

# **North Dakota Public Service Commission Certification Statement for the Highway 1804 Re-Route South Project**

Prepared for:  
**Plains Pipeline, L.P.**

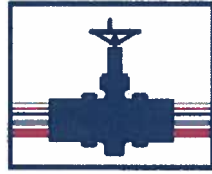
Prepared by:  
**E3 Environmental, L.L.C.**

August 2015



**E3 ENVIRONMENTAL**  
*Enhancing Execution with Experience*





**PLAINS**  
**PIPELINE, L.P.**

August 21, 2015

Mr. Darrell Nitschke  
Executive Director  
North Dakota Public Service Commission  
600 E. Boulevard Avenue, Dept. 408  
Bismarck, ND 58505

**Plains Pipeline, L.P. – Certification Letter for Construction to Replace Plains Existing Fort Buford to Highway 1804 6-inch Pipeline**

Dear Commissioners:

In accordance with North Dakota Century Code (NDCC) 49-22-03(3) (2009), this letter is provided to notify the North Dakota Public Service Commission (Commission) that Plains Pipeline, L.P. (Plains) intends to replace approximately 5.5 miles of existing 6-inch piping with new 10-inch outside diameter crude oil piping for the Highway 1804 Re-Route South (Project) located in Williams County, North Dakota. The Project would originate at the McCreary Junction Block Valve and terminate at a pipeline tie-in. Refer to the attached location maps depicting the Project.

Plains intends to install the 10-inch piping within the existing pipeline footprint to ensure environmental impacts are minimized and to increase the reliability and capacity of the crude oil pipeline. The existing pipeline was constructed prior to April 9, 1975; therefore all replacement construction activities will occur within 350 feet on either side of the centerline (NDCC 49-22-03(3)(a)(1)). Construction activities for the Project would be initiated during the third quarter of 2015.

In accordance with NDCC § 49-22-03(3)(a), Plains certifies as follows:

1. All Project construction activities will be conducted wholly within the existing pipeline footprint of 700 feet (350 feet on each side of the centerline).
2. An environmental analysis, conducted for Plains in May and June of 2015, evaluated the Project relative to the Exclusion and Avoidance Areas set forth in N.D. Admin. Code § 69-06-08-02. Plains identified Fort Buford State Historic Site as an Exclusion Area, and one potentially occupied structure within 500 feet of the centerline as an Avoidance Area. The Project will not affect these Exclusion or Avoidance Areas (see § 49-22-03(3)(a)(2) and (3)). A brief description of each follows.
  - a. Exclusion Area- Fort Buford State Historic Site: A cultural resources report (*Class I and Class III Cultural Resource Inventory and Metal Detecting Survey at the Fort Buford State Historic Site (32WI25) for the Highway 1804 Re-route Pipeline Project, Williams County, North Dakota*) was submitted to the State Historic Preservation Office (SHPO) on July 20, 2015. The SHPO responded on August 7, 2015 providing concurrence with the recommended *No Adverse Effect* determination for the Project. Refer to the attached letter from the SHPO on cultural resource report submittal, the Cultural Resources Report Abstract, and SHPO concurrence letter. The full report is privileged and not included in this Application.

- b. Avoidance Area- Potentially Occupied Structures: One potentially occupied structure is located within 500 feet of the Project centerline. Plains has obtained this waiver and it is attached to this filing.
3. Plains will comply with all applicable federal, state, and local laws and permitting requirements, including all applicable conditions and protections in siting laws and rules (see NDCC § 49-22-03(3)(a)(3)).

Plains requests that the Commission acknowledge receipt of the attached Certification and appreciates the time and attention provided to this matter by the Commission and its Staff. E3 Environmental, LLC (E3) has been retained by Plains to provide environmental consulting support for this project. Should you have any questions or require additional information, please contact Bill McCarthy at 651.282.0650 or [wmccarthy@go2e3.com](mailto:wmccarthy@go2e3.com); you may also contact me at 713.646.4419 or [dgore@paalp.com](mailto:dgore@paalp.com) or Carol Howard at 713.993.5096 or [cehoward@paalp.com](mailto:cehoward@paalp.com).

