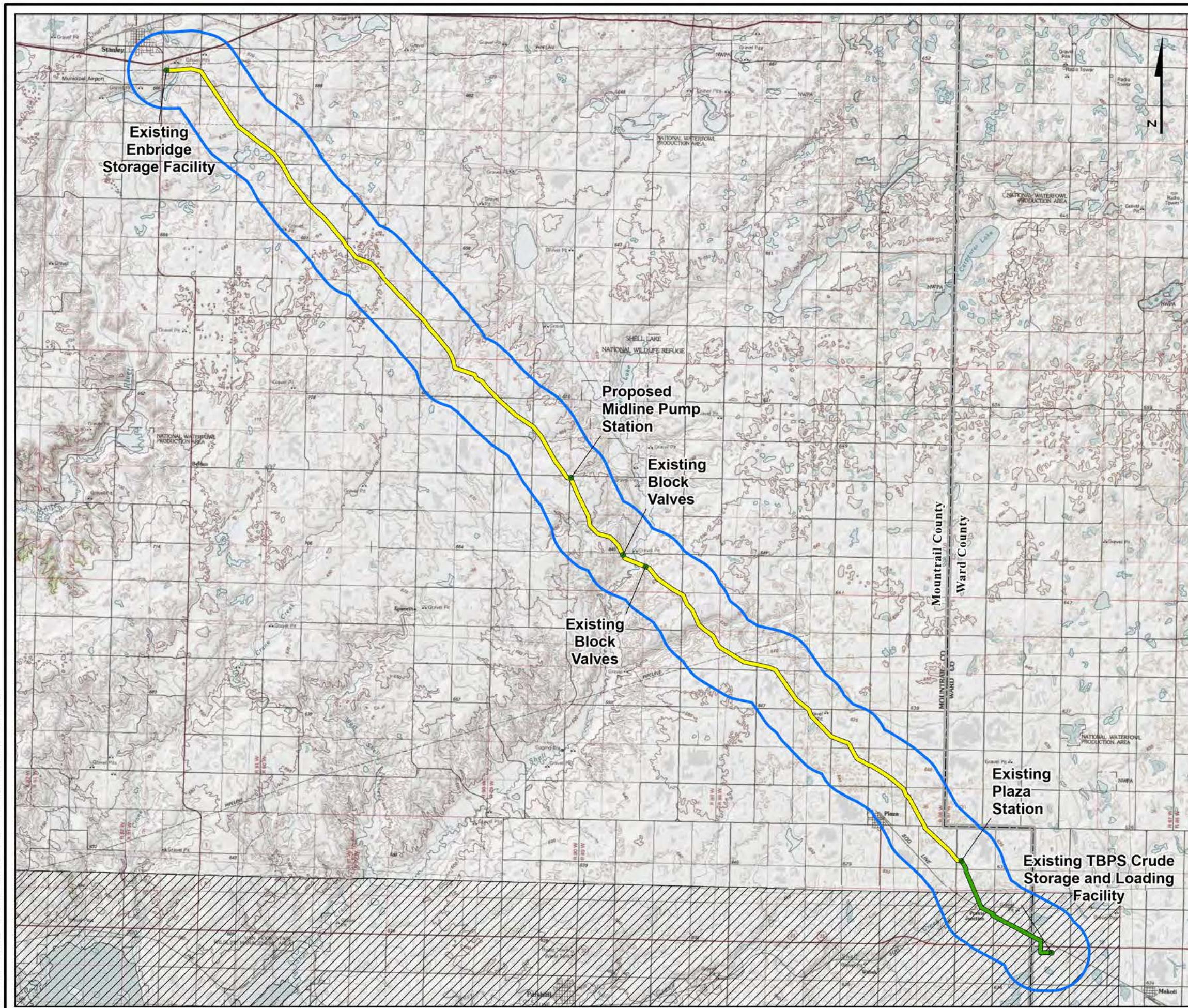
Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com

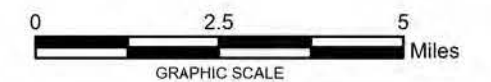
Office: 303-471-3410

Enclosures:

Figure



- Legend**
- Existing Enbridge Pipeline
 - Proposed New Pipeline
 - 1 Mile Buffer
 - Fort Berthold Indian Reservation Boundary
 - County Boundary



NOTE:
1. USGS 7.5' TOPOGRAPHIC QUADRANGLE(S) STANLEY, STANLEY SE, PALERMO, TAGUS SE, BLAISDELL, TAGUS, SIKES DAM, BELDEN, EPWORTH NW, SHELL LAKE, PLAZA NE, PLAZA NW, BELDEN SW, BELDEN SE, EPWORTH, EPWORTH SE, PLAZA SE, NEW TOWN, SHELL CREEK BAY, PARSHALL, PARSHALL NE, WABEK, MAKOTI, WISCONSIN. OBTAINED FROM ESRI IMAGE SERVICE.

Thunder Butte Pipeline Project
Mountrail and Ward
Counties, North Dakota

**FIGURE 1
PROJECT OVERVIEW MAP
OVERVIEW**

PN:CO002338.0001
Date: 11/21/2023





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



In Reply Refer To:
Project Code: 2023-0132116
Project Name: Thunder Butte Pipeline Project

September 22, 2023

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:

Section 7 of the Endangered Species Act

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 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 IPaC system by completing the same process used to receive the enclosed list.

The Act requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service *if they determine their project and associated actions "may affect" listed species or critical habitat*. If Federal agencies or their non-federal representatives determine their project and associated actions will have "no effect" on listed species, their habitats, or designated critical habitat, consultation is not required. However, if a "no effect" is determined, we recommend that you maintain a written record in support of your conclusion.

Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act

Additionally, while not all are listed as threatened or endangered, eagles and migratory birds

have protections under the Bald and Golden Eagle Protection Act (BGEPA) and the Migratory Bird Treaty Act (MBTA). The BGEPA prohibits take which is defined as, “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb” (50 CFR 22.3). Disturb is defined in regulations as, “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”. The MBTA makes it unlawful without a waiver to pursue, hunt, take, capture, kill, or sell birds listed as migratory birds, including eagles. The statute does not discriminate between live or dead birds and also grants full protection to any bird parts including feathers, eggs, and nests.

Service Property Interests

As part of the National Wildlife Refuge System, the Service administers fee title Refuge and Waterfowl Production Areas, as well as wetland and grassland easements, throughout North Dakota. For exact locations of Service interest lands, please contact the appropriate Wetland Management Districts (WMD) for guidance regarding FWS easements.

Northwest ND WMD Complex: Kyle Flanery, (701) 768-2548

Eastern ND WMD Complex: Dave Azure, (701) 285-3341

Central ND WMD Complex (also covers south and west): Todd Luke, (701) 442-5474

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

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

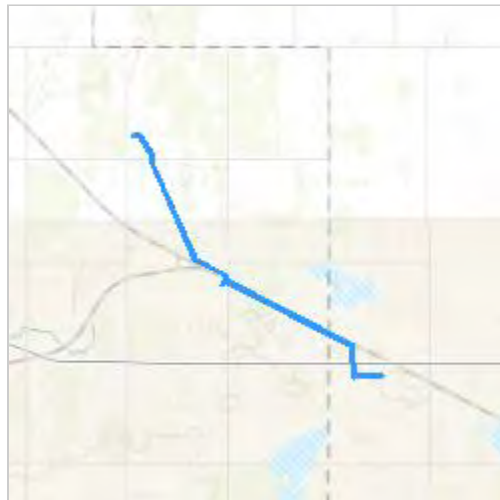
(701) 250-4481

PROJECT SUMMARY

Project Code: 2023-0132116
Project Name: Thunder Butte Pipeline Project
Project Type: Pipeline - Onshore - New Constr - Below Ground
Project Description: Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, ND to an existing Enbridge crude terminal in Stanley, ND. The project will include installation of a proposed 3.84-mile-long underground carbon steel pipeline with a 6.625-inch outer diameter (OD) originating at the existing TBPS Facility approximately 2.6 miles northwest of Makoti, ND and terminating at the interconnection with the existing 30.8-mile-long Enbridge pipeline approximately 2.1 miles southeast of Plaza, ND. The Project will also include conversion of the existing Enbridge 6.625-inch OD collector pipeline to a transmission pipeline within the existing 30-foot-wide permanent easement. From the interconnect point of the new pipeline, the existing Enbridge pipeline will transport crude oil to the existing Enbridge storage facility in Stanley, ND. Associated aboveground facilities will include a proposed 2.56-acre midline pump station adjacent to the existing Enbridge pipeline along with two associated permanent access roads, each 40-foot long, 30-foot wide. The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation (MHA Nation) doing business as TBPS and the Enbridge storage facility is owned by Enbridge Pipelines North Dakota. These two facilities are not part of the TBPL Project because they are owned by third-party entities.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@47.99300465,-101.90055074434673,14z>



Counties: Mountrail and Ward counties, North Dakota

ENDANGERED SPECIES ACT SPECIES

There is a total of 5 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.

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.

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. Your location does not overlap the critical habitat. 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. 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. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

INSECTS

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

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.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- [PEM1A](#)
- [PEM1Ad](#)
- [PEM1C](#)

OTHER

- [Pf](#)

RIVERINE

- [R4SBC](#)
-

IPAC USER CONTACT INFORMATION

Agency: Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Name: Kathryn Cloutier
Address: 630 Plaza Drive
Address Line 2: Suite 200
City: Highlands Ranch
State: CO
Zip: 80129
Email: kathryn.cloutier@arcadis.com
Phone: 3034713410

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota

State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, North Dakota 58505

Date: November 27, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

To Whom it May Concern,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to the existing Stanley Pump Station and Terminal (Enbridge Facility) in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge Facility is owned by Enbridge Pipelines North Dakota.

The new pipeline will transport crude from the TBPS Facility to an interconnect point with the existing pipeline. From the interconnection point, the existing pipeline will transport crude oil to the Enbridge Facility. All but the southern 3.84 miles is an existing pipeline.

The Project will consist of the following components in Ward and Mountrail Counties:

- Construction of a new 3.84-mile-long underground pipeline,
- Conversion of an existing 40.8-mile-long collector (gathering) pipeline to a transmission pipeline, and
- Construction of an aboveground midline pump station (4.0-acre site) and two permanent access roads, each approximately 40-foot long, 30-foot wide.

TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

The Project is located within the following portions of Ward and Mountrail Counties, North Dakota:

- Proposed new pipeline: Sections 18 and 19, Township (T) 152 North (N), Range (R) 87 West (W), and Sections 13, 14, 11, and 2, T152N R88W;
- Existing pipeline: Sections 2 and 3, T152N R88W, and Sections 36, 35, 26, 27, 22, 21, 16, 17, 8, and 7, T153N R88W, and Sections 12, 1, and 2, T153N R89W, and Sections 35, 34, 27, 28, 21, 20, 17, 8, 7, and 6, T154N R89W, and Sections 1 and 2, T154N R90W, and Sections 35, 26, 27, 22, 21, 20, 17, 18, 7, and 6, T155N R90W, and Sections 1 and 2, T155N R91W, and Sections 35, 26, and 27, T156N R91W; and
- Midline Pump Station: Section 21, T154 N R89W.

The Project is scheduled to begin construction in the spring of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land.

Approximately 3 miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Lands within and adjacent to the proposed pipeline, the existing pipeline, and the midline pump station are previously disturbed agricultural land. Following construction, the new pipeline will be located within an existing 30-foot-wide permanent easement and buried with a minimum cover of 72 inches.

Metcalf Archaeological Consultants, Inc. (Metcalf) conducted a Class III cultural resource inventory of the area of potential effects (APE). Metcalf Principal Investigator William Bluemle surveyed 3.84 miles at 300' wide of the new pipeline corridor, a proposed midline pump station (4.0-acre site), two new permanent access roads, and several temporary access roads, workspaces/laydown areas on October 2, 2023. A total of 147 acres were surveyed.

