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March 10, 2022

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.W., Room 1 A, East  
Washington, D.C. 20426

Re: WBI Energy Transmission, Inc.  
Wahpeton Expansion Project  
Docket No. PF21-04-000

On September 27, 2021, the Director of the Office of Energy Projects issued a letter in the above-referenced docket approving the request of WBI Energy Transmission, Inc. (WBI Energy) to commence the Federal Energy Regulatory Commission's (Commission) Pre-filing Review Process for its proposed Wahpeton Expansion Project (Project). Pursuant to Section 157.21(f)(6) of the Commission's regulations, WBI Energy herewith submits its fifth monthly progress report for the Project for the period of February 1 to February 28, 2022.

Should you have any questions about this report, please feel free to contact me at (701) 530-1563.

Respectfully submitted,

/s/ Lori Myerchin

Lori Myerchin  
Director, Regulatory Affairs and  
Transportation Services  
WBI Energy Transmission, Inc.

Enclosure: Monthly Progress Report No. 5

## INTRODUCTION

By letter order dated September 27, 2021, WBI Energy Transmission, Inc. (WBI Energy) was granted approval by the Federal Energy Regulatory Commission (FERC or the Commission) to utilize the Commission's Pre-filing Review Process for the proposed Wahpeton Expansion Project (Project). The Project will consist of:

- approximately 60.6 miles of 12-inch-diameter natural gas pipeline from WBI Energy's existing Mapleton Compressor Station near Mapleton, North Dakota, to a new delivery station near Wahpeton, North Dakota;
- minor modifications at the Mapleton Compressor Station to interconnect the new pipeline;
- a new delivery station near Kindred, North Dakota; and
- new block valve settings, and new pig launcher/receiver settings.

The Project, as proposed, will allow WBI Energy to add approximately 20.6 million cubic feet per day of natural gas transportation capacity to help meet a growing demand for natural gas in southeastern North Dakota. The Project has been assigned Docket No. PF21-04-000.

This Monthly Progress Report provides a brief summary of significant Project activities or changes in Project information that have occurred during the period beginning February 1, 2022 through February 28, 2022.

## FIELD SURVEYS

- Surveys have concluded for the 2021 field season. Follow-up of a few parcels and any reroutes is targeted for spring 2022, dependent on weather conditions and potential reroutes.

## FERC/RESOURCE REPORTS

- Continued to work on draft resource reports, including responding to FERC's comments on the preliminary drafts of Resource Reports 1 and 10.

## AGENCY/TRIBAL CONTACTS

- On February 1, 2022, the Natural Resources Conservation Service – Fargo Field office, confirmed no conservation easements are crossed by the Project.
- On February 3, 2022 called the State Historical Society of North Dakota to discuss avoidance of a site.
- Between February 10 and February 15, 2022 sent e-mails to the North Dakota Game and Fish Department regarding aquatic nuisance species.
- Between February 11 and February 15, 2022 sent e-mails and held calls with U.S. Fish and Wildlife Service to discuss IPaC issues and discuss FWS National Wildlife Refuge System for eastern North Dakota Wetland Management Districts and FWS easements associated with the Tewaukon National Wildlife Refuge and its proximity to the Project.

- On February 16, 2022 called the North Dakota Department of Environmental Quality – Water Quality Division to discuss 401 certification.
- On February 18, 2022 e-mailed the U.S. Army Corps of Engineers – Omaha District to request confirmation that the Project does not require Section 408 permitting.
- On February 28, 2022 submitted the Phase I Archaeological Inventory Survey Report and Phase I Historic Architectural Survey Report to the State Historical Society of North Dakota.

#### **STAKEHOLDER ACTIVITIES**

- Continued to track comments from landowners, agencies, and/or other stakeholders.
- Three comment letters were received after the close of the scoping period from the North Dakota Department of Environmental Quality, North Dakota Department of Transportation, and the Bureau of Land Management. The comments raised in these filings are addressed at the end of this monthly progress report under the heading “Additional Scoping Comments.”

#### **ENGINEERING AND RIGHT-OF-WAY**

- WBI Energy continued compiling typical construction drawings and developing footprint information for use in the draft resource reports.
- WBI Energy refined draft alignment sheets.
- WBI Energy continued to contact landowners to refine routing and siting and to obtain access for surveys.
- WBI Energy continued to work on compressor station piping and border station layout and design.

#### **UPCOMING FOR MARCH 2022**

- Submit draft resource reports.
- Continue to follow-up with agencies, Native American tribes, and other stakeholders contacted about the Project.

#### **ADDITIONAL SCOPING COMMENTS**

- See Table below for responses to additional scoping comments received.

