

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:
OEP/DG2E/Gas 4
WBI Energy Transmission, Inc.
Wahpeton Expansion Project
Docket No. PF21-4-000

April 4, 2022

VIA FERC Service

Lori Myerchin
Director, Regulatory Affairs and Transportation Services
WBI Energy Transmission, Inc.
1250 West Century Avenue
P.O. Box 5601
Bismarck, ND 58506-5601

Re: Comments on Draft Resource Reports 1 through 8 and 10

Dear Ms. Myerchin:

The enclosure contains the comments of the Federal Energy Regulatory Commission (FERC or Commission) staff on draft resource reports 1 through 8 and 10 for the planned Wahpeton Expansion Project (Project). The comments ask for clarifications of discrepancies and identify missing information that will assist your preparation of a complete application for the Project. To facilitate review of the revised resource reports that will be filed in the application, WBI Energy Transmission, Inc. should include a matrix that identifies the specific locations in the resource reports (i.e., section and page number) where the information requested in these comments may be found.

Electronic filing is encouraged using the Commission's eFiling system (see <https://ferconline.ferc.gov/eFiling.aspx>). Be sure to prepare separate volumes, as outlined on the Commission's website at <https://www.ferc.gov/sites/default/files/2020-04/CEII-Filing-guidelines.pdf>, and label all controlled unclassified information (CUI) as described at <https://www.ferc.gov/cui>. Critical Energy Infrastructure Information (CEII) (e.g., plot plans showing equipment or piping details) and privileged information (PRIV) (e.g., cultural resources material containing location, character, or ownership information; trade secret information; proprietary information) are considered CUI. This information should be filed as non-public and labeled as: "CUI//CEII (18 CFR 388.113), "CUI//PRIV (18 CFR 388.112), and as otherwise appropriate with other statutes for

labeling CUI (e.g., “**CUI//CEII//SSI**”).” All CUI should be filed separately from the remaining information, which should be marked “**Public**.” For assistance with the Commission’s eFiling system, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

In addition, effective July 1, 2020, hardcopy deliveries to the Commission’s headquarters in Washington D.C. will only be accepted through the U.S. Postal Service. Hand-deliveries and submissions sent through carriers other than the U.S. Postal Service must be sent to 12225 Wilkins Avenue, Rockville, Maryland 20852 for processing (see Docket No. RM19–18–000; Order No. 862).

For all materials submitted, in addition to the copies filed with the Secretary of the Commission, please provide an electronic copy directly to our third-party environmental contractor, Cardno, Inc. to the attention of Douglas Mooneyhan and Lavinia DiSanto.

Thank you for your cooperation. If you have any questions, please contact me at 202-502-8321.

Sincerely,

David Hanobic
Environmental Project Manager
Office of Energy Projects

Enclosure

cc: VIA FERC Service

ENCLOSURE

WBI Energy Transmission, Inc. (WBI Energy)
Wahpeton Expansion Project (Project)
Docket No. PF21-4-000

COMMENTS ON DRAFT RESOURCE REPORTS 1 THROUGH 8 AND 10

Resource Report 1

1. Indicate if communication towers would be utilized for the planned Project, and if so include the applicable information in the appropriate resource reports.
2. Specify whether block valves would be automatic shut-off or remote controlled.
3. Ensure appendix 1A topographic maps depict all access roads.
4. Indicate whether non-jurisdictional facilities, such as power or communication facilities, would be needed at valves and pig launchers/receivers. As applicable and if available, include actual or estimated details for non-jurisdictional facilities such as corridor lengths and widths, pipeline diameters, land requirements, survey status, permitting agencies and status, and maps.
5. Include the size of individual construction workspaces for block valves 2, 4, 5, and 6 in table 1.1-3. Clarify whether during operations these block valves would be wholly contained within the 50-foot-wide permanent right-of-way.
6. Clarify whether well pointing would be needed and if it would occur between 7:00 pm and 7:00 am.
7. Specify how close (in feet) extra workspaces would be located relative to the wetlands described in table 1.3-1 and provide detailed justification as to why the workspaces cannot be offset from the wetland boundary by 50 feet. Describe whether there is an alternative to locating extra workspace within the wetland at milepost (MP) 36.1 and provide detailed justification if it cannot be relocated.
8. Provide periodic updates to table 1.8-1 as permits, approvals, or consultations are obtained/completed.
9. Include a draft *Plan for Construction and Stabilization in Winter Conditions* which also addresses how plowing of snow would avoid disturbance of soil underneath.
10. Include in Resource Reports 1 or 6, or in the *Guided Bore Drilling Fluid Monitoring and Operations Plan*:

