



Thunder Butte Pipeline (TBPL)

Intent To Begin Construction Notice - Meeting Summary

Date

- Friday May 9th, 2025

Time

- 1:30 CST

Project Start Date

- Implied to be late May 2024 (project construction planned for early June)

Participants

- **Adam Branfin** – Staff, case handler, meeting lead (North Dakota PSC)
- **Dalton Bruce** – Inspector, primary on-site inspector (North Dakota PSC)
- **Pete Brewer** – Attorney for Thunder Butte
- **Jake Richardson** – Project Manager (Gap Midstream)
- **Ralph Anaya** – Construction Manager & Inspection Lead (Gap Midstream)

Introductions

- All key stakeholders introduced themselves and their roles.
- Adam confirmed Dalton as the likely primary inspector, with Matt Scheibel as an alternate if scheduling conflicts arise.

Main Topics Discussed

1. Meeting Administration

- Clarified need for meeting minutes for official records and docket submission.
- Jake Richardson agreed to take official minutes and route them through Pete to Adam.
- These minutes will also serve as Thunder Butte's formal "Intent to Begin Construction" notice.
- Instructions were given to clearly label this when submitting.

2. Documentation for Project

- All parties referenced the FOF/CLO document (Findings of Fact, Conclusions of Law, and Order), including certifications related to order provisions and tree/shrub mitigation specs.

- Noted project's corridor/buffer dimensions: 200' for new pipe, 50' for existing, with a 20' construction buffer on either side.

3. Permitting and Compliance

- Thunder Butte must obtain all required licenses and permits prior to and during construction, and submit each to the Commission.
- Special compliance points discussed:
 - **Spill Reporting:** Notify commission within 24 hours via toll-free number (877-245-6685) and follow up by email (smkahl@nd.gov).
 - **Depth of Cover Study:** Must prove pipeline is buried to required specifications (48" deep generally, 72" at undeveloped section lines). Any non-compliance must be reported with proposed mitigation before operation starts.
 - **Construction Start & Inspector Presence:** Work cannot begin until a PSC inspector is on-site.
 - **Cultural/Weather Events:** Stop work for discovery of cultural resources or unsuitable weather; file notice as required.
 - **Reclamation:** Must follow NRCS (Natural Resources Conservation Service) recommendations, unless alternative approved by the Commission or required by landowner.

4. Inspection Process (PSC)

- Dalton must be on site before a shovel breaks ground
 - Inspector will do topsoil inspection when we break ground to make sure proper stripping and segregation
 - Using proper erosion control measures and BMPs
 - Staying within ROW
 - Staying out of avoidance areas
 - Inspector will not saying anything on site but will just take pictures and notes and report to PSC
- Outlined by Dalton:
 - **Types of Inspections (Four Main Stages):**
 1. Topsoil Inspection: Ensuring proper segregation and erosion control at initial ground-breaking.
 2. Construction Inspection: Checking compliance during main construction activities at the most representative sampling point.
 3. As-built and Reclamation Inspection: Combined for 30.8-mile portion and documented for the 3.8-mile section.
 4. One-year/Future Vegetation Inspection: Site assessed after a full growing season or one year.
 - Dalton is generally on site one day per inspection; findings presumed representative for the entire phase.
 - Commission expects actionable items to be observed and relayed for remedy.
- **Scheduling & Contact:**
 - Thunder Butte to provide at least one week's notice before each phase.
 - Dalton's contact details shared:
 - Mobile: 701-595-3394
 - Office: 701-354-5618
 - Dalton's office: Bismarck, North Dakota
- **Data Collection:**
 - Dalton requested the project shapefiles (right of way and alignment structures) for ArcGIS-based inspection documentation.

5. Construction Timing and Updates

- Construction start delayed by materials; soonest projected start is June 1, 2024.
- Thunder Butte agreed to update Dalton/PSC as soon as a firm start date is known.
- Monthly progress updates required once construction begins, outlining activity and percent complete.

6. Route Adjustments and Corridor Compliance

- Variances (up to 50', 20' buffer each side) are built into order for practical construction shifts.
- Going outside these buffers, especially if affecting avoidance areas, triggers additional filings and approvals.
- GIS and as-built plans to be submitted within three months after construction completion, in both electronic and paper copy.
- If a cultural site is found, then stop construction and notify SHPO

7. Tree and Shrub Mitigation

- Requirement to submit a planting plan (2:1 replacement) under NRCS guidelines, even if no current affected trees in ROW.
- Final report on compliance required two years post-planting.

8. Landowner Communication

- Prior to construction, letters must be sent to all easement landowners; include responsible Thunder Butte contact name and phone number for issue resolution (Ralph: 970-556-99341).
- If PSC gets a complaint contact Jake Richardson at 720-315-1697 and if you can't reach Jake, call Ralph Anaya at 970-556-9341

9. Extraordinary Events Reporting

- Any major incident or newsworthy event must be promptly reported to the Commission.

10. Technical Discussion: Measurement Methodology

- Depth of cover to be verified via GPS-based line-locating, ground penetrating radar, and as needed, potholing/excavation for direct measurement.
- Remediation plans to be filed for any areas of non-compliance.

Action Items

1. **Jake Richardson:**

- Take and submit the official meeting minutes and Intent to Begin Construction through Pete Brewer to Adam Branfin.
- Notify Dalton/PSC at least one week prior to actual project start date.
- Provide Dalton with shapefiles (ROW and structure alignment) for ArcGIS field use.
- Designate and communicate Thunder Butte contact for landowner concerns (already provided: Ralph, 970-556-99341).
- Prepare and send monthly construction progress summaries once construction begins.
- Prepare future documentation as required (spill reports, depth studies, as-built GIS, tree/shrub plans, etc.).

2. **Dalton / PSC:**
 - Coordinate inspections per notification from Thunder Butte.
 - Remain available for questions/clarifications from project team.
 - File inspection reports within two weeks of each site visit.
 3. **Thunder Butte Team:**
 - Send pre-construction letters to all easement landowners.
 - Submit required permits/licensing documentation to Commission.
 - Develop/propose tree/shrub mitigation plan if needed.
 - Submit as-built GIS information within 3 months of project completion.
 4. **All Parties:**
 - Maintain open communication channels for scheduling, changes, and incident reporting.
-

Follow-Up Points

- **Project Start Confirmation:** Thunder Butte to confirm and notify precise construction start as soon as material delays are resolved.
 - **Future Meeting/Check-Ins:** No secondary meeting date set, but expectation of ongoing coordination, especially for each inspection phase.
 - **Landowner Letters:** Confirm issuance and receipt.
 - **Permit Submissions:** Track and verify all required submissions.
 - **Shapefile Transfer:** Verify Dalton has all required GIS data well before start.
-

Notable Dates & Numbers

- **Earliest Possible Construction Start:** June 1, 2024 (subject to material delivery).
 - **PSC Spill Reporting:**
 - Toll-free: 877-245-6685
 - Email: smkahl@nd.gov
 - **Inspection Notification Requirement:** Minimum one week's notice preferred.
 - **As-built GIS File Due:** Within three months of construction completion.
-

Outstanding Questions/Loose Ends

- None specifically raised needing immediate resolution. Parties agreed to contact Dalton/PSC as needed for clarification or new issues.
 - Thunder Butte to firm up start date pending material delivery.
-

Closing Remarks

- Adam and all participants acknowledged the long process behind the project's planning and are pleased to be at this stage.
- Commitment expressed to maintain communication and adherence to all compliance standards.
- Meeting adjourned without further comments or questions.