Archaeologist Bluemle found no cultural resources in the three segment APEs; therefore, Metcalf recommends a finding of *No Historic Properties Affected* [36 CFR 800.4(d)(1)] for this undertaking. A copy of the Class III Cultural Resource Inventory Report is enclosed.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com
Office: 303-471-3410

Enclosures:

Figure 1
Metcalf Class III Cultural Resource Inventory Report





January 2, 2024

Kathryn Cloutier
Arcadis
630 Plaza Drive
Suite 200
Highlands Ranch, CO 80129

SHSND Ref: 24-0067 Thunder Butte Pipeline Project Ref 301926665 in portions of McLean, Ward, and Mountrail Counties, North Dakota

Dear Kathryn,

We've reviewed the report for project SHSND Ref: 24-0067 titled "A Class III Cultural Resource Inventory for the Thunder Butte Pipeline, Mountrail and Ward Counties, North Dakota, Revised" from Metcalf Archaeological Consultants by J. Signe Snortland. We find the report acceptable and will add it to our manuscript collection.

For the portion of the project that is on the Fort Berthold Reservation, we defer to the Mandan, Hidatsa and Arikara Nation Tribal Historic Preservation Office.

For the portion of the project that is not on the Fort Berthold Reservation, there are no significant sites affected by the project provided it takes place in the manner described in the documentation and all borrow comes from an approved source.

Thank you for the opportunity to review this project under North Dakota cultural resources consultation. This letter does not serve as federal agency consultation or SHPO consultation for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (36 CFR Part 800), or the National Environmental Policy Act, as amended, (42 U.S.C. §§ 4321-4347).

If you have any questions please contact Margie Patton, Research Archaeologist at 701-328-3576 or mmpatton@nd.gov.

Sincerely,

for William D. Peterson, PhD
Director, State Historical Society of North Dakota

24-0067

Mr. Darren Joe Myrick
Section 106 Coordinator
Tribal Historic Preservation Office
MHA Nation/Three Affiliated Tribes
Energy Building 305 4th Avenue (1st Floor)
New Town, North Dakota 58763

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Date: November 27, 2023
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

Mr. Myrick,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to the existing Stanley Pump Station and Terminal (Enbridge Facility) in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge Facility is owned by Enbridge Pipelines North Dakota.

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Tribal Historic Preservation Office
September 27, 2023

- Existing pipeline: Sections 2 and 3, T152N R88W, and Sections 36, 35, 26, 27, 22, 21, 16, 17, 8, and 7, T153N R88W, and Sections 12, 1, and 2, T153N R89W, and Sections 35, 34, 27, 28, 21, 20, 17, 8, 7, and 6, T154N R89W, and Sections 1 and 2, T154N R90W, and Sections 35, 26, 27, 22, 21, 20, 17, 18, 7, and 6, T155N R90W, and Sections 1 and 2, T155N R91W, and Sections 35, 26, and 27, T156N R91W; and
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Sincerely,
Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com
Office: 303-471-3410

Enclosures:
Figure 1
Metcalf Class III Cultural Resource Inventory Report





United States Department of Agriculture

October 10, 2023

Natural Resources
Conservation Service

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

Voice 701.530.2000
Fax 855-813-7556

Kathryn Cloutier
Arcadis U.S., Inc.
630 Plaza Drive, Suite 200
Highlands Ranch, CO 80129

Dear Ms. Cloutier:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated September 29, 2023, concerning the Thunder Butte Pipeline Project in Ward and Mountrail Counties, North Dakota.

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

Wetlands

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

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

NRCS recommends that impacts to wetlands be avoided.

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota at 701-530-2021.

Sincerely,

WADE BOTT

Digitally signed by WADE BOTT
Date: 2023.10.10 15:31:41 -05'00'

WADE D. BOTT
State Soil Scientist

Helping People Help the Land

An Equal Opportunity Provider, Employer, and Lender



Liz France <lfrance@metcalfarchaeology.com>

Arcadis Thunder Buttes

3 messages

Liz France <lfrance@metcalfarchaeology.com>

Fri Dec 08, 2023 at 10:25 AM

To: EditingTeamND <editingteamnd@metcalfarchaeology.com>

Hi Damita and Dierdre,

Can you please upload the Thunder Buttes PL report to the SHPO FTP site.

Thanks
Liz

--

**Elizabeth L. France**

Regional Project Coordinator / Project Director

Metcalf Archaeology™

lfrance@metcalfarchaeology.com | (701)390-3645

1501 Mapleton Ave, Suite B, Bismarck, ND 58503

WeAreMetcalf.com | [Explore Our Services](#)Check out our app for connecting
the public with our heritage.
explore.factorearth.com[Learn more about FactorEarth™](#)

This communication is intended for the addressee; it is confidential and not for third-party unauthorized distribution.

Damita Engel <dengel@metcalfarchaeology.com>

Fri, Dec 08, 2023 at 10:49 AM

Reply-To: editingteamnd@metcalfarchaeology.com

To: editingteamnd@metcalfarchaeology.com

Doing it now!

Damita Engel

Vice President | General Manager | Principal Investigator

Metcalf Archaeology™

dengel@metcalfarchaeology.com | (701)214-1335

"This communication is intended solely for the addressee; it is confidential and not for third party unauthorized distribution."

[Quoted text hidden]

Liz France <lfrance@metcalfarchaeology.com>
To: editingteamnd@metcalfarchaeology.com

Fri, Dec 08, 2023 at 10:51 AM

Awesome!

Thanks
Liz

[Quoted text hidden]

Cloutier, Kathryn

From: Dierdre Bostyan <DBostyan@metcalfarchaeology.com>
Sent: Thursday, September 26, 2024 1:36 PM
To: Steckler, Lisa L.; treed
Cc: Cloutier, Kathryn; Liz France
Subject: FTP Upload

You don't often get email from dbostyan@metcalfarchaeology.com. [Learn why this is important](#)

Arcadis Warning: Exercise caution with email messages from external sources such as this message. Always verify the sender and avoid clicking on links or scanning QR codes unless certain of their authenticity.

Good afternoon,

The report and shapefiles for the following project have been uploaded to the FTP server:

2023.ND.126 Arcadis Thunder Butte Pipeline

If you have any questions please let us know.

Thank you,

Dierdre Bostyan | Assistant Regional Project Coordinator | Project Manager

Metcalf Archaeological Consultants, Inc.

701-258-1215 office | 701-426-9537 mobile

[metcalfarchaeology.com](https://www.metcalfarchaeology.com)



"This communication is intended solely for the addressee; it is confidential and not for third party unauthorized distribution."



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504

April 22, 2024

SUBJECT: NWO-2018-01825-BIS – Thunder Butte Pipeline – Approved Jurisdictional Determination

Mr. Stephen Chu
Arcadis U.S., Inc.
126 North Jefferson Street, Suite 400
Milwaukee, Wisconsin 53202

Dear Mr. Chu:

This letter is in response to your request received on October 2, 2023 for an approved jurisdictional determination for the Thunder Butte Pipeline. The site is located in Sections 18 and 19 of Township 152 North, Range 87 West and in Sections 2 and 11 – 14 of Township 152 North, Range 88 West, Mountrail and Ward Counties, North Dakota. Your request has been assigned the Corps Regulatory File Number referenced above. Please reference this file number on any correspondence to us or to other interested parties when referencing this project or concerning this request.

The U.S. Army Corps of Engineers (Corps) regulates the discharge of dredged and fill material into waters of the United States under Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and structures or work in, over, and under navigable waters of the United States under Section 10 of the Rivers and Harbors Act (RHA) (33 U.S.C. 403). The implementing regulations for these Acts are published in the Code of Federal Regulations at 33 CFR parts 330-332.

Based on our evaluation of the information provided and other available information, we have determined the following resources are jurisdictional: **W1, W6, W7, W9, and OW-1**. The attached approved jurisdictional determination provides rationale for why these aquatic resources meet the definition of waters of the United States. Based on this determination, a Department of the Army permit is required for the discharge of dredged or fill material into these aquatic resources. This determination does not eliminate requirements to obtain any other applicable federal, state, tribal, or local permits.

Also, based on our evaluation of the information provided and other available information, we have determined the following resources are non-jurisdictional: W2, W3, W4, W5, W8, and W10. The attached approved jurisdictional determination provides rationale for why these aquatic resources do not meet the definition of waters of the United States. Based on this determination, a Department of the Army permit is not required for the discharge of dredged or fill material into these aquatic resources. This determination does not eliminate requirements to obtain any other applicable federal, state, tribal, or local permits.

Attached to this letter is the approved jurisdictional determination for your project site. This jurisdictional determination is valid for a 5-year period from the date of this letter, until **April 21, 2029**, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR part 331. Enclosed you will find a *Notification of Administrative Appeal Options and Process and Request for Appeal* (NAO-RFA) form. If you request to appeal this determination, you must submit a completed NAO-RFA form to the address listed on the form.

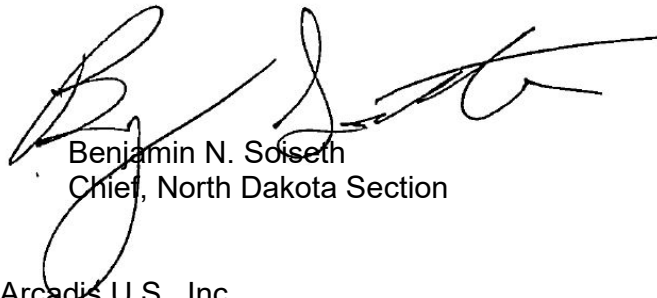
For an NAO-RFA to be accepted by the Corps, the Corps must determine that it is completed, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the NAO-RFA. Should you decide to submit an NAO-RFA form, it must be received at the Division Office by **June 20, 2024**. It is not necessary to submit an NAO-RFA form to the Division Office if you do not object to the determination in this letter.

In the event that you disagree with this approved jurisdictional determination and you have **new information** not considered in the original determination, you may request reconsideration of this determination by contacting this office prior to initiating an appeal. To request this reconsideration based upon new information, you must submit the new information to this office so that it is received within 60 days of the date of the NAO-RFA.

The Corps' Omaha District, Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete our Customer Service Survey found on our website at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. If you do not have Internet access, you may call and request a paper copy of the survey that you can complete and return by mail. Additionally, further information regarding the Omaha District Regulatory Program can be obtained by visiting our website at <https://www.nwo.usace.army.mil/Missions/Regulatory-Program/>.

If you have any questions concerning this jurisdictional determination, please contact Mr. Hadden Carlberg at the above address, by phone at 701-255-0015, ext. 2012, or by email at Hadden.J.Carlberg@usace.army.mil, and reference file number **NWO-2018-01825-BIS**.

Sincerely,



Benjamin N. Soiseth
Chief, North Dakota Section

Enclosures

cc: Kathryn Cloutier, Project Manager, Arcadis U.S., Inc



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504

CENWO-ODR-ND

April 17, 2024

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023),¹ [NWO-2018-01825-BIS](#), [Thunder Butte Pipeline](#)²

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.³ AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.⁴ For the purposes of this AJD, we have relied on section 10 of the Rivers and Harbors Act of 1899 (RHA),⁵ the Clean Water Act (CWA) implementing regulations published by the Department of the Army in 1986 and amended in 1993 (references 2.a. and 2.b. respectively), the 2008 *Rapanos-Carabell* guidance (reference 2.c.), and other applicable guidance, relevant case law and longstanding practice, (collectively the pre-2015 regulatory regime), and the *Sackett* decision (reference 2.d.) in evaluating jurisdiction.

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. The features addressed in this AJD were evaluated consistent with the definition of "waters of the United States" found in the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. This AJD did not rely on the 2023 "Revised Definition of 'Waters of the United States,'" as amended on 8 September 2023 (Amended 2023 Rule) because, as of the date of this decision, the Amended 2023 Rule is not applicable in this state due to litigation.

¹ While the Supreme Court's decision in *Sackett* had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

² When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, interstate water, or territorial seas that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).