- a. a table listing bore lengths, depths, setbacks (on both sides) from sensitive resources (e.g., wetlands, waterbodies), and estimated duration of boring operations;
 - b. for each bore crossing of perennial waterbodies or wetlands, provide subsurface geology and soils data and site-specific risk and feasibility assessments based on desktop resources;
 - c. an indication of what instrumentation would be used such as down-hole annular pressure tools; and
 - d. bore pit dewatering discussion/typical drawings of dewatering devices.
11. Revise the list of individual landowners in appendix 1G to include parcel identification numbers that can be matched to the parcel identification numbers depicted on the alignment sheets.
12. Include figures that illustrate each contractor yard. Each figure should depict the boundary of the yard at a scale of 0.5-inch = 500 feet (1:12,000) on an aerial image. Include the boundaries of any sensitive resources (waterbodies, wetlands, and cultural resources) using appropriate filing designations (e.g., **CUI//PRIV – DO NOT RELEASE**). Clarify the bounds and process if contractor yards would be restored “to a condition as specified in landowner agreements.”
13. Appendix 1B – Update all alignment sheets to include the following information:
- a. use different symbols for waterbodies and wetlands;
 - b. include all wetlands (for example wetlands Wcaa007e and Wccaa009e are not included);
 - c. ensure waterbody and wetland ID numbers used in table 2.2-1 and appendix C match the ID numbers on the alignment sheets (for example, table 2.2-1 lists the Sheyenne River as ID scab006p while the alignment sheet lists the Sheyenne River as scab005p; table 2.2-1 lists a roadside ditch at MP 47.4 as ID sird001e while the alignment sheet lists the roadside ditch as srid001e; and appendix 2C lists wetland wria006e at MP 36.3 while the alignment sheet lists wria006);
 - d. mark the crossing of Antelope Creek on the alignment sheet;
 - e. depict the entire length of temporary and permanent access roads using different symbols or colors;
 - f. depict the survey corridor;
 - g. depict the location of all guided bore entry and exit points and workspaces;

- h. label all extra workspaces with extra workspace IDs and dimensions (ensure labeling is consistent with appendix 8A);
 - i. depict locations of farm taps and cathodic protection (once available);
 - j. include the Mapleton Compressor Station (including the location of Valve #1) and Valve #7 (within the MDU-Wahpeton Border Station); and
 - k. clarify if the “Kindred Measurement Tract” and “Wahpeton Transfer Tract” are the MDU—Kindred Border Station and MDU—Wahpeton Border Station, respectively.
- 14. Section 2.2.7 and appendix 1F-2 (*Guided Bore Drilling Fluid Monitoring and Operations Plan*) states six waterbodies would be crossed via guided bore. However, table 2.2-1 lists eight waterbodies (ten crossings) via guided bore. Resolve the apparent discrepancy.
- 15. Appendix 1H is referred to for both names and addresses of affected landowners and as “Cumulative Impacts Outreach Correspondence.” Clarify the apparent discrepancy.
- 16. Include an update of the status and schedule for remaining field surveys, along with an indication of the number and amount of parcels lacking survey permission.
- 17. Clarify if the Kindred Airport Runway Expansion from appendix 1I is the same as the Robert Odegaard Field Airport Expansion on figure 1.10-1.
- 18. Regarding figure 1.10-1:
 - a. clarify if the items depicted in red are planned Project components;
 - b. add the following Projects from appendix 1I: Asmoor Glenn, NDDOT 1 to NDDOT 3, NDDOT 6, and NDDOT 9; and
 - c. add FMA Diversion Project Southern Embankment and River Control Structures and FMA Diversion Project Diversion Channel to appendix 1I or clarify if these projects are consistent with the entry “Fargo-Moorhead Area Diversion Project.”
- 19. Indicate in section 1.4.2 if FERC staff would be invited to attend environmental training.