Commenter (Accession #)	Date of Comment	Comment	Response
Late Filed Letters			
Bureau of Land Management (20220215-0008)	2/15/2022	Upon review of the proposed Wahpeton Expansion Project in Cass and Richland Counties, North Dakota, the Bureau of Land Management (BLM) has no resource concerns regarding the proposal, at this time. This project does not appear to involve BLM land, it could impact other Federal Lands, in which those agencies may wish to respond.	Comment Noted
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	1. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement of the revegetation of any disturbed areas 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 or maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.	As will be discussed in draft Resource Report 2, all crossings of perennial waterbodies will be completed using the guided bore technique, which will avoid any in-stream work. WBI Energy will adhere to the site-specific Spill Prevention, Control, and Countermeasure Plan to minimize the risk of inadvertent spills into streams and wetlands.
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	2. Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). Check with the local officials to be sure any local storm water management considerations are	WBI Energy will obtain permit NDR11-0000 to authorize stormwater discharges during construction under the North Dakota Pollutant Discharge Elimination System. All requirements of that permit will be met to prevent impacts on waters of the state.

Commenter (Accession #)	Date of Comment	Comment	Response
		addressed. Storm water runoff from the project area discharges to three 303(d) listed water bodies (Maple River, Sheyenne River, and Wild Rice River) identified as impaired by sediment/siltation. Extra care should be taken to ensure construction activity does not affect the water body.	
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	3. The proposed project appears to involve the modification of an existing source of emissions to the air and an Air Pollution Control Permit to Construct/Operate may be required by Chapter 33.1-15-14 of the North Dakota Air Pollution Control Rules. The applicant should contact Craig Thorstenson with the department's Air Pollution Control Program at 701-328-5198 or cthorstenson@nd.gov to determine if an air quality permit is required.	Draft Resource Report 9 will address this comment, explaining that the Project does not include any new emission sources at the existing Mapleton Compressor Station and will not change the station's existing permitting status or require any new air permitting.
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	4. 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.	Appendix 1F-1 of draft Resource Report 1 will include a Spill Prevention, Control, and Countermeasure Plan discussing WBI Energy's plans regarding hazardous materials during construction of the proposed Project.

North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	5. 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.	The Project will not impact any source water protection areas, and there are no permanent impacts on wetlands and waterbodies anticipated. Draft Resource Report 2 will document impacts on surface and groundwater resources will be minimal and should be limited to temporary impacts during construction.
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	<p>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.</p> <p>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</p>	Comment Noted

		for the Control of Air Pollution for the State of North Dakota.  If you have any questions, please don't hesitate to reach out to this office.	
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	Construction and Environmental Disturbance Requirements (Attachment)  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).	Best management practices that will be implemented to minimize impacts to surface and groundwater resources will be documented in draft Resource Report 2.
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	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.	As will be discussed in Section 7.3.1.3 of draft Resource Report 7, WBI Energy will utilize erosion and sedimentation control devices to minimize erosion and sediment loss in accordance with the FERC Upland Erosion Control, Revegetation & Maintenance Plan and Wetland & Waterbody Construction & Mitigation Procedures, such as installing temporary sediment barriers, working to rapidly reestablish vegetation, and mulching. As will be discussed in Section 7.3.1.2 of draft Resource Report 7, WBI Energy will implement measures to minimize compaction in accordance with the FERC Plan and Procedures, such as restricting construction

			activities in unfavorable conditions and deep tillage to mitigate compaction.
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	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.	WBI Energy will implement a Spill Prevention, Control, and Countermeasure Plan that will minimize impacts associated with potential chemical spills. All perennial streams will be crossed using the guided bore method, which will avoid impacts within the stream bank of these streams. The majority of streams being crossed using the open cut method consist of roadside ditches, that will be restored after installation of the pipeline. Sediment and erosion control methods will be utilized during construction to minimize the amount of sediment and runoff entering streams and wetlands.
North Dakota Department of Environmental Quality (20220215-00110)	2/15/2022	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.	No fill is proposed for the perennial streams that will be crossed using the guided bore method. Any fill placed in the ephemeral streams/ditches that will be crossed using the open cut method will be free of any topsoil, decomposable materials, and persistent synthetic organic compounds.
North Dakota Department of Transportation (20220215-0006)	2/15/2022	The proposed gas line will cross both I-29 and I-94. It will be necessary for you to contact the Fargo District Engineer regarding and applying for any permits to cross the Interstates.  Please note, NDDOT will only allow perpendicular crossings of the interstate right	No work is planned within Interstate rights-of-way other than installing the pipeline via guided bore under I-29 and I-94. WBI Energy is coordinating with the Fargo District Engineer and will apply for necessary permits for these crossings within appropriate timeframes. The pipeline route has been designed to cross both



		<p>of way. This graphic shows some sort of parallel placement along I-29. NDDOT cannot permit any utility running parallel in the Interstate right of way.</p> <p>Additionally, 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, Robert Walton at 701-239-8903.</p>	<p>I-29 and I-94 perpendicularly. Where the route runs parallel to I-29, the pipeline right-of-way and all associated workspace is located on private property, not the Interstate right-of-way.</p> <p>WBI Energy is in coordination with the Fargo District Engineer regarding permitting these crossings.</p>
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