³ 33 CFR 331.2.

⁴ Regulatory Guidance Letter 05-02.

⁵ USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

CENWO-ODR-ND

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [NWO-2018-01825-BIS](#)

1. SUMMARY OF CONCLUSIONS.

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

i.	W-1	WOTUS	jurisdictional	adjacent wetland	(Section 404)
ii.	W-2	Non-WOTUS	non-jurisdictional	non-adjacent wetland	
iii.	W-3	Non-WOTUS	non-jurisdictional	non-adjacent wetland	
iv.	W-4	Non-WOTUS	non-jurisdictional	non-adjacent wetland	
v.	W-5	Non-WOTUS	non-jurisdictional	non-adjacent wetland	
vi.	W-6	WOTUS	jurisdictional	adjacent wetland	(Section 404)
vii.	W-7	WOTUS	jurisdictional	adjacent wetland	(Section 404)
viii.	W-8	Non-WOTUS	non-jurisdictional	non-adjacent wetland	
ix.	W-9	WOTUS	jurisdictional	adjacent wetland	(Section 404)
x.	W-10	Non-WOTUS	non-jurisdictional	non-adjacent wetland	
xi.	OW-1	WOTUS	jurisdictional	tributary	(Section 404)

2. REFERENCES.

- a. Final Rule for Regulatory Programs of the Corps of Engineers, 51 FR 41206 (November 13, 1986).
- b. Clean Water Act Regulatory Programs, 58 FR 45008 (August 25, 1993).
- c. U.S. EPA & U.S. Army Corps of Engineers, Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in *Rapanos v. United States* & *Carabell v. United States* (December 2, 2008)
- d. *Sackett v. EPA*, 598 U.S. ___, 143 S. Ct. 1322 (2023)
- e. 2008 Rapanos Guidance

3. REVIEW AREA. Review area is approximately 96.85 acres near the City of Makoti, Mountrail and Ward Counties in Sections 18 and 19, Township 152 North, Range 87 West and in Sections 2 and 11 – 14, Township 152 North, Range 88 West. Project is centered at 47.987734° North, -101.888990° West. Review area boundary and aquatic resource maps are attached.

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SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [NWO-2018-01825-BIS](#)

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), INTERSTATE WATER, OR THE TERRITORIAL SEAS TO WHICH THE AQUATIC RESOURCE IS CONNECTED.
[The Missouri River is the nearest TNW.](#) ⁶
5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, INTERSTATE WATER, OR THE TERRITORIAL SEAS [W1, W6, W7, and W9 are maintain a continuous surface connection to or abut East Fork Shell Creek, a relatively permanent tributary to the Missouri River. Water from W1 flows north through a ≈50' culvert under the railroad tracks, flowing ≈4,275' north-northeast before emptying into East Fork Shell Creek. Water from W6 flows northeast through a ≈60' culvert under the railroad tracks, flowing ≈1,390' north before emptying into East Fork Shell Creek. Water from W7 flows northeast through a ≈75' culvert under the railroad tracks, before flowing west-northwest for ≈4,000' before emptying into East Fork Shell Creek. W9 directly abuts East Fork Shell Creek. From the project boundary near W9, East Fork Shell Creek then flows ≈35mi west-southwest before emptying into the Van Hook Arm of the Missouri River ≈8.25mi southwest of Parshall, North Dakota.](#)
6. SECTION 10 JURISDICTIONAL WATERS⁷: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10. [N/A](#) ⁸
7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the pre-2015 regulatory regime. The rationale should also include a written description of, or reference to a map in the administrative record

⁶ This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

⁷ 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

⁸ This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

CENWO-ODR-ND

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [NWO-2018-01825-BIS](#)

that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

- a. TNWs (a)(1): [N/A](#)
- b. Interstate Waters (a)(2): [N/A](#)
- c. Other Waters (a)(3): [N/A](#)
- d. Impoundments (a)(4): [N/A](#)
- e. Tributaries (a)(5): [OW1 \(measuring 246 linear feet\) was assessed and determined to be a relatively permanent tributary \(East Fork Shell Creek\) to a TNW \(the Missouri River\). Utilizing Google Earth Pro aerial imagery \(2009 – 2023\) and USGS's StreamStats, along with USGS's National Hydrography Dataset \(NHD\), 3D Elevation Program \(3DEP\) Digital Elevation Model \(DEM\), and 3DEP Hillshade layers, and USFWS's National Wetland Inventory \(NWI\) dataset within the Corps' National Regulatory Viewer \(NRV\), it was determined that W9 directly abuts OW-1 and East Fork Shell Creek flows for ≈35mi west-southwest from the project location near W9 before emptying into the Van Hook Arm of the Missouri River. Based on a review of the precipitation and drainage data reviewed below in Section 9, water enters this feature via precipitation events and surface runoff.](#)
- f. The territorial seas (a)(6): [N/A](#)
- g. Adjacent wetlands (a)(7): [W1, W6, W7, and W9 \(totaling 7.14 acres\) were assessed and determined to be wetlands that possess a continuous surface connection via discrete features to a requisite RPW \(East Fork Shell Creek\). Utilizing Google Earth Pro aerial imagery \(2009 – 2023\) and USGS's StreamStats, along with USGS's NHD, 3DEP DEM, and 3DEP Hillshade layers, and USFWS's NWI dataset within NRV, it was determined that these features are connected to East Fork Shell Creek via culverts under the railroad tracks as well as channelized features that provide a continuous surface connection from the culverts to East Fork Shell Creek. Based on a review of the precipitation and drainage data reviewed below in Section 9, along with the locations of these features within the landscape, water enters these features via precipitation events, surface runoff, and, in the case of W9, from the hydrology of adjacent waterbodies.](#)

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified as “generally non-jurisdictional” in the preamble to the 1986 regulations (referred to as

CENWO-ODR-ND

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [NWO-2018-01825-BIS](#)

“preamble waters”).⁹ Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA as a preamble water. [N/A](#)

- b. Describe aquatic resources and features within the review area identified as “generally not jurisdictional” in the *Rapanos* guidance. Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA based on the criteria listed in the guidance. [N/A](#)
- c. Describe aquatic resources and features identified within the review area as waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA. Include the size of the waste treatment system within the review area and describe how it was determined to be a waste treatment system. [N/A](#)
- d. Describe aquatic resources and features within the review area determined to be prior converted cropland in accordance with the 1993 regulations (reference 2.b.). Include the size of the aquatic resource or feature within the review area and describe how it was determined to be prior converted cropland. [N/A](#)
- e. Describe aquatic resources (i.e. lakes and ponds) within the review area, which do not have a nexus to interstate or foreign commerce, and prior to the January 2001 Supreme Court decision in “*SWANCC*,” would have been jurisdictional based solely on the “Migratory Bird Rule.” Include the size of the aquatic resource or feature, and how it was determined to be an “isolated water” in accordance with *SWANCC*. [N/A](#)
- h. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the pre-2015 regulatory regime consistent with the Supreme Court’s decision in *Sackett* (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water). [W2, W3, W4, W5, W8, and W10 \(totaling 1.34 acres\) were assessed and determined to be depressional wetlands that do not possess a continuous surface connection to a TNW or to an RPW. Utilizing Google Earth Pro aerial imagery \(2009 – 2023\) and USGS’s StreamStats, along with USGS’s NHD, 3DEP DEM, and 3DEP Hillshade layers, and USFWS’s NWI dataset within NRV, it was determined that these features do not connect to W1, W6, W7, or W9, nor were any discrete features observed that would provide a continuous surface connection between these features and East Fork Shell Creek. Based on a review of the precipitation and drainage data reviewed below in Section 9, along with the locations of these features within the landscape, water enters these features via precipitation events and surface runoff.](#)

⁹ 51 FR 41217, November 13, 1986.

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SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [NWO-2018-01825-BIS](#)

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.
 - a. Office evaluation conducted on March 22, 2024
 - b. October 2018 Field Aquatic Resource Delineation Report for Thunder Butte Pipeline Project, delineated by Stephen Chu of Arcadis U.S., Inc. on August 7 and 8, 2018.
 - c. Google Earth Pro 2009 - 2023 Assessed March 22, 2024
 - d. North Dakota Regulatory Viewer <https://arcportal-ucop-corps.usace.army.mil/s0portal/apps/experiencebuilder/experience/?id=9e1a61cbac2341d1b75b58c6ffa5a5ca&page=North-Dakota> Assessed March 22, 2024
 - e. USGS Advanced Map Viewer <https://apps.nationalmap.gov/viewer/> Assessed March 22, 2024
 - f. USFWS NWI Wetlands Mapper <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/> Assessed March 26, 2024
 - g. USGS StreamStats <https://streamstats.usgs.gov/ss/> Assessed March 26, 2024
10. OTHER SUPPORTING INFORMATION. [N/A](#)
11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.

NWO-2018-01825

September, 2023

Legend

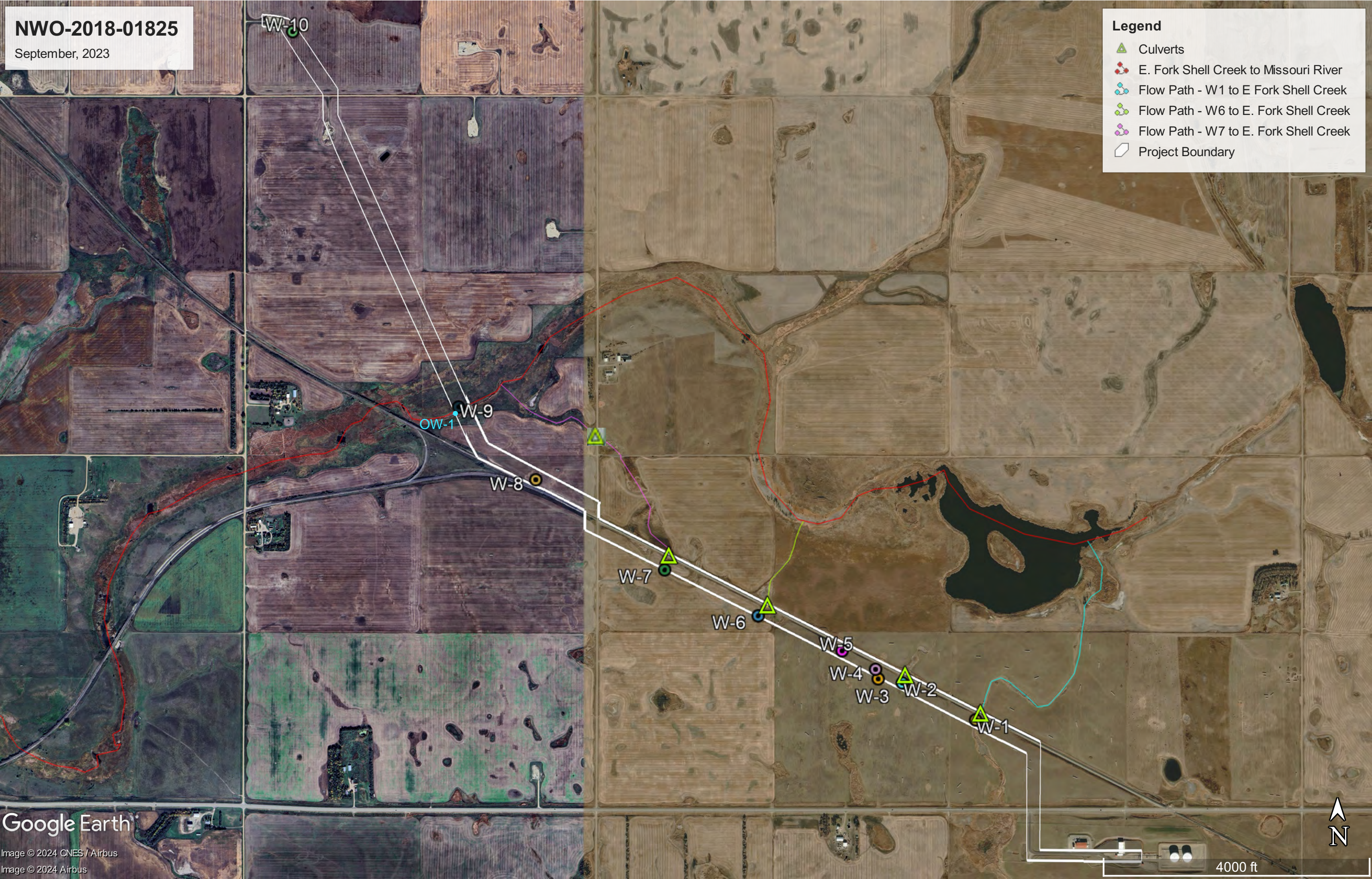
- Culverts
- E. Fork Shell Creek to Missouri River
- Flow Path - W1 to E Fork Shell Creek
- Flow Path - W6 to E. Fork Shell Creek
- Flow Path - W7 to E. Fork Shell Creek
- Project Boundary