Resource Report 2

1. Include the depth below ground surface for the Wahpeton Buried Valley Aquifer. If trenching, boring or other planned activities could intersect or otherwise affect this aquifer, then describe impacts and mitigation as needed.
2. The text in section 2.1.4 indicates that the nearest residence is greater than 200 feet from the planned pipeline. Resource Report 1 states that the nearest residence is about 400 feet away. Section 10.7.1 states that the nearest residence is about 350 feet from the planned route. Include the specific distance to the nearest residence. In addition, clarify that the landowner coordination for the seven residences would be for septic systems, not wells.
3. A “relatively small footprint of impervious surfaces” is discussed in section 2.1.5. Include the actual or estimated area in square feet for planned impervious surfaces for each facility. In addition, section 2.1.5 discusses potential impacts on groundwater based on a presumed trenching depth “of about 5 feet (or deeper...).” Include a discussion of potential impacts on groundwater where trenching or boring would occur approximately 6 feet below ditches, 12 feet below railroads, and up to 25 feet or more below waterbodies.
4. Revise sections 2.1.3 and 2.1.5 to include a discussion of water supply springs and swallets within 150 feet of planned workspaces. Outline measures to avoid, reduce, or mitigate impacts as applicable.
5. In section 2.1.5, provide details regarding the specific water quality parameters that WBI Energy would analyze for domestic water sources located within 150 feet of the planned construction workspace.
6. Provide the Hydrologic Unit Code (HUC) 12 watersheds crossed by the Project and the MP entry and exit points of those watersheds.
7. Section 2.2.1 indicates that 24 waterbodies would be crossed (9 intermediate and 15 minor waterbodies), but elsewhere the section and associated table indicate that 23 waterbodies would be crossed. Resolve the apparent discrepancy.
8. In table 2.2-1, include the fishery classification/type and associated watershed identifier.
9. Discuss measures to avoid, reduce, or mitigate impacts on waterbodies and wetlands during construction from non-pipeline facilities (such as contractor yards and access roads).

10. Section 2.2.2 states the pipeline corridor would cross one Class IV open waterbody. Table 2.2-1 does not include a Class IV designation. Denote which waterbody crossing is a Class IV waterbody.
11. Regarding hydrostatic testing:
 - a. include specific surface waters (waterbody identification code and name) and locations or specific municipal water sources that may be used for hydrostatic test water including expected month water would be withdrawn and discharged;
 - b. identify whether any surface waters that would be used as hydrostatic test water sources contain invasive aquatic or invasive plant species. For any such withdrawal where invasive species are present, identify the discharge location and describe how WBI Energy would avoid transfer of invasive species outside of HUC 12 watersheds; identify locations where test water would not be cascaded into the next section of the pipeline as prohibited by the *Aquatic Nuisance Species Prevention Plan*;
 - c. identify any chemicals that may be added to the test water, along with the associated safety data sheets and ecotoxicity data. If chemicals would be used, then include concentration(s) at discharge, and the planned treatment and/or disposal method for treated discharge water, if appropriate;
 - d. include the source and volume of water for each bore pre-test segment and make-up of drilling fluid;
 - e. clarify if WBI Energy would commit to discharging hydrostatic test water that came from surface water sources into the same watershed as the source water; and
 - f. indicate the anticipated discharge location, volume, and rate for each hydrostatic test water discharge.
12. In section 2.2.4, indicate how much water is anticipated to be used for dust suppression, and compaction and decompaction at the border stations.
13. List and describe by location any riparian areas that would not be avoided by the use of a guided bore. Include a description of anticipated impacts and any post-construction restoration methods WBI Energy would implement.
14. Section 2.2.5 indicates at least three aboveground facilities (the MDU-Kindred Border Station, Valve #2, and the existing Mapleton Compressor Station) would be located within floodplains. Include the Federal Emergency Management Agency flood zone classification, if applicable. Indicate any required loss of flood storage and describe the volume removed. Discuss the potential for flash flooding,

including measures WBI Energy would implement to protect the construction right-of-way and aboveground facilities from flooding, including any applicable permitting requirements. Indicate whether there are suitable alternatives located outside the floodplain for the MDU-Kindred Border Station and Valve #2.