Sincerely,



Wm. Dean Gore, Jr., P.E.  
Managing Director, Environmental and Regulatory Compliance

Enclosures:     Project Map – Aerial photograph  
                     Project Map – USGS topographic  
                     *Class I and Class III Cultural Resource Inventory and Metal Detecting Survey at the  
                     Fort Buford State Historic Site (32WI25) for the Highway 1840 Re-route Pipeline  
                     Project, Williams County, North Dakota* Report Abstract  
                     Cultural Resource Report Submittal Guidance Letter from SHPO  
                     Concurrence Letter from SHPO  
                     Landowner Waiver

cc            Katie Schmidt – E3 (pdf)  
                 Melissa Schmit – E3 (pdf)  
                 Project Files  
                 Tucker Gordon – Plains (pdf)  
                 Amanda Hanks – Plains (pdf)  
                 Carol Howard – Plains (pdf)



**CERTIFICATION OF APPLICANT PURSUANT TO N.D. CENT. CODE 49-22-03(3)**

**Plains Pipeline, L.P.**

I, Wm. Dean Gore, Jr., a duly authorized agent of Plains Pipeline, L.P. (Plains), do hereby certify under oath:

1. That Plains and/or its legal predecessor(s) in interest constructed and developed and will replace approximately 5.5 miles of the existing Fort Buford to Highway 1804 6-inch Pipeline with new 10-inch outside diameter crude oil piping located in Williams County, North Dakota;
2. That the construction activities, scheduled to commence as early as the third quarter of 2015, shall be restricted to the 700 foot-wide corridor of the existing 6-inch pipeline and following construction, operate under a permanent easement acquired by Plains for the new 10-inch pipeline;
3. That the construction activities to take place will not affect any known exclusion or avoidance area (Refer to Certification Letter for more information); and
4. That Plains will comply with reasonable requests of the North Dakota Public Service Commission (Commission) in executing construction, including attending a Preconstruction Conference Call with Commission Staff, informing the Commission of the start of construction, submitting weekly reports on construction, providing copies of all applicable permits, and constructing and operating the facility in accordance with applicable safety requirements.

Dated at Houston, Texas, this 21<sup>st</sup> day of August, 2015.



Wm. Dean Gore, Jr., P.E.

This instrument was acknowledged before me this 21<sup>st</sup> day of August, 2015, by Wm. Dean Gore, Jr. on behalf of Plains.

Sign: Sharvette White  
Print: Sharvette White, Notary Public  
My Commission Expires: April 14, 2017