Google Earth

Image © 2024 CNES / Airbus
Image © 2024 Airbus



4000 ft



Legend

- National Wetland Inventory (NWI)**
 - Estuarine and Marine Deepwater
 - Estuarine and Marine Wetland
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Other
 - Riverine
- National Hydrography Dataset (NHD)**

Flowline - Large Scale

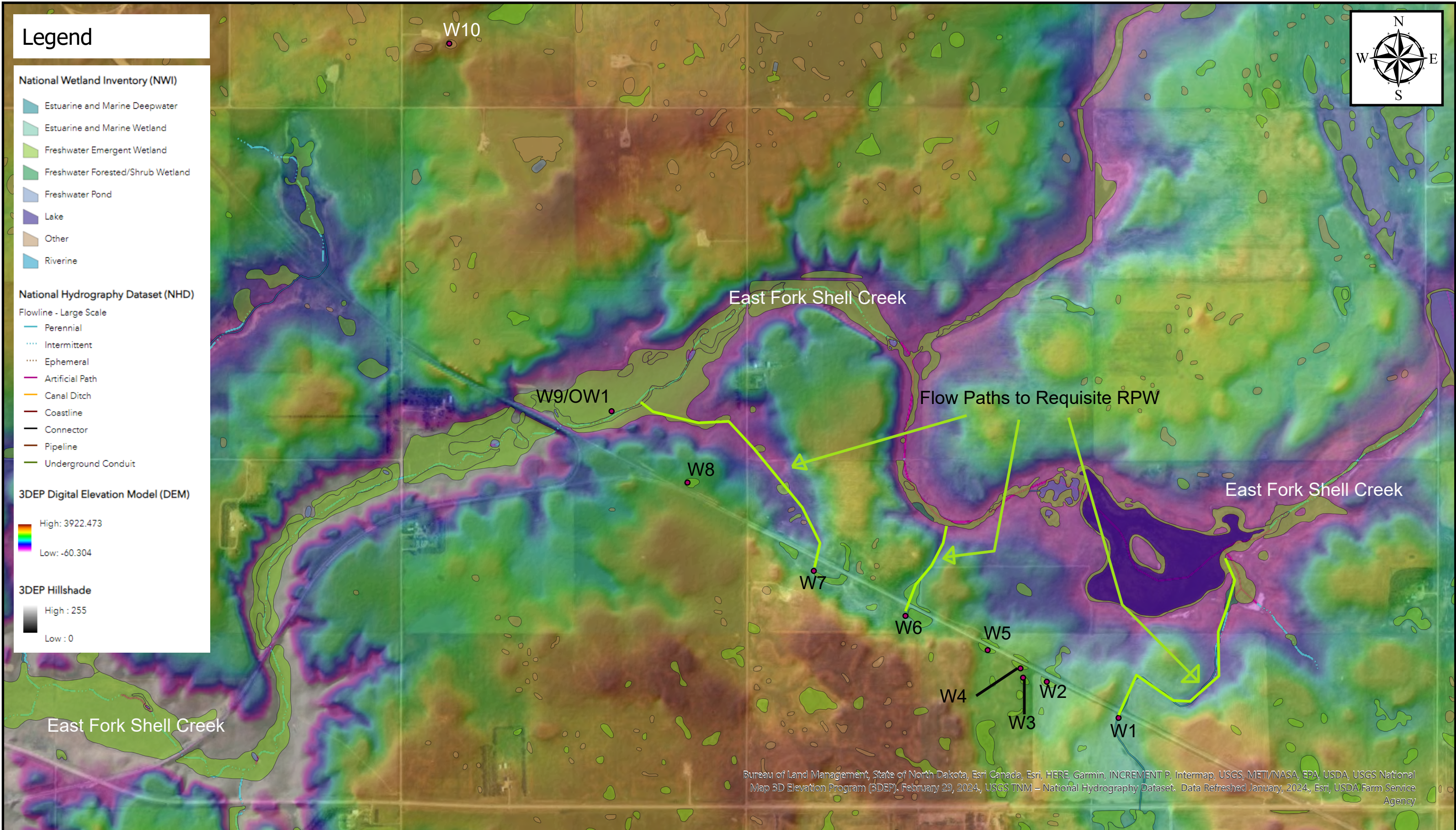
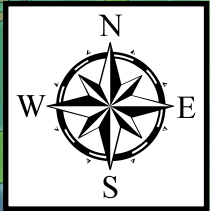
 - Perennial
 - Intermittent
 - Ephemeral
 - Artificial Path
 - Canal Ditch
 - Coastline
 - Connector
 - Pipeline
 - Underground Conduit
- 3DEP Digital Elevation Model (DEM)**

High: 3922.473

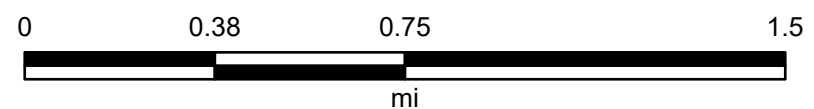
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- 3DEP Hillshade**

High : 255

Low : 0



NWO-2018-01825



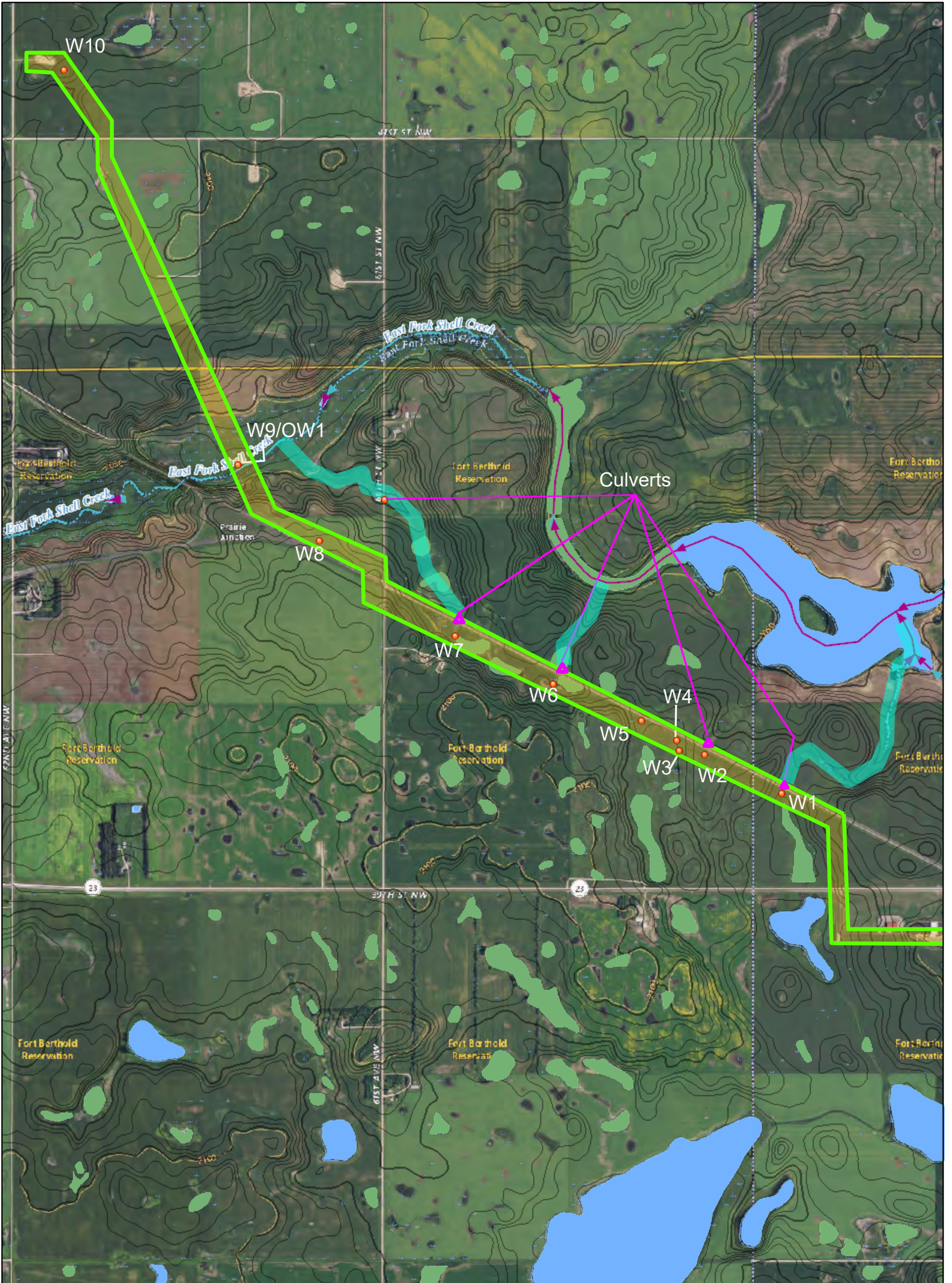
Map Center: 101.894272°W 47.994153°N

Map Created by: Hadden J. Carlberg

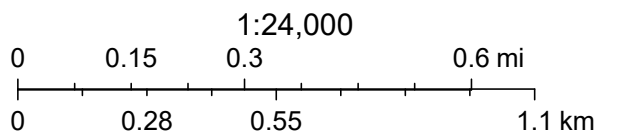
Date: 3/21/2024

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
Projection: Mercator Auxiliary Sphere

NWO-2018-01825



3/22/2024, 3:24:14 PM



USGS National Map 3D Elevation Program (3DEP). February 29, 2024.
USGS The National Map: Orthoimagery and US Topo. Data refreshed August, 2023.
USGS The National Map: National Hydrography Dataset. Data

USGS

SELECT A STATE / REGION >

Step 2: You have zoomed in sufficiently to select a state or regional study area. Your selection will dictate the data used to perform basin delineation and flow statistics calculation.

Click to select a State or Regional Study Area

North Dakota



Search for a place

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IDENTIFY A STUDY AREA ▾

SELECT SCENARIOS ▾

BUILD A REPORT ▾


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Exploration Tools




General

 Measure Tool

 Elevation Profile Tool

 Show Your Location

Network Navigation

 Flow (Raindrop) Path

 Network Path

 Network Trace

Other

[PROSPER Tool](#)

Zoom Level: 15
Map Scale: 1:18,055
Lat: 47.9757, Lon: -101.9142

300 m

1000 ft

Layers



SELECT A STATE / REGION >


Step 2: You have zoomed in sufficiently to select a state or regional study area. Your selection will dictate the data used to perform basin delineation and flow statistics calculation.