15. Section 2.2.7.2 indicates that the open-cut method would be used at nine locations, however table 2.2-1 indicates only eight open-cut crossings. Resolve the apparent discrepancy.
16. Section 2.2.8 indicates “portable bridges may be utilized at minor stream crossings.” Clarify the apparent discrepancy with the FERC *Wetland and Waterbody Construction and Mitigation Procedures* which require equipment bridges at all waterbodies.
17. Identify which guided bore waterbody crossing locations would require equipment bridges and associated travel lanes, indicate why the bridges are needed, and describe impacts on the waterbody and riparian area.
18. Evaluate and discuss the potential for scour at waterbodies due to high flows and flooding that could expose or damage the pipeline. Outline specific measures WBI Energy would implement to prevent or mitigate stream scour.
19. Section 2.3.4 states “the permanent conversion of palustrine-forested wetland [to palustrine emergent wetlands] will likely not require compensatory mitigation under the Clean Water Act (CWA) Section 404 permitting process with the Omaha District [U.S. Army Corps of Engineers] USACE.” Pending the outcome of consultations with the USACE, provide any relevant correspondence concerning compensatory mitigation for the Project.
20. Indicate whether impacts on palustrine forested wetlands could be avoided or further minimized through extension of planned bores, new bores (such as at MP 36.0), re-routes, adjustments to workspaces, or through other means, including in the Wahpeton Yard.
21. Describe typical conditions within each identified wetland class in the Project area, including typical species identified during field surveys. Also include any state wetland classifications (i.e., exceptional value or protected).
22. Add a FERC staff contact or a FERC staff representative to the notification list for significant discoveries of contaminated media in the *Plan for Unanticipated Discovery of Contaminated Environmental Media*.
23. Regarding appendix 2C (Wetlands Crossed or Otherwise Affected by the Project):
 - a. include the access road name from appendix 8B;

- b. include wetland impacts from farm taps and cathodic protection (as applicable);
- c. clarify why wetland Wcab004e was included under the “Access Roads” header as 0.0 acre would be impacted during construction and operation and a crossing method isn’t planned;
- d. clarify why some wetlands would be crossed via the open-cut method, but the centerline crosses the wetland for 0 feet (example at MP 13.7); and
- e. revise to show construction acre impacts to two decimals rather than <0.1.

Resource Report 3

1. Section 3.1 indicates that for waterbodies “the exact crossing method will be determined based on site-specific flow conditions at the time of construction. Waterbodies with no perceptible flow at the time of construction will be crossed with the open-cut method” and “if the waterbody has perceivable flow at the time of construction, the waterbody will be crossed using the guided bore method.” Clarify the apparent discrepancy of these statements with the list of planned waterbody-specific crossing methods included in table 2.2-1.
2. Clarify which waterbody crossings are in the Red River watershed and if they would be subject to the April 15 to July 1 in-water work restriction. Also, clarify why the Red River has a restricted crossing timeframe.
3. Update table 3.1-1 to indicate that bigmouth buffalo is not a sunfish, rather it is a sucker. Update section 3.1.1 to indicate that the black sandshell mussel’s scientific name is *Ligumia recta*, not *Notropis heterolepsis*, which is the blacknose shiner fish.
4. Section 3.1.3 indicates that intermittent streams are crossed by the planned Project, but no intermittent streams are listed in table 2.2-1. Clarify the apparent discrepancy.
5. Section 3.1.3 indicates that fish would relocate away from in-stream construction areas. Discuss impacts from in-stream trenching, sedimentation, inadvertent release of drilling fluids, and other potential impacts on non-mobile aquatic species such as mussels and other aquatic macroinvertebrates.
6. Section 3.2.1 includes discussion of forested lands as a wildlife habitat, but forested lands is not included in table 3.2-1. Clarify the apparent discrepancy.
7. Discuss potential impacts on (such as noise or lighting during nesting season) and mitigation for waterfowl at the Waterfowl Production Area located less than 0.1 mile west of MP 35.