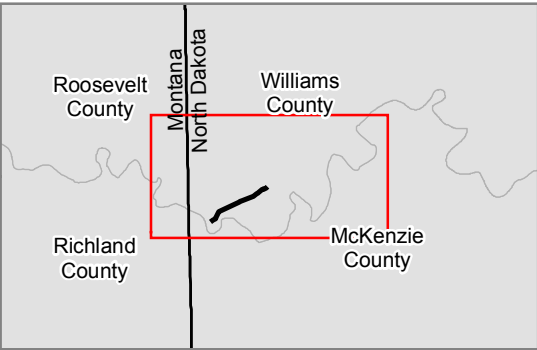
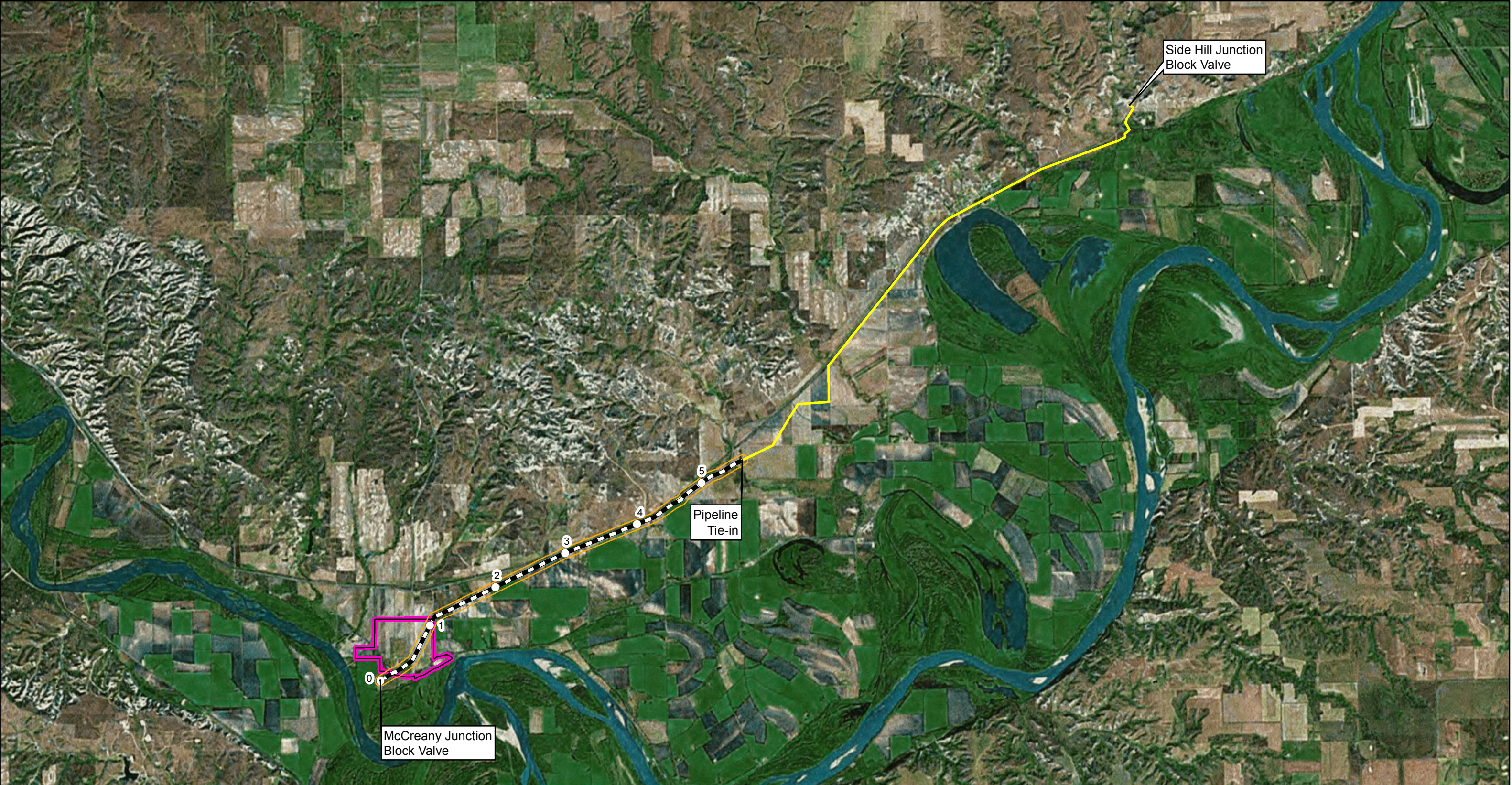
# Highway 1804 Re-Route South

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## Project Maps

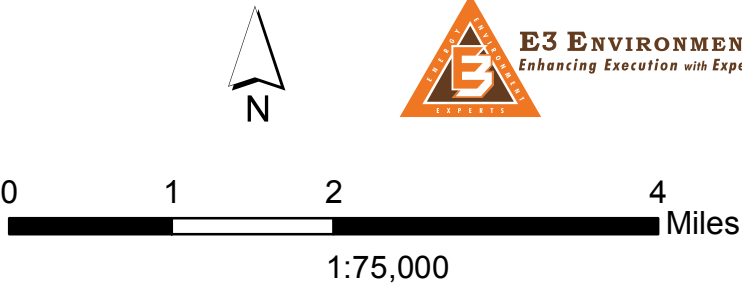


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Date: 7/23/2015  
Author: TDanielson