Click to select a State or Regional Study Area

North Dakota



Search for a place

 Help

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SELECT SCENARIOS ▾

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Exploration Tools




General


 Measure Tool


 Elevation Profile Tool

 Show Your Location

Network Navigation

 Flow (Raindrop) Path

 Network Path

 Network Trace

Other

 PROSPER Tool

Zoom Level: 15
Map Scale: 1:18,055
Lat: 48.0004, Lon: -101.9142

300 m

1000 ft

Layers

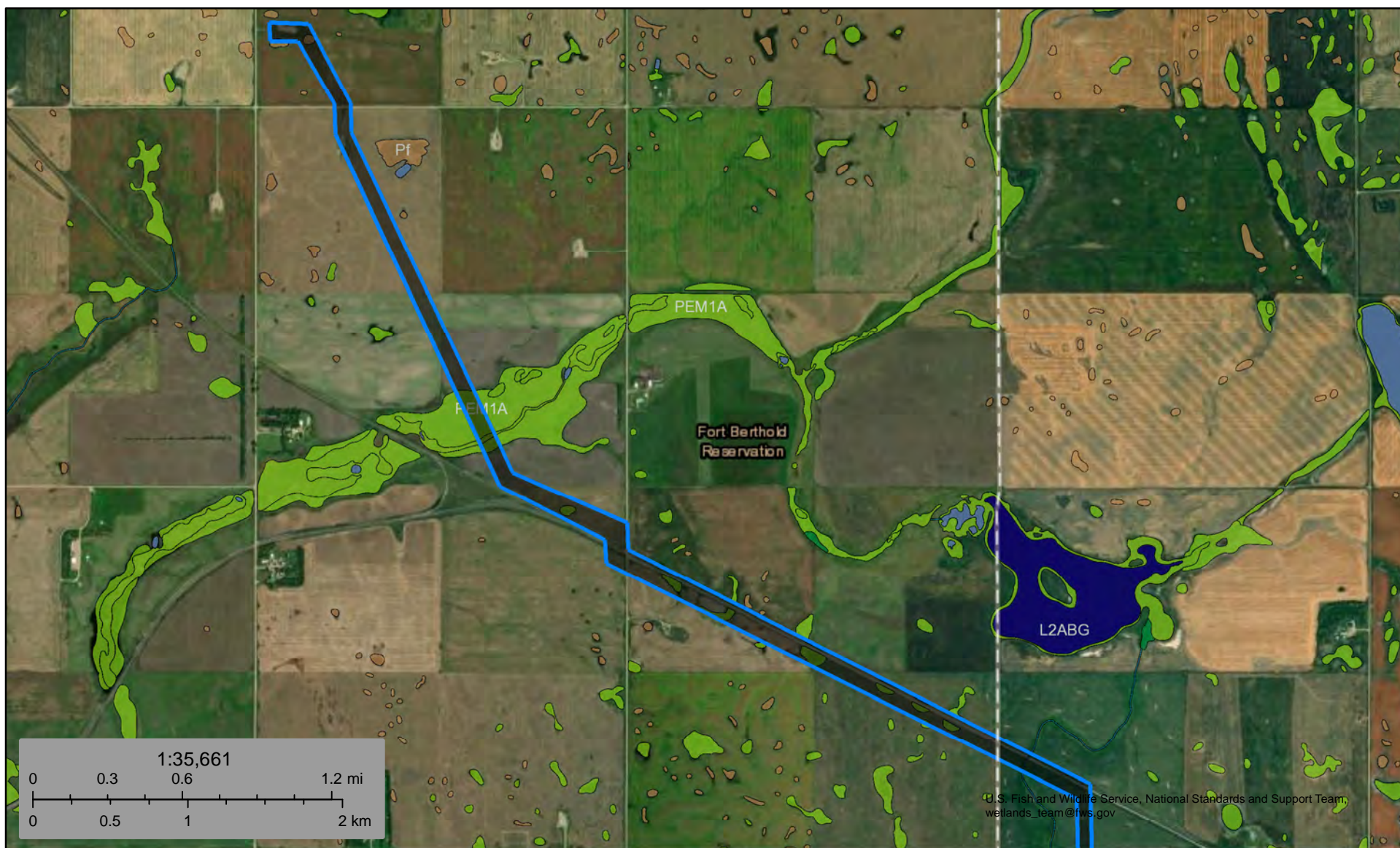




U.S. Fish and Wildlife Service

National Wetlands Inventory

NWO-2018-01825



March 26, 2024

Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Arcadis U.S., Inc. Attn: Mr. Stephen Chu		File Number: NWO-2018-01825-BIS	Date: April 22, 2024
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL WITHOUT PREJUDICE	C	
	PERMIT DENIAL WITH PREJUDICE	D	
X	APPROVED JURISDICTIONAL DETERMINATION	E	
	PRELIMINARY JURISDICTIONAL DETERMINATION	F	

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL WITHOUT PREJUDICE: Not appealable

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: You may appeal the permit denial

You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- **RECONSIDERATION:** You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable

You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:

US Army Corps of Engineers,
North Dakota Regulatory Office
Attn: Benjamin Soiseth, Section Chief
3319 University Drive
Bismarck, ND 58504
Telephone (701) 255-0015, ext. 2001
CENWO-OD-RND@usace.army.mil

If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:

US Army Corps of Engineers,
Northwestern Division
Attn: Regulatory Appeals Review Officer
P.O. Box 2870
Portland, OR 97208-2870

SECTION II – REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Email address of appellant and/or agent:

Telephone number:



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



In Reply Refer To:

07/08/2024 20:36:30 UTC

Project Code: 2023-0132116

Project Name: Thunder Butte Pipeline Project

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 IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC 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: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](#).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

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 Code 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

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

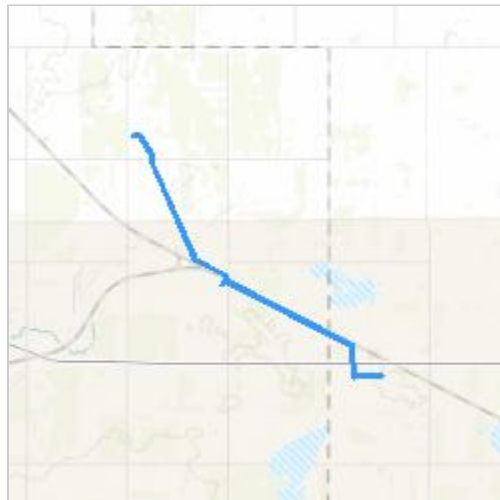
(701) 250-4481

PROJECT SUMMARY

Project Code: 2023-0132116
Project Name: Thunder Butte Pipeline Project
Project Type: Pipeline - Onshore - New Constr - Below Ground
Project Description: Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, ND to an existing Enbridge crude terminal in Stanley, ND. The project will include installation of a proposed 3.84-mile-long underground carbon steel pipeline with a 6.625-inch outer diameter (OD) originating at the existing TBPS Facility approximately 2.6 miles northwest of Makoti, ND and terminating at the interconnection with the existing 30.8-mile-long Enbridge pipeline approximately 2.1 miles southeast of Plaza, ND. The Project will also include conversion of the existing Enbridge 6.625-inch OD collector pipeline to a transmission pipeline within the existing 30-foot-wide permanent easement. From the interconnect point of the new pipeline, the existing Enbridge pipeline will transport crude oil to the existing Enbridge storage facility in Stanley, ND. Associated aboveground facilities will include a proposed 2.56-acre midline pump station adjacent to the existing Enbridge pipeline along with two associated permanent access roads, each 40-foot long, 30-foot wide. The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation (MHA Nation) doing business as TBPS and the Enbridge storage facility is owned by Enbridge Pipelines North Dakota. These two facilities are not part of the TBPL Project because they are owned by third-party entities.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@47.99300465,-101.90055074434673,14z>



Counties: Mountrail and Ward counties, 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. Note that 1 of these species should be considered only under certain conditions.

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.

-
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. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> This species only needs to be considered if the project includes wind turbine operations. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

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. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. 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. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/758	Endangered

INSECTS

NAME	STATUS
Dakota Skipper <i>Hesperia dacotae</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Name: Kathryn Cloutier
Address: 630 Plaza Drive
Address Line 2: Suite 200
City: Highlands Ranch
State: CO
Zip: 80129
Email: kathryn.cloutier@arcadis.com
Phone: 3034713410

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota

Mr. Joseph Myrick
Three Affiliated Tribes
Tribal Historic Preservation Office
404 Frontage Road
New Town, North Dakota 58763

Date: July 22, 2024
Our Ref: 30192665
Subject: Thunder Butte Pipeline, LLC: Thunder Butte Pipeline Project,
Ward and Mountrail Counties, North Dakota

Arcadis U.S., Inc.
630 Plaza Drive
Suite 200
Highlands Ranch
Colorado 80129
Phone: 720 344 3500
Fax: 720 344 3535
www.arcadis.com

Mr. Myrick,

Thunder Butte Pipeline, LLC (TBPL) is proposing the Thunder Butte Pipeline Project (Project) for transport of crude oil from the existing Thunder Butte Petroleum Services, Inc. (TBPS) Crude Storage and Loading Facility (TBPS Facility) within the Fort Berthold Indian Reservation (FBIR), near Plaza, North Dakota to the existing Stanley Pump Station and Terminal (Enbridge Facility) in Stanley, North Dakota (**Figure 1**). The TBPS Facility is owned by the Mandan, Hidatsa, and Arikara Nation/ Three Affiliated Tribes (MHA Nation/ TAT) doing business as TBPS and the Enbridge Facility is owned by Enbridge Pipelines North Dakota.

The new pipeline will transport crude from the TBPS Facility to an interconnect point with the existing pipeline. From the interconnection point, the existing pipeline will transport crude oil to the Enbridge Facility. Approximately 2.6 miles of the proposed pipeline is within the Fort Berthold Reservation.

The Project will consist of the following components in Ward and Mountrail Counties:

- Construction of a new 3.84-mile-long underground pipeline,
- Conversion of an existing 30.8-mile-long collector (gathering) pipeline to a transmission pipeline, and
- Construction of an aboveground midline pump station (2.0-acre site) and one permanent access road.

TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (Commission) requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. On behalf of TBPL, Arcadis, U.S., Inc. is submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

The Project is located within the following portions of Ward and Mountrail Counties, North Dakota:

- Proposed new pipeline: Sections 18 and 19, Township (T) 152 North (N), Range (R) 87 West (W), and Sections 13, 14, 11, and 2, T152N R88W;
- Existing pipeline: Sections 2 and 3, T152N R88W, and Sections 36, 35, 26, 27, 22, 21, 16, 17, 8, and 7, T153N R88W, and Sections 12, 1, and 2, T153N R89W, and Sections 35, 34, 27, 28, 21, 20, 17, 8, 7, and 6, T154N R89W, and Sections 1 and 2, T154N R90W, and Sections 35, 26, 27, 22, 21, 20, 17, 18, 7, and 6, T155N R90W, and Sections 1 and 2, T155N R91W, and Sections 35, 26, and 27, T156N R91W; and
- Midline Pump Station: Section 34, T154N, R89W.

State Historic Preservation Office
July 22, 2024

The Project is scheduled to begin construction in the fall of 2024. The proposed pipeline will be installed using an 80-foot-wide construction right-of way (ROW), consisting of a 30-foot-wide permanent easement and an adjacent 50-foot-wide temporary construction workspace. Construction of the proposed pipeline will temporarily disturb a total of approximately 40 acres on privately-owned agricultural land.

Approximately 3 miles of the proposed pipeline will be within the FBIR, approximately 2.3 miles of which will be constructed abutting the existing Canadian Pacific Railway ROW. Lands within and adjacent to the proposed pipeline, the existing pipeline, and the midline pump station are previously disturbed agricultural land. Following construction, the new pipeline will be located within an existing 30-foot-wide permanent easement and buried with a minimum cover of 72 inches.

Metcalf Archaeological Consultants, Inc. (Metcalf) conducted a Class III cultural resource inventory of the area of potential effects (APE). Metcalf Principal Investigator William Bluemle surveyed 3.84 miles at 300' wide of the new pipeline corridor, a proposed midline pump station, and several temporary access roads, workspaces/laydown areas on October 2, 2023. A total of 147 acres were surveyed.

Archaeologist Bluemle found no cultural resources in the three segment APEs; therefore, Metcalf recommends a finding of *No Historic Properties Affected* [36 CFR 800.4(d)(1)] for this undertaking. A copy of the Class III Cultural Resource Inventory Report is enclosed.