8. Discuss what procedures WBI Energy would use to remove wildlife from an open trench if the wildlife is not able to “exit the work area of its own volition.”
9. Clarify in section 3.3.1 the maximum allowable amount of time between the completion of surveys for nesting birds and the start of construction in that area. Confirm that if the maximum allowable time were exceeded, then the surveys would be repeated prior to the start of construction activities.
10. Indicate if aerial surveys for raptors/eagles would be conducted prior to construction as recommended by the North Dakota Game and Fish Department (NDGF).
11. Include a table of forested areas that would be crossed by the planned Project that include MP entry and exit points. Assess the potential to avoid, minimize, or mitigate for impacts on woody vegetation as recommended by the NDGF, especially at contractor yards and access roads.
12. Indicate which herbicides, surfactants, and other additives would be used to control invasive plant species. Clarify whether equipment would be cleaned before transportation to new locations within the planned Project.
13. Based on consultations with the U.S. Fish and Wildlife Service and North Dakota agencies, indicate whether surveys are needed for rare plants and milkweed (which the Monarch butterfly depends on) during the appropriate blooming season.
14. Indicate if any seed mixes would be utilized to benefit federally-listed or state sensitive species in non-agricultural areas.
15. Include a table in section 3.6.3 listing, describing status and habitats, and discussing potential impacts for state species of concern.
16. Describe in the *Draft Aquatic Nuisance Species Prevention Plan* how aquatic nuisance species, including larvae of the zebra mussel, would be cleaned from equipment including that used for hydrostatic test water, drilling mud water, and water obtained for dust control. Clarify whether surface water would be transported from one 12-digit HUC watershed to another.
17. Clarify in the *Noxious Weed Management Plan* whether water would be used to clean equipment, source, and if so how the wastewater would be collected and disposed of in order to not spread noxious weeds.

Resource Report 4

NOTE REGARDING CULTURAL RESOURCES:

All material filed with the Commission containing location, character, and ownership information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: “CUI//PRIV – DO NOT RELEASE.”

1. Section 4.2.2 states background research identified 62 previously recorded archaeological sites, which are provided in table 4.2-1. However, table 4.2-1 lists 64 sites. Resolve the apparent discrepancy.
2. Section 4.3.2.1 states that five construction yards were surveyed; however, table 4.3-1 lists four construction yards as surveyed and one construction yard as pending. Clarify the apparent discrepancy.
3. Sections 4.3.2.1 and 4.3.2.2 indicate the Project has 65 access roads. However, appendix 8B lists 63 access roads. In addition, page 4-6 indicates that 57 access roads were surveyed, while the *Class III Archaeological Inventory Survey Report* indicates 52 access roads were surveyed. Resolve the apparent discrepancies.
4. Section 4.3.3.2 states “17 newly recorded resources and 2 previously recorded structures remain unevaluated for listing in the NRHP pending additional background research; recommendations will be included in the historic structures survey report.” Table 4.3-4 lists these sites as “unevaluated” with an Applicant recommendation of “No further action.” Resolve the apparent discrepancy.
5. Clarify whether the historic “MILW” railroads listed in appendix 8D would be crossed by the Project. If so, include a discussion of the railroads in Resource Report 4. In addition, neither the archaeological or architectural survey reports identify any historic railroads as being crossed by the Project. Please clarify this and indicate whether additional studies would be required. If so, provide the resulting report and the North Dakota State Historic Preservation Office’s (SHPO) comments on the report.
6. Provide the SHPO’s comments on the *Class III Archaeological Inventory Survey Report* and the *Class III Historic Architectural Survey* report.
7. Provide the monitoring plan referenced in the *Class III Archaeological Inventory Survey Report*, and the SHPO’s comments on the plan.
8. Provide a status update for the archaeological and architectural addendum survey reports. When available, provide the reports and the SHPO’s comments on the reports.