- Milepost
- Centerline
- Existing 6-inch Pipeline
- Certification Corridor (700 feet)
- Fort Buford Admin Boundary

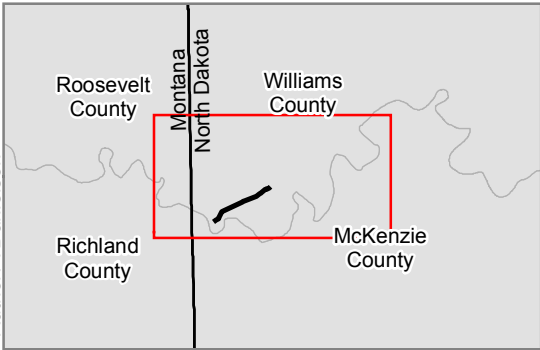
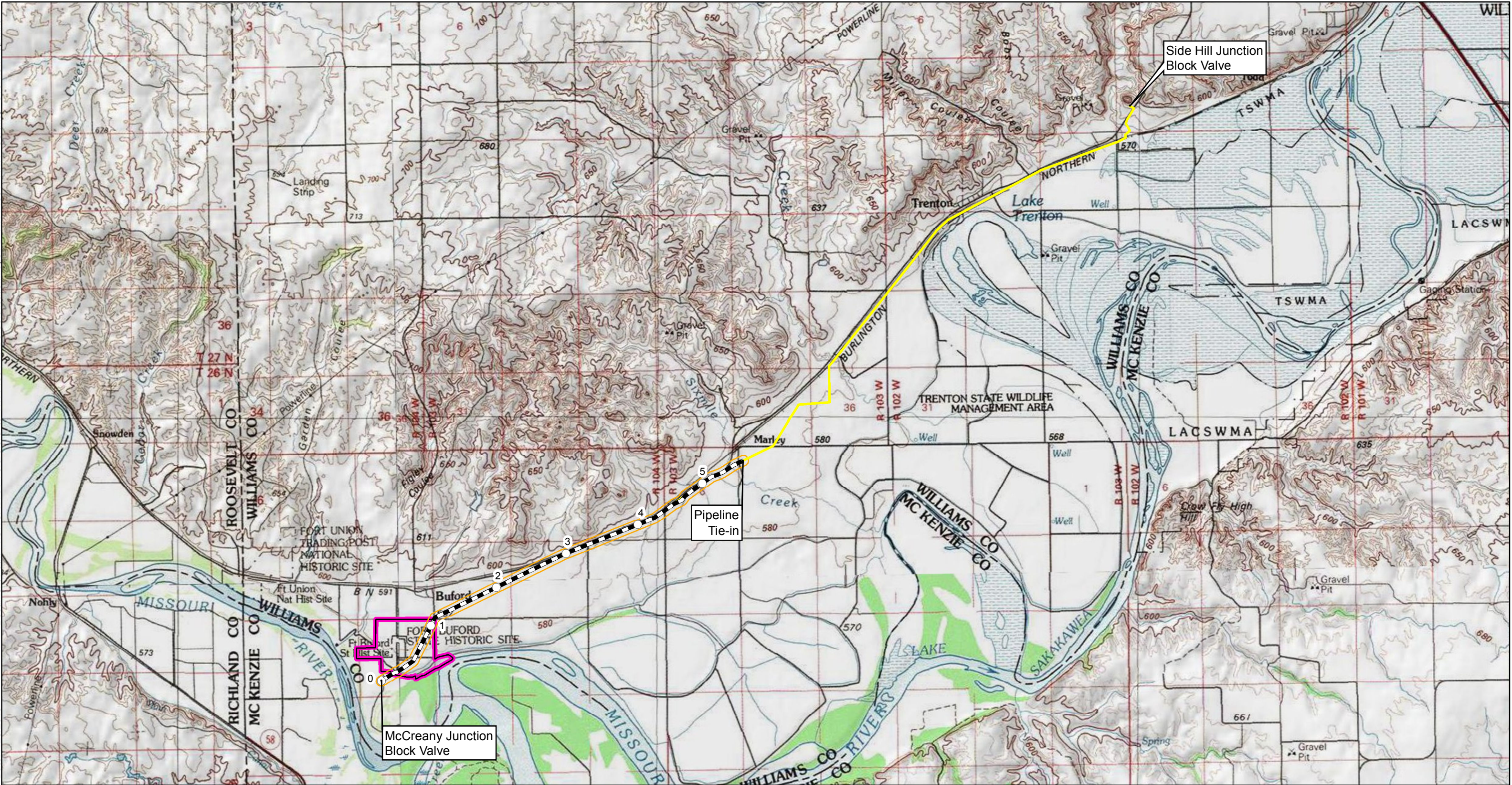
Map not to scale, for environmental review purposes only.