Please direct any questions or correspondence concerning the Project to me at 303-471-3410 or Doug Anderson at 303-471-3484.

Sincerely,

Arcadis U.S., Inc.



Kathryn Cloutier
Project Manager

Email: Kathryn.Cloutier@arcadis.com
Office: 303-471-3410

Enclosures:

Figure 1

Metcalf Class III Cultural Resource Inventory Report

Mageland, Katie

From: Mageland, Katie
Sent: Monday, September 9, 2024 5:12 PM
To: Renschler, Jason J CIV USARMY CENWO (USA)
Cc: Cloutier, Kathryn
Subject: Thunder Butte Pipeline Project - Existing Gathering Pipeline and Pump Station AJD Request (Email 1 of 4)
Attachments: USACE Notification Letter_9-26-2023 rev2.pdf; Part 1 of 4 Thunder Butte Pipeline Project_ARDR.pdf; Thunder Butte Pipeline Project_AJD_Request.pdf

Hello Jason,

We talked on the phone a few weeks ago and you provided helpful information regarding permitting options for temporary disturbances during the construction of a proposed new underground pipeline. Thanks again for your help!

On behalf of Thunder Butte Pipeline, LLC (TBPL) and MHA Nation, Arcadis, U.S., Inc. (Arcadis) is supporting permitting for the **Thunder Butte Pipeline Project** (Project). The Project requires approval from North Dakota Public Services Commission (the Commission); therefore, TBPL is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Application) to the Commission requesting a Certificate of Corridor Compatibility and Route Permit for construction and operation of the Project. The Consolidated Application process requires notification to the Corps. We previously submitted the attached letter notifying the Corps of the Project; however, the midline pump station site has been moved to S1, T153N, R88W.

This Project consists of two parts:

1. Construction of a new 3.84-mile-long underground pipeline (new pipeline) in Ward and Mountrail counties, and
2. Conversion of an existing 30.8-mile-long collector/gathering pipeline to a transmission pipeline (existing gathering pipeline) and an aboveground midline pump station on a 2-acre site in Mountrail County ("Study Area").

The new pipeline portion of the Project (#1 above) already has an AJD (NWO-2018-1825-BIS; dated April 22, 2024). My colleague, Steve Chu, worked with you to obtain that AJD.

Conversion of the existing pipeline will not require ground disturbances; however, ***TBPL is seeking an additional AJD for the existing gathering pipeline portion of the project.*** The AJD request form is attached.

Arcadis conducted an aquatic resource delineation, to include wetlands and waterbodies, within the 187-acre Study Area (as defined in #2 above) on August 5-8, 2024. Part 1 (of 4) of the Aquatic Resource Delineation Report (ARDR) is also attached to this email. Due to the large file size, I will send the Part 2 of 4 through 4 of 4 of the ARDR in separate emails. A total of 34 palustrine emergent (PEM) wetlands were delineated within the Study Area. The delineated wetlands totaled a combined 5.08-acres. A total of 11 potential farmed wetland areas were identified based on consistent wetness signatures from a farmed wetland slide review. All 11 potential farmed wetlands were determined to be present, based on the results of the farmed wetland slide review and field observations of the potential farmed wetland polygons, totaling 1.23 acres. A total of 3 perennial streams spanning approximately 171.01 linear feet were delineated within the Study Area. The delineated stream designated as SA1RJ01 within the northwestern portion of the Study Area appears to be Little Knife River. The stream designated as SA13CK01 within

the central portion of the Study Area appears to be Shell Creek. The stream designated as SA14TN01 appears to be an unnamed tributary to Shell Creek.

Below are summaries of our findings as they relate to potential regulatory status for an AJD:

Delineated Wetland Summary

Feature ID	Wetland Type (Cowardin Class)	Area¹ (acres)	Anticipated Jurisdictional Status²
WA1RJ01	PEM	0.84	Hydrologically Connected; abuts stream SA1RJ01
WA3SJ01	PEM	0.13	Isolated
WA3SJ02	PEM	0.42	Isolated
WA4SJ01	PEM	0.05	Isolated
WA4SJ02	PEM	0.20	Isolated
WA4SJ03	PEM	0.03	Isolated
WA4SJ04	PEM	0.10	Isolated
WA4SJ05	PEM	0.10	Isolated
WA4SJ06	PEM	0.04	Isolated
WA05RJ01	PEM	0.08	Isolated
WA05RJ03	PEM	0.04	Isolated
WA06RJ01	PEM	0.36	Isolated
WA06RJ02	PEM	0.07	Isolated
WA06RJ05	PEM	0.51	Isolated
WA06RJ08	PEM	0.17	Isolated
WA06RJ10	PEM	0.30	Hydrologically Connected
WA8KM01	PEM	0.03	Hydrologically Connected
WA08SC01	PEM	0.22	Hydrologically Connected
WA08SC04A	PEM	0.05	Isolated
WA08SC04B	PEM	0.15	Isolated
WA08SC05	PEM	0.12	Isolated
WA10CK01	PEM	0.13	Hydrologically Connected
WA11TN01	PEM	0.01	Hydrologically Connected
WA11TN02	PEM	0.03	Hydrologically Connected
WA12SJ01	PEM	0.07	Hydrologically Connected
WA12TN05	PEM	0.08	Hydrologically Connected
WA13CK01	PEM	0.12	Hydrologically Connected; abuts stream SA13CK01
WA14TN01	PEM	0.34	Hydrologically Connected
WA14TN02	PEM	0.11	Hydrologically Connected; abuts stream SA14TN01
WA17SC01	PEM	0.01	Isolated
WA17SC02	PEM	0.03	Isolated
WA18SJ01	PEM	0.05	Isolated
WA18SJ02	PEM	0.06	Isolated
WA18SJ03	PEM	0.05	Isolated
Total		5.08	
Potential Farmed Wetlands			

Delineated Wetland Summary

Feature ID	Wetland Type (Cowardin Class)	Area ¹ (acres)	Anticipated Jurisdictional Status ²
WA03FW01	Other/PF	0.01	Isolated
WA05FW01	Other/PF	0.02	Hydrologically Connected
WA05FW02	Other/PF	0.27	Hydrologically Connected
WA08FW01	Other/PF	0.03	Hydrologically Connected
WA08FW02	Other/PF	0.01	Hydrologically Connected
WA10FW01	Other/PF	0.01	Hydrologically Connected
WA16FW01	Other/PF	0.07	Hydrologically Connected
WA16FW02	Other/PF	0.50	Hydrologically Connected
WA19FW01	Other/PF	0.05	Isolated
WA19FW02	Other/PF	0.20	Isolated
WA19FW03	Other/PF	0.05	Isolated
Total		1.23	
Total With Potential Farmed Wetlands		6.31	

Notes:

1 Wetland area only includes portions that are within the Study Area. Some features may continue offsite. Area was rounded to the nearest hundredth.

2 Final jurisdictional determination can only be made by the USACE.

Delineated Streams Summary

Feature ID	Stream Type	Ordinary High Water Mark Width (feet)	Top of Bank (feet)	Stream Length ¹ (feet)	Stream Area (acres)
SA13CK01	Perennial	15	20	63.38	0.0
SA14TN01	Perennial	25	25	58.50	0.0
SA1RJ01	Perennial	97	828	49.13	0.1
Totals				171.01	0.1

Notes:

1 Delineated stream length and area only includes portions that are within the Study Area. Some features may continue offsite. Length and Area was rounded to the nearest hundredth.

Please let me know if you have any questions or require additional information.

Thank you,

Katie Mageland, WPIT | Wetland Biologist/Staff Scientist | katherine.mageland@arcadis.com

Arcadis | Arcadis U.S., Inc.

700 Tech Center Parkway, Suite 200-102 | Newport News | Virginia | 23606

M. +1 757 383 1550

Wetland Professional in Training

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Be green, leave it on the screen.



RE: Thunder Butte Pipeline, LLC

From Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>

Date Mon 9/9/2024 3:23 PM

To samuele.warren.1@us.af.mil <samuele.warren.1@us.af.mil>

 2 attachments (5 MB)

Makoti_Pipeline_FDGC_Submittal_20240516.gdb.zip; Fig01 - Revised 05172024.pdf;

Hi Sam,

I hope you had a good weekend.

Sorry to bug you again; however, prior to submittal of the permit application to the Public Service Commission, we need to correct the ICBM data for the "Exclusion Areas" maps.

As soon as possible, please provide the correct locations of the ICBM sites (if any) near the pipelines for the Thunder Butte Pipeline Project per the attached figure and GIS files.

Thank you again for all your efforts.

Kathryn
303-471-3410

From: Cloutier, Kathryn

Sent: Tuesday, September 3, 2024 12:26 PM

To: samuele.warren.1@us.af.mil

Subject: Thunder Butte Pipeline, LLC

Hi Sam,

Please find attached *updated* GIS shape files for the Thunder Butte Pipeline Project (proposed and existing pipelines and midline pump station). Based on public data, we identified the ICBM "Exclusion Areas"; however, this data may be incorrect.

As we discussed on the phone 3 weeks ago, please provide GIS shape files for the following ICBM Exclusion Areas:

- Areas within 1,200 feet of an ICBM facility, and
- Areas within 30 feet of direct line of ICBM launch facilities.

Thank you very much for your consideration of this request.

Thanks again,
Kathryn

Kathryn Cloutier. M.S.

Senior Project Scientist | Project Manager

Arcadis U.S., Inc.

T +1 303 471 3410

M +1 720 201 0001

Kathryn.cloutier@arcadis.com

From: Cloutier, Kathryn

Sent: Friday, October 27, 2023 12:26 PM

To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>

Subject: RE: Thunder Butte Pipeline, LLC

Hi Sam,

As requested, please find attached GIS shape files for the Thunder Butte Pipeline Project:

- Pipeline centerlines - for both the proposed new pipeline and the existing Enbridge pipeline.
- Proposed 4.0-acre midline pump station to be located in Section 21, Township 154 North, Range 89 West.
- One-mile Study Area Corridor (0.5 mile on either side of the centerlines).

If not too much bother, please provide GIS data (or direct me to a data source) to identify the locations of intercontinental ballistic missile (ICBM) facilities. The only information we have been able to find for the locations of ICBM facilities are coordinates provided on Wikipedia; however, we are not sure these are accurate.

FYI - the following areas are "Exclusion Areas" for siting transmission pipeline routes as defined under NDAC § 69-06-08-02(1):

- Areas within 1,200 feet of an ICBM facility, and
- Areas within 30 feet of direct line of ICBM launch facilities.

Thank you in advance for your consideration of this request. I hope you have a good weekend.

Kathryn

303-471-3410

From: Cloutier, Kathryn

Sent: Monday, October 16, 2023 12:48 PM

To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>

Subject: RE: Thunder Butte Pipeline, LLC

Hello Sam,

Thank you for your most timely response and for evaluating the project location.

Please find attached a kmz for the proposed new pipeline and existing pipeline routes. The GIS data is currently being updated in accordance with this kmz file.

Please advise if you require additional information.

Thanks again,

Kathryn

Kathryn Cloutier. M.S.

Senior Project Scientist | Project Manager

Arcadis U.S., Inc.

T +1 303 471 3410

M +1 720 201 0001

Kathryn.cloutier@arcadis.com

From: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>

Sent: Monday, October 16, 2023 12:37 PM

To: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>

Subject: Thunder Butte Pipeline, LLC

You don't often get email from samuele.warren.1@us.af.mil. [Learn why this is important](#)

Afternoon Ms. Cloutier,

I'm the community planner for Minot AFB and look at encroachment for the base and missile field. We recently received a letter from ARCADIS identifying proposed and existing Enbridge pipeline along with proposed pump station. We are trying to evaluate the locations and wondering if you have GIS data to support the existing map.

sam

Sam Warren
Community Planner
5 CES/CENP
445 Peacekeeper Place
Minot AFB, ND 58705
DSN: 312-453-1969
Comm: 701-723-1969

Cloutier, Kathryn

From: Cloutier, Kathryn
Sent: Wednesday, September 11, 2024 12:27 PM
To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP
Subject: RE: Thunder Butte Pipeline, LLC
Attachments: TBPL - IBCM Sites.kmz

Sam,

To facilitate your review of the Thunder Butte Pipeline Project, please find attached a kmz file.