9. Indicate whether a geomorphological field assessment (noted in section 4.1.3) would be required. If so, provide the geomorphological assessment report and the SHPO's comments on the report.
10. Provide all previously unfiled correspondence to and from the Native American tribes contacted. Ensure that any tribe requesting additional information or the survey report(s) (e.g., Northern Arapaho Tribe) receives them. Provide the transmittal letters and any resulting comments. Provide a status update on tribal communications.
11. Revise the *Plan for Unanticipated Discovery of Cultural Resources and Human Remains during Construction* (appendix 4G) as follows. Provide the revised plan:
 - a. in section 5.0, #4, line 3, change “the FERC will consult” to “WBI will assist the FERC in consulting the” and delete “WBI Energy” after “(e.g.);”
 - b. in section 5.0, #7, line 3, delete “written;” and
 - c. in section 6.0, update the FERC Archaeologist contact to: Laurie Boros, 202-502-8046, laurie.boros@ferc.gov.
12. Provide any SHPO comments on the *Plan for Unanticipated Discovery of Cultural Resources and Human Remains during Construction*.
13. Clarify the following regarding the *Class III Archaeological Inventory Survey Report*:
 - a. the Abstract, page 3, table 5.3-1, and page 111 indicate that four sites would require fencing and monitoring, while the Chapter 5 text has five sites requiring fencing and monitoring (site 32CS5350 appears to be missing from the former cited sections/pages);
 - b. page 29 indicates the site (32CS5350) at the Kindred yard would be matted, while the Chapter 5 text (page 57) indicates fencing and monitoring; and
 - c. the report indicates that 52 access roads were surveyed. However, the appendix A mapping appears to depict only approximately 10 access roads (in addition, access roads are not depicted in the key).
14. Clarify the following regarding the *Class III Historic Architectural Survey* report:
 - a. table 5.2-1 lists resource 32RI915 as unevaluated, however, page 33 recommends the resource as potentially eligible under criteria A and B (this would also need updating in Resource Report 4, as appropriate);
 - b. for resources 32RI916, 32RI918, and 32RI920, the “Assessment of Effects” texts indicate the pipeline corridor “intersects” the property, but then states

- the resource is located about 1,200, 1,690, and 420 feet away from the Project corridor, respectively. The appendix B figures (85, 104, and 116, respectively) indicate the pipeline corridor does not cross the “property boundary” for any of these resources; and
- c. the appendix A mapping depicts some of the resources (e.g., 32CS5119, 32CS5283, 32CS5284, 32RI813) as both previously recorded (square) and newly recorded (triangle), and some resources as not eligible (32RI915 through 920) while the text has them as unevaluated.

Resource Report 5

1. Table 5.1-2 is described as containing 2010 vs. 2020 population (in table) and 2010 vs. 2019 population (text in section 5.1.1). Resolve the apparent discrepancy.
2. Table 5.1-2 includes a column of population densities that do not consistently correspond to population divided by land area. Resolve the apparent discrepancy.
3. Provide sources as follows:
 - a. for the second half of the last sentence on page 5-2;
 - b. for the second sentence of section 5.1.2;
 - c. for the unsourced columns in table 5.1-3;
 - d. for the sentence on page 5-4, which includes “Bakken Oil Shale”; and
 - e. for the last sentence of section 5.1.2.
4. Provide an estimate of construction employees who, relative to the planned Project area, would:
 - a. already reside locally;
 - b. commute; or
 - c. temporarily relocate.
5. Provide the distance of the nearest commercial locations, schools, daycare centers, churches, or other sensitive receptors in each Environmental Justice community to the Project.
6. Document any outreach efforts that have specifically engaged Environmental Justice communities.
7. WBI Energy has provided the following information based on what was at the time the current U.S. Census Bureau data, that data has recently been updated (March

2022). In addition, it appears that the correct threshold for minority communities was not applied. Therefore, using the new data and appropriate thresholds for identifications of Environmental Justice communities, provide an updated table 5.3-1 of racial, ethnic, and poverty statistics for each block group crossed by pipeline facilities and within 1 mile of the aboveground Project facilities. The table should include the following information from the U. S. Census Bureau for each state, county, and block group (for low-income data, use the recently released 2020 U.S. Census American Community Survey File # B17017 and for race and ethnicity data, use U.S. Census American Community Survey File# B03002):

- a. total population;
- b. percentage of each racial and ethnic group (White Alone Not Hispanic, Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Other Pacific Islander, some other race, two or more races, Hispanic or Latino origin [of any race]);
- c. total minority population including individuals of Hispanic or Latino origin (percentage of total population); and
- d. percentage of total population below poverty level.