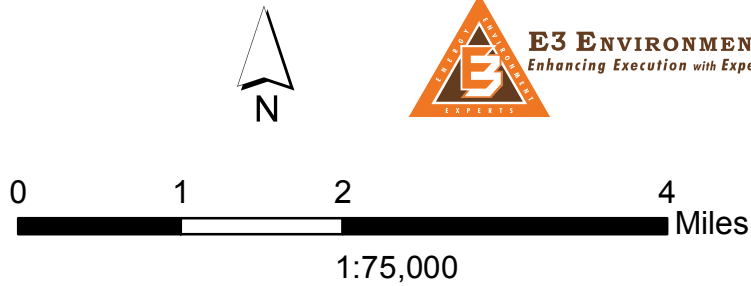
**Plains Pipeline, L.P.**  
Highway 1804 Re-route South  
Overview Map  
Williams County, North Dakota



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Date: 7/23/2015  
Author: TDanielson



- Milepost
  - Centerline
  - Existing 6-inch Pipeline
  - Certification Corridor (700 feet)
  - Fort Buford Admin Boundary
- Map not to scale, for environmental review purposes only.



**Plains Pipeline, L.P.**  
Highway 1804 Re-route South  
Overview Map  
Williams County, North Dakota



Highway 1804 Re-Route South

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Landowner Waiver





**PLAINS**  
PIPELINE, L.P.

May 13, 2015

Charmayne and Caleb Turcotte  
15101 Hwy 1804  
Williston, ND 58801

RE: Plains Pipeline, L.P. - Ft. Buford to Highway 1804

Dear Sir and Madam,


According to Williams County, North Dakota records you own a tract within the N $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  north of Railroad of Section 11, Township 152 North, Range 104 West (1.8300 acres).

A residence or business (a house) is located in the N $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 11, Township 152 North, Range 104 West; on 15101 Hwy 1804, Williston, ND.

Please review the attached site map noting the proposed location of Plains Pipeline, L.P.'s ("Plains") Ft. Buford to Highway 1804 Pipeline Project application that Plains intends to file with the North Dakota Public Service Commission. The map indicated that the Ft. Buford to Highway 1804 Pipeline will be located within 500 feet of the aforementioned residence or business.

By signing below you are confirming that you have no objection to the installation of Plains' Ft. Buford to Highway 1804 Pipeline at this location, or the future operation and maintenance of the Ft. Buford to Highway 1804 Pipeline. Your cordial cooperation in this matter is greatly appreciated.

Respectfully,

  
Adam C. Ross  
Project Manager  
Plains Pipeline, L.P.

  
Charmayne Turcotte

  
Caleb Turcotte