Thanks again for all your efforts.

Kathryn
303-471-3410

From: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Sent: Tuesday, September 10, 2024 4:01 PM
To: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Subject: RE: Thunder Butte Pipeline, LLC

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Kathryn,

Sent you a DoDSafe link that can be used to drop off any files you want me to review. If it multiple files can zip them up and send them to me. Please let me if your able to access.

sam

Sam Warren
Community Planner
5 CES/CENP
445 Peacekeeper Place
Minot AFB, ND 58705
DSN: 312-453-1969
Comm:701-723-1969

From: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Sent: Monday, September 9, 2024 4:29 PM
To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Subject: [Non-DoD Source] RE: Thunder Butte Pipeline, LLC

A couple example “Exclusion Areas” maps for the Thunder Butte Pipeline Project are attached for information only.

From: Cloutier, Kathryn
Sent: Monday, September 9, 2024 3:24 PM
To: samuele.warren.1@us.af.mil
Subject: RE: Thunder Butte Pipeline, LLC

Hi Sam,

I hope you had a good weekend.

Sorry to bug you again; however, prior to submittal of the permit application to the Public Service Commission, we need to correct the ICBM data for the “Exclusion Areas” maps.

As soon as possible, please provide the correct locations of the ICBM sites (if any) near the pipelines for the Thunder Butte Pipeline Project per the attached figure and GIS files.

Thank you again for all your efforts.

Kathryn
303-471-3410

From: Cloutier, Kathryn
Sent: Tuesday, September 3, 2024 12:26 PM
To: samuele.warren.1@us.af.mil
Subject: Thunder Butte Pipeline, LLC

Hi Sam,

Please find attached *updated* GIS shape files for the Thunder Butte Pipeline Project (proposed and existing pipelines and midline pump station). Based on public data, we identified the ICBM “Exclusion Areas”; however, this data may be incorrect.

As we discussed on the phone 3 weeks ago, please provide GIS shape files for the following ICBM Exclusion Areas:

- Areas within 1,200 feet of an ICBM facility, and
- Areas within 30 feet of direct line of ICBM launch facilities.

Thank you very much for your consideration of this request.

Thanks again,
Kathryn

Kathryn Cloutier. M.S.
Senior Project Scientist | Project Manager
Arcadis U.S., Inc.
T +1 303 471 3410
M +1 720 201 0001
Kathryn.cloutier@arcadis.com

From: Cloutier, Kathryn
Sent: Friday, October 27, 2023 12:26 PM
To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Subject: RE: Thunder Butte Pipeline, LLC

Hi Sam,

As requested, please find attached GIS shape files for the Thunder Butte Pipeline Project:

- Pipeline centerlines - for both the proposed new pipeline and the existing Enbridge pipeline.
- Proposed 4.0-acre midline pump station to be located in Section 21, Township 154 North, Range 89 West.
- One-mile Study Area Corridor (0.5 mile on either side of the centerlines).

If not too much bother, please provide GIS data (or direct me to a data source) to identify the locations of intercontinental ballistic missile (ICBM) facilities. The only information we have been able to find for the locations of ICBM facilities are coordinates provided on Wikipedia; however, we are not sure these are accurate.

FYI - the following areas are "Exclusion Areas" for siting transmission pipeline routes as defined under NDAC § 69-06-08-02(1):

- Areas within 1,200 feet of an ICBM facility, and
- Areas within 30 feet of direct line of ICBM launch facilities.

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Kathryn
303-471-3410

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Sent: Monday, October 16, 2023 12:48 PM
To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Subject: RE: Thunder Butte Pipeline, LLC

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Please advise if you require additional information.

Thanks again,
Kathryn

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Kathryn.cloutier@arcadis.com

From: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Sent: Monday, October 16, 2023 12:37 PM

To: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>

Subject: Thunder Butte Pipeline, LLC

You don't often get email from samuele.warren.1@us.af.mil. [Learn why this is important](#)

Afternoon Ms. Cloutier,

I'm the community planner for Minot AFB and look at encroachment for the base and missile field. We recently received a letter from ARCADIS identifying proposed and existing Enbridge pipeline along with proposed pump station. We are trying to evaluate the locations and wondering if you have GIS data to support the existing map.

sam

Sam Warren
Community Planner
5 CES/CENP
445 Peacekeeper Place
Minot AFB, ND 58705
DSN: 312-453-1969
Comm:701-723-1969

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Cloutier, Kathryn

From: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Sent: Wednesday, September 11, 2024 2:15 PM
To: Cloutier, Kathryn
Subject: RE: Thunder Butte Pipeline, LLC
Attachments: North Dakota PSC and DMR Notification.pdf

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Kathryn,

Find attached the drawing based on your information for the Thunder Butte Pipeline project. The green dots are what you identified as missile sites and they are pretty accurate. What I've identified is there is only one site that will be effected by the pipeline and I believe it is an area you do not plan on touching with any updates. The red area is what I'm seeing as the new pipeline area, please correct me if I'm wrong.

There is several places where the HICS cable runs across this pipeline and there is certain rules that need to be followed in order to cross the cables.

sam

Sam Warren
Community Planner
5 CES/CENP
445 Peacekeeper Place
Minot AFB, ND 58705
DSN: 312-453-1969
Comm:701-723-1969

From: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Sent: Wednesday, September 11, 2024 1:27 PM
To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Subject: [Non-DoD Source] RE: Thunder Butte Pipeline, LLC

Sam,

To facilitate your review of the Thunder Butte Pipeline Project, please find attached a kmz file.

Thanks again for all your efforts.

Kathryn
303-471-3410

From: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Sent: Tuesday, September 10, 2024 4:01 PM
To: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Subject: RE: Thunder Butte Pipeline, LLC

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Kathryn,

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From: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Sent: Monday, September 9, 2024 4:29 PM
To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
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A couple example "Exclusion Areas" maps for the Thunder Butte Pipeline Project are attached for information only.

From: Cloutier, Kathryn
Sent: Monday, September 9, 2024 3:24 PM
To: samuele.warren.1@us.af.mil
Subject: RE: Thunder Butte Pipeline, LLC

Hi Sam,

I hope you had a good weekend.

Sorry to bug you again; however, prior to submittal of the permit application to the Public Service Commission, we need to correct the ICBM data for the "Exclusion Areas" maps.

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Thank you again for all your efforts.

Kathryn
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From: Cloutier, Kathryn
Sent: Tuesday, September 3, 2024 12:26 PM
To: samuele.warren.1@us.af.mil
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Hi Sam,

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Thank you very much for your consideration of this request.

Thanks again,
Kathryn

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Senior Project Scientist | Project Manager
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T +1 303 471 3410
M +1 720 201 0001
Kathryn.cloutier@arcadis.com

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Sent: Friday, October 27, 2023 12:26 PM
To: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
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303-471-3410

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Sent: Monday, October 16, 2023 12:48 PM
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Kathryn

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Sent: Monday, October 16, 2023 12:37 PM
To: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Subject: Thunder Butte Pipeline, LLC

You don't often get email from samuele.warren.1@us.af.mil. [Learn why this is important](#)

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sam

Sam Warren
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445 Peacekeeper Place
Minot AFB, ND 58705
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Cloutier, Kathryn

From: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Sent: Wednesday, September 18, 2024 4:07 PM
To: Cloutier, Kathryn
Subject: Thunder Butte Pipeline

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Kathryn,

Based on the GIS data that was provided by Arcadis U.S. Inc. for the Thunder Butte Pipeline there are no launch facilities or missile alert facilities that will be effected by the project. There is an area a possibly two areas that are being crossed by a Hardened Intersite Cable Systems (HICS), these lines run across the missile field and connecting the launch controls. In order to locate the cables a ND One Call needs to be placed and our Cable Affairs Office would respond with restrictions of how to proceed. Cable Affairs Office can be reached by calling (701) 723-6053 or MMXFI.CableAffairs@us.af.mil

The link below is for a Joint Land Use Study or JLUS that was completed in September 2015, by HDR contracted through Souris Basin Planning Council. The document helps identify several issues and also possible solutions.

<https://sourisbasin.sharepoint.com/Shared%20Documents/Forms/AllItems.aspx?id=%2FShared%20Documents%2FWebsite%5FPublic%5FOutside%20Share%5FSBPC%2FMAFB%20JLUS%2FJLUS%5FFinal%5FReport%5F092815%2Epdf&parent=%2FShared%20Documents%2FWebsite%5FPublic%5FOutside%20Share%5FSBPC%2FMAFB%20JLUS&p=true&ga=1>

sam

Sam Warren
Community Planner
5 CES/CENP
445 Peacekeeper Place
Minot AFB, ND 58705
DSN: 312-453-1969
Comm:701-723-1969

Cloutier, Kathryn

From: MUNOS, CY I CIV USAF AFGSC 91 MMXS/MMXSFK <cy.munos@us.af.mil>
Sent: Monday, September 23, 2024 6:55 AM
To: Cloutier, Kathryn
Subject: RE: Thunder Butte Pipeline Project - Construction Protocols for Crossing HICS

You don't often get email from cy.munos@us.af.mil. [Learn why this is important](#)

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Kathryn,

If the proposed pipeline stops at 62nd ave NW, there will be just one cable crossing. The following is our crossing criteria.

- As close to 90 degree crossing angle if possible.
- AF personnel on site when excavating or directional boring in easement (16.5')
- Minimum 1' of separation, 3-4' if directional bored
- No cable crossing within 50ft of our buried splices
- We will not allow any ditch cutting for access roads on our easement without approval
- We require a 48hr notice for scheduling purposes prior to cable crossing. (Cable Affairs Office 701-723-6053 701-720-8247 Cell)

We don't have a buried splice near the proposed cable crossing so that shouldn't be a problem. Depending on how far off the existing railroad tracks the pipeline will be, our cable could be fairly deep as we cross the tracks and maintained the railroad protocols. I don't foresee any issues with this cable crossing.

Let me know if you have any questions.

Cy Munos
Cable Affairs Officer
91 MMXS/MMXSFK
Minot AFB ND
701-723-6053
701-720-8274
DSN 453-6053

From: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Sent: Friday, September 20, 2024 5:19 PM
To: 91 MMXS/MMXFI Cable Affairs <MMXFI.CableAffairs@us.af.mil>
Cc: WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <samuele.warren.1@us.af.mil>
Subject: [Non-DoD Source] Thunder Butte Pipeline Project - Construction Protocols for Crossing HICS

Hello,

Thunder Butte Pipeline, LLC proposes to construct a new 3.84-mile-long underground pipeline in Ward and Mountrail counties ("Thunder Butte Pipeline Project").

Mr. Sam Warren at Minot AFB provided the attached figure and advised us that there are two HICs within the pipeline corridor (area within the red lines) and recommended that we contact you with this request.

Do you have a guidance document regarding the proper protocols to be implemented for during construction of a new pipeline at the crossings of HICs? The ND Public Service Commission (PSC) permitting requirements require DOD concurrence that the project will not adversely affect HICs.

Thank you in advance for your consideration of this request.

Thanks,
Kathryn

Kathryn Cloutier. M.S.
Senior Project Scientist | Project Manager
Arcadis U.S., Inc.
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M +1 720 201 0001
Kathryn.cloutier@arcadis.com

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Cloutier, Kathryn

From: Renschler, Jason J CIV USARMY CENWO (USA) <Jason.J.Renschler@usace.army.mil>
Sent: Wednesday, October 16, 2024 7:51 AM
To: Cloutier, Kathryn
Cc: Mageland, Katie
Subject: RE: Thunder Butte Pipeline Project Notification and AJD Request for Existing Pipeline

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Hi Kathryn – per your direction below, this email is confirmation of project notification email received. If anything additional is required from my office for the project, please let me know. The assigned file number you listed is correct (NWO-2018-1825-BIS). Thanks, Jason.