Table X Minority Populations by Races and Ethnicity and Low-Income Populations in the Project Area												LOW-INCOME COLUMN
	RACE AND ETHNICITY COLUMNS											
State/County/Census Tract/Block Group	Total Population	White Alone Not Hispanic (%)	African American (%)	Native American/Alaska Native (%)	Asian (%)	Native Hawaiian & Other Pacific Islander (%)	Some Other Race (%)	Two or More Races (%)	Hispanic or Latino (%)	Total Minority ^a (%)		Below Poverty Level ^b (%)
State												
Parish												
Census Tract X, Block Group X												

Source: American Community Survey, 2020, File # B17017 and File # B03002.
a “Minority” refers to people who reported their ethnicity and race as something other than non-Hispanic White.
b Low-income or minority populations exceeding the established thresholds are indicated in red, bold, type and blue shading.
Due to rounding differences in the dataset, the totals may not reflect the sum of the addends.

8. Using the updated data obtained in response to the question 7 above, identify potential Environmental Justice populations by block group. For minority populations, use the **50 percent** and the **meaningfully greater analysis methods**. If the minority population of the block groups in the affected area exceeds 50

percent OR the minority population in the block group affected is 10 percent higher than the minority population percent in the county, then an Environmental Justice community is present.

For low-income populations, use the **low-income threshold criteria** method. If the percent low income population in the identified block group is equal to or greater than that of the county, then an Environmental Justice community is present.

9. Based on the results of question 8, provide an updated discussion regarding impacts on Environmental Justice communities (if any exist) for all resources affected by the Project, and whether any of those impacts would be disproportionately high and adverse.
10. Provide two separate maps depicting the Project facilities in relation to minority and low-income populations (using block group data) near the Project areas.
11. Figure 5.3-1 depicts two Wahpeton Yards with different dimensions in the inset box. Overall, the figure depicts six contractor yards, where other Resource Reports have provided information for five contractor yards. Resolve the apparent discrepancy.

Resource Report 6

1. Include the actual percentage of the planned Project that is subject to landslides.
2. Revise table 6.4-1 to include the start and end MPs for slopes greater than 15 percent.
3. Section 6.7 states “Should WBI Energy have to dispose of excess rock outside the right-of-way, an approved landfill or alternative upland area will be utilized and necessary permits and clearances will be obtained.” Clarify what is meant by “alternative upland area.”
4. Section 6.7 states that while blasting is not anticipated it may be required if shallow bedrock or boulders are encountered that could not be removed by conventional methods. Therefore, provide a Blasting Plan which includes methods to mitigate noise and vibration impacts on noise sensitive areas during blasting activities. Include measures that would be utilized to minimize impacts on sensitive resources from blasting activities. Include methods to reduce the amount of blasting needed, handling of explosives, measures to control each blast, monitoring and mitigation measures to minimize impacts, and landowner notification procedures.

Resource Report 7

1. Revise table 7.3-1 to include temporary and permanent impacts for each soil characteristics for each border station separately, cathodic protection facilities, and farm taps once that information is available.
2. Include tables by MP segments, for all soil classifications by Project component (pipeline right-of-way, additional temporary workspaces, both border stations, contractor yards, cathodic protection areas, farm taps, temporary access roads, and permanent access roads). Each of these tables should identify soil types and acreages of soil characteristics (prime farmland, farmlands of statewide importance [separate from prime farmlands], hydric, compaction prone, highly water erodible, highly wind erodible, revegetation concerns, rocky, and shallow bedrock) for each of the Project components. Each table should sum to reflect the totals provided in table 7.3-1.
3. Include a separate table that identifies temporary and permanent impacts on farmland types including active agricultural land, agricultural land/fallow field, open field/open land, etc. for each Project component (as listed above).
4. Section 7.3.1.1 indicates that information about drain tiles would be provided prior to construction. If any drain tile locations are currently known based on field surveys, include a table of their location.

Resource Report 8

1. Clarify whether any specialty or organic crops would be crossed by the planned Project, and discuss potential impacts and mitigation as applicable.
2. In section 8.2.2, clarify whether culverts would be needed as part of the planned access road improvements and if impacts on waterbodies or wetlands would occur. If so, include locations and descriptions.
3. Clarify in section 8.3.1 whether “the entire topsoil layer” would be removed, or rather up to the top 12 inches.
4. Clarify the statement that the seeding would be “native vegetation and vegetation similar to what is existing in the area,” especially if the existing vegetation is comprised of non-native species.
5. Specify in appendix 8D whether the road type is paved, gravel, dirt, or two-track. Clarify and discuss the planned open-cut crossings of the historic railroads at MP 53.2, 55.3, and 58.9.

6. In section 8.3.4, clarify which road closures would occur during the dark, and indicate whether all road closures would always maintain one lane of traffic open, detours, and measures to allow emergency vehicles to pass.
7. Indicate whether there are potential visual resource receptors associated with all new aboveground facilities, and describe potential impacts and mitigation as applicable.
8. Clarify whether the segments of the North Country National Scenic Trail (NCNST) near the planned Project are certified or uncertified. Include the distance that the planned workspace abuts the NCNST north of 63rd Street SE, the minimum distance between the NCNST and the segment from MP 42.0 to 43.4, and the estimated duration of the bore activities of the County Road 4/NCNST. Include the setback distances that the bore workspaces would be located relative to the NCNST.
9. Include the acreage affected during construction and operation, the existing land use/vegetation type, and a description of permanent changes to vegetation type for the Private Land Open to Sportsmen lands. Describe any planned coordination with hunters, such as signage, outreach, or other methods and any planned mitigation.
10. Include direction and distance for the airport, food processing facility, and energy facility in table 8.11-1.
11. Include data columns for county, dimensions, landowner (private, state, federal), and reason needed for temporary workspaces in appendix 8A.
12. Appendix 8B (Access Roads) does not include AR_031 and AR_037. Clarify if these IDs were purposely omitted. Clarify whether each access road is existing or new (not both). Specify in appendix 8B whether each permanent access road would be gravel, dirt, or both, for certain segments.
13. Expand section 8.6 to include a discussion/use of WBI Energy's *Plan for Unanticipated Discovery of Contaminated Environmental Media*.
14. Identify the distance to the nearest residences from all aboveground structures and identify any screening between the structure and the residence. Further, identify any proposed visual screening that WBI Energy would install and maintain to minimize the visual impact of the facility (e.g., installing a combination of deciduous and evergreen trees).

Resource Report 10

1. Include a data comparison table for the Alliance Pipeline System Alternative and the planned route similar to table 10.6-1.

2. For Route Alternative 1, define numerically “some” landowners denied survey access. For Route Alternative 2, define numerically “some” fields are drain tiled. For Route Alternative 3, define numerically “some” landowners denied survey access. For the Abercrombie Route Alternative, define numerically “some” cultural resources sites could be eligible for listing on the National Register of Historic Places and how many landowner preferences were accommodated.
3. Include updates for ongoing discussions with stakeholders regarding the siting of aboveground facilities.
4. In section 10.7.2 indicate how much forest impact would be associated with Alternative Site B. The text states that “Alternative A is very near a residence,” but table 10.7.2 indicates that Alternative Site B is closest to a residence. Clarify the apparent discrepancy.
5. Discuss a minor variation that would shift the planned route slightly east near MP 56.8, thereby avoiding two crossings of the Wild Rice River.
6. Provide a discussion of whether the planned guided bores could be extended at MPs 51, 13.7, and 33.4 to avoid some forest and wetland impacts.