From: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Sent: Thursday, October 10, 2024 4:54 PM
To: Renschler, Jason J CIV USARMY CENWO (USA) <Jason.J.Renschler@usace.army.mil>
Cc: Mageland, Katie <Katherine.Mageland@arcadis.com>
Subject: [Non-DoD Source] Thunder Butte Pipeline Project Notification and AJD Request for Existing Pipeline

Hello Jason,

Thank you very much for all your efforts. The information you previously provided to Katie and me regarding construction-related permits is most helpful.

As you may recall, we previously notified you of the Thunder Butte Pipeline Project in September 2023. Please find attached an updated notification letter and Figure 1 showing the proposed and existing pipelines and the new location for the proposed midline pump station.

On behalf of Thunder Butte Pipeline LLC (TBPL), Arcadis is submitting a Consolidated Certificate of Corridor Compatibility and Route Permit Application (Consolidated Permit Application) to the North Dakota Public Service Commission (PSC) for construction and operation of the Project including construction of a proposed pipeline and conversion of an existing pipeline. We are submitting this letter to inform your agency of the proposed Project and to request any comments or input. Any information received will be taken into consideration during the permitting and development process in conjunction with the Consolidated Permit Application process.

To comply with the PSC requirements, please respond with an email or letter acknowledging that you have been notified of the Thunder Butte Pipeline Project.

No work is immediately proposed for the existing pipeline; however, the PSC may require an AJD for the existing pipeline before issuing a Permit for the Project as maintenance activities may be required in the future.

Thank you again for facilitating the AJD (NWO-2018-01825-BIS) dated April 22, 2024, for the proposed new pipeline right-of-way.

Please let me know if you have any questions or require additional information.

Thank you again,

Kathryn

Kathryn Cloutier, M.S.

Senior Project Scientist | Project Manager
Arcadis U.S., Inc.
T +1 303 471 3410
M +1 720 201 0001
Kathryn.cloutier@arcadis.com

From: Renschler, Jason J CIV USARMY CENWO (USA) <Jason.J.Renschler@usace.army.mil>
Sent: Tuesday, September 10, 2024 7:42 AM
To: Mageland, Katie <Katherine.Mageland@arcadis.com>
Cc: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Subject: RE: Thunder Butte Pipeline Project - Existing Gathering Pipeline and Pump Station AJD Request (Email 4 of 4)

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Hi Katie – confirmation that i did receive 4-separate emails from you. I'll have the information logged in, I'll need to review/digest all the info and get back to you with any questions/clarifications i may have. Thanks, Jason.

From: Mageland, Katie <Katherine.Mageland@arcadis.com>
Sent: Monday, September 9, 2024 4:17 PM
To: Renschler, Jason J CIV USARMY CENWO (USA) <Jason.J.Renschler@usace.army.mil>
Cc: Cloutier, Kathryn <Kathryn.Cloutier@arcadis.com>
Subject: [Non-DoD Source] Thunder Butte Pipeline Project - Existing Gathering Pipeline and Pump Station AJD Request (Email 4 of 4)

Hello Jason,

Please find attached Part 4 of 4 of the ARDR for the Thunder Butte Pipeline Project.

Thank you,
Katie

Katie Mageland, WPIT | Wetland Biologist/Staff Scientist | katherine.mageland@arcadis.com
Arcadis | Arcadis U.S., Inc.
700 Tech Center Parkway, Suite 200-102 | Newport News | Virginia | 23606
M. +1 757 383 1550

Wetland Professional in Training

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<input type="checkbox"/> Return Receipt (hardcopy)	\$	
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
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Postage

Energy Infrastructure and Impact Office
North Dakota Department of Trust Land
1707 North 9th Street
PO Box 5523
Bismarck ND 58506

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Moving Through Network
In Transit to Next Facility October 6, 2023

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage

Grand Forks Air Force Base
344 Tuskegee Airmen Boulevard
Grand Forks Air Force Base ND 58205

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Adult Signature Required	\$	
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Postage

Job Service of North Dakota
PO Box 5507
Bismarck ND 58506

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<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage

Military Aviation and Installation Assurance
Siting Clearinghouse
400 Defense Pentagon
Room 5C646
Washington DC 20301-3400

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage

Minot Air Force Base
362 Missile Avenue
Minot Air Force Base ND 58705

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	

Postage

Mountrail County Commission
c/o Stephanie Pappa
Mountrail County Auditor
PO Box 69
Stanley ND 58784

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<input type="checkbox"/> Adult Signature Required	\$	
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North Dakota Aeronautics Commission
PO Box 5020
Bismarck ND 58502

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North Dakota Career and Technical Education
600 East Boulevard Avenue
15th Floor
Bismarck ND 58505-0610

See Reverse for Instructions

Delivery Attempt Redelivery Scheduled for Next Business Day
BISMARCK, ND 58503 October 4, 2023, 5:07 pm

Delivered 10/2/2023 9:58a

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
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North Dakota Department of Agriculture
600 East Boulevard Avenue
Department 602
Bismarck ND 58505

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<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
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North Dakota Department of Commerce
1600 East Century Avenue #6
Bismarck ND 58503

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
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North Dakota Department
of Environmental Quality
4201 Normandy Street
Bismarck ND 58503-1324

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
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North Dakota Department of Health
600 East Boulevard Avenue
Bismarck ND 58505

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<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
North Dakota Department of Human Services 600 East Boulevard Avenue Department 325 Bismarck ND 58505	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
North Dakota Department of Labor and Human Services 600 East Boulevard Avenue Department 406 Bismarck ND 58505	
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<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
North Dakota Department of Transportation 608 East Boulevard Avenue Bismarck ND 58505	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
North Dakota Department of Trust Lands 1707 North 9th Street Bismarck ND 58506	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
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<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
North Dakota Career and Technical Education Department of Vocational Education State Capitol - 15th Floor 600 East Boulevard Avenue, Department 270 Bismarck ND 58505	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
North Dakota Forest Service 1037 Forestry Drive Bottineau ND 58318	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
North Dakota Geological Survey 600 East Boulevard Avenue Bismarck ND 58505-0840	
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<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
North Dakota Indian Affairs Commission State Capitol Building 600 East Boulevard Avenue 1st Floor, Judicial Wing - Room 117 Bismarck ND 58505	
See Reverse for Instructions	

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<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
North Dakota Industrial Commission State Capitol - 14th Floor 600 East Boulevard Avenue Department 405 Bismarck ND 58505	
See Reverse for Instructions	

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<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
North Dakota Office of Attorney General 600 East Boulevard Avenue Department 125 Bismarck ND 58505	
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<input type="checkbox"/> Return Receipt (hardcopy) \$	
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<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
North Dakota Parks and Recreation Department Liberty Memorial Building 604 East Boulevard Avenue, Department 750 Bismarck ND 58505	
See Reverse for Instructions	

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<input type="checkbox"/> Return Receipt (hardcopy) \$	
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<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
North Dakota Pipeline Authority c/o North Dakota Industrial Commission State Capitol - 14th Floor 600 East Boulevard Avenue, Department 405 Bismarck ND 58505	
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
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North Dakota Soil Conservation Committee
c/o North DakotaSU
Department 7390
PO Box 6050
 Fargo ND 58108

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
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North Dakota State Water Commission and
Western Area Water Supply
c/o Bank of North Dakota Building
1200 Memorial Highway
Bismarck ND 58504

Postmark
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

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North Dakota Transmission Authority
c/o North Dakota Industrial Commission
State Capitol - 14th Floor
600 East Boulevard Avenue, Department 405
Bismarck ND 58505

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
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Office of Governor Doug Burgum
State of North Dakota
600 East Boulevard Avenue
Bismarck ND 58505

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**Moving Through Network
In Transit to Next Facility November 5, 2023**

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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
\$

Orlien Township, Ward County
Ward County Township Officers Association
6900 93rd Avenue SW
Minot ND 58701

Postmark
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
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Twentieth Air Force Ninety-first Missile Wing
Minot Air Force Base
362 Missile Avenue
Minot Air Force Base ND 58705

Postmark
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Here
 U.S. Department of Interior
 Bureau of Land Management
 North Dakota Field Office
 99 - 23rd Avenue West #A
 Dickinson ND 58601

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Postage

\$

Postmark
Here
 United States Department of Agriculture
 North Dakota Natural Resources
 Conservation Service
 220 East Rosser Avenue, Federal Building
 Bismarck ND 58502-1458

See Reverse for Instructions

Delivered 10/10/23 8:38a

7015 3430 0000 1285 1170

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☐ Adult Signature Restricted Delivery \$

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Postmark
Here
 United States Department of Defense
 DOD Public Affairs
 1400 Defense Pentagon
 Washington DC 20301

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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 United States Department of Transportation
 Federal Aviation Administration
 800 Independence Avenue SW
 Washington DC 20591

PS Form 3800, April 2015 PSN 7530-02-000-9047

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☐ Adult Signature Restricted Delivery \$

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Postmark
Here
 Ward County Commission
 c/o Marisa Haman
 Ward County Auditor/Treasurer
 225 3rd Street SE, 2nd Floor
 Minot ND 58701

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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7015 3430 0000 1285 1200

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☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

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Postmark
Here
 Ward County Commission
 c/o John Fjeldahl, Ward County Chairman
 225 3rd Street SE
 2nd Floor
 Minot ND 58701

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Delivered 10/4/2023 7:52a

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Postage

\$ _____

Postmark
Here

North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, North Dakota 58501

for Instructions

Delivered 10/2/2023 12:45p

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☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postage

\$ _____

Postmark
Here

United States Army Corps of Engineers
North Dakota Regulatory Office
3319 University Drive
Bismarck, North Dakota 58504

See Reverse for Instructions

Delivered 10/2/2023 1:07p

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☐ Return Receipt (hardcopy) \$ _____
☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postage

\$ _____

Postmark
Here

U.S. Fish & Wildlife Service
North Dakota Field Office
3425 Miriam Avenue
Bismarck, North Dakota 58501

PS Form 3800, April 2013 PSN 7530-02-000-9047 See Reverse for Instructions

7015 3430 0000 1285 1989

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Certified Mail Fee \$ _____	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To State Historical Society of ND Street and Apt. No., or PO Box No. 612 E Blvd Ave City, State, ZIP+4® Bismarck, ND 58505	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

State Historical Society
of ND
612 East Blvd Ave
Bismarck, ND 58505



9590 9402 1713 6053 3958 43

2. Article Number (Transfer from service label)

7015 3430 0000 1285 1989

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
- ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

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OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Darren Joe Myrick
Energy Bldg 305 4th Ave - 1st Floor
New Town, ND 58763

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Postmark
Here

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Darren Joe Myrick
Tribal Historic Pres. Office
Energy Bldg 305 4th Ave
New Town, ND 58763



9590 9402 4186 8121 8391 84

2. Article Number (Transfer from service label)

7015 3430 0000 1285 1996

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☒ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Darren Joe Myrick
Tribal Historic Pres. Office
Energy Bldg 305 4th Ave
New Town, ND 58763



9590 9402 4186 8121 8391 84

2. Article Number (Transfer from service label)

7015 3430 0000 1285 1996

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Blair*

☒ Agent

☐ Addressee

B. Received by (Printed Name)

Blair

C. Date of Delivery

8-6

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

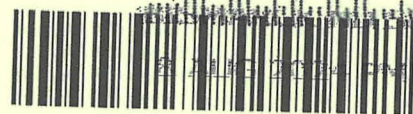
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☒ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

USPS TRACKING#



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United States
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• Sender: Please print your name, address, and ZIP+4® in this box•

Kathryn Cloutier
Arcadis
630 Plaza Dr, Suite 200
Highlands Ranch, CO
80129

