



1250 West Century Avenue
Mailing Address:
P.O. Box 5601
Bismarck, ND 58506-5601
(701) 530-1600

June 10, 2024

Debbie-Anne Reese, Acting Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

Re: WBI Energy Transmission, Inc.
Wahpeton Expansion Project
Docket No. CP22-466-000
Supplemental Information to Variance Request for Project Modifications

Dear Acting Secretary Reese:

On June 4, 2024¹, WBI Energy Transmission, Inc. (WBI Energy) submitted a variance request for project modifications to WBI Energy's Wahpeton Expansion Project in accordance with Environmental Condition No. 5 of the Federal Energy Regulatory Commission's (FERC or Commission) October 23, 2023 Order Issuing Certificate (Order) in the above referenced docket.

WBI Energy is hereby submitting supplemental information to the variance request by providing correspondences with the U.S. Army Corps of Engineers (USACE) and the North Dakota Department of Environmental Quality (NDDEQ) regarding the proposed Project modifications impacting wetland/waterbodies including Project modifications V2, V3, and V58. Proposed modifications will have minor impacts on wetlands and waterbodies and the USACE confirmed proposed modifications are covered under Nationwide Permit 12. The NDDEQ confirmed that proposed modifications do not impact the Section 401 Water Quality Certification for the Project.

Pursuant to 18 CFR § 385.2010 of the Commission's regulations, copies of this filing are being served to each person whose name appears on the official service list for this proceeding.

¹ See eLibrary Accession No. 20240604-5204

Any questions regarding this filing should be addressed to the undersigned at (701) 530-1563.

Sincerely,

/s/ Lori Myerchin

Lori Myerchin
Vice President, Regulatory Affairs
and Transportation Services

Attachments

cc: via email

David Hanobic, FERC Environmental Project Manager
Dawn Ramsey, FERC
Official Service List

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 10th day of June, 2024.

By /s/ Lori Myerchin

Lori Myerchin

Vice President, Regulatory Affairs and
Transportation Services

WBI Energy Transmission, Inc.

1250 West Century Avenue

Bismarck, ND 58503

Telephone: (701) 530-1563

From: Wax, Peter N. <pwax@nd.gov>
Sent: Monday, May 20, 2024 8:11 AM
To: Linn, Jill <Jill.Linn@wbienergy.com>
Cc: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Subject: RE: WBI Energy - Wahpeton Expansion Project Updates (NWO-2021-1653-BIS).

Some people who received this message don't often get email from pwax@nd.gov. [Learn why this is important](#)

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Dear Ms. Linn:

The changes will not affect the 401 WQC.
Thank you for providing me the opportunity to see these.

Pete

Peter N. Wax
Special Projects
Division of Water Quality

701.328.5268 • pwax@nd.gov • <https://deq.nd.gov/>



From: Linn, Jill <Jill.Linn@wbienenergy.com>

Sent: Friday, May 10, 2024 3:59 PM

To: Wax, Peter N. <pwax@nd.gov>

Cc: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>

Subject: FW: WBI Energy - Wahpeton Expansion Project Updates (NWO-2021-1653-BIS).

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Good afternoon, Peter,

I meant to copy you on the correspondence below to the Corps of Engineers Regulatory Office regarding changes to WBI Energy's Wahpeton Expansion Project. You had indicated previously that you would like to be included on these communications so that your files could be kept up to date and so that confirmation could be provided that our previous 401 WQC is still valid.

Upon your review, please confirm whether the 401 WQC for the Project is still valid. Feel free to reach out if you have any questions or need additional information as you review these proposed changes.

Thank you,
Jill

Jill Linn
Environmental Manager

WBIENERGY
TRANSMISSION

Office: 406-359-7332
Mobile: 406-939-5437

From: Renschler, Jason J CIV USARMY CENWO (USA) <Jason.J.Renschler@usace.army.mil>

Sent: Friday, May 10, 2024 2:39 PM

To: Linn, Jill <Jill.Linn@wbienenergy.com>

Cc: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>

Subject: RE: WBI Energy - Wahpeton Expansion Project Updates (NWO-2021-1653-BIS).

**** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email. ****

Hi Jill – thanks for the clarification discussion earlier today. I have added the addendum documents into the administrative record for this project and updated the impacts in our HQ data-base. The terms and conditions in the original project authorization remain in full force and effect. Nothing additional is required for the addendums outlined below. If there is any additional questions as the project construction progresses, please contact me -either email or phone. Thanks, Jason.

Jason Renschler – Sr. PM
Corps – ND Regulatory Office
3319 University Drive
Bismarck, ND 58504
701.255.0015 ext. 2010

From: Linn, Jill <Jill.Linn@wbienergy.com>
Sent: Wednesday, May 8, 2024 5:09 PM
To: Renschler, Jason J CIV USARMY CENWO (USA) <Jason.J.Renschler@usace.army.mil>
Cc: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Subject: [Non-DoD Source] WBI Energy - Wahpeton Expansion Project Updates

Hi Jason,

Hope all is well! As previously discussed, WBI Energy has made a few changes to its Wahpeton Expansion Project (USACE Project No. NWO-2021-1653-BIS). A map set depicting the proposed changes that impact wetland/waterbodies is attached for review. Some of these proposed changes occur outside of previously surveyed areas for the Project. Therefore, additional surveys were completed in April of 2024 at which time two previously surveyed waterbodies were extended, and two new waterbodies were identified. A report outlining the findings of these surveys is attached.

The table below summarizes the overall impact of these proposed variances to wetland/waterbodies:

Variance No.	WOUS ID	Added (ac)		No Change (ac)	Removed (ac)
V02	wria003e	0.016 (T)	0.009 (P)	0.0045	-0.011
V03	wcaa006e	0.012			
V05	wrib019e	0.220			
V12	srig002e	0.005			
	wrae002e				-0.139

	wrib003e				-0.622
	wrib005e				-0.135
V14	srig001e	0.005 (T)	0.007(P)	0.0124	
	wrie008e				-0.091
V31	scae003e	0.007			
V41	wrib015e	0.004			
V57	wria012e	0.019			
	wria014e				-0.001
V58	srid001e	0.006			
	srid002p	0.002		0.002	-0.001
V59	wcaa010e	0.002			-0.002
	wcaa011e	0.003			-0.002
Total		0.301 (T)	0.016(P)		-1.006

*All impacts in the table are temporary except for the permanent impacts identified for V02 and V14.

P=Permanent T=Temporary

By incorporating these Project changes, temporary wetland impacts will decrease by approximately 0.7 acres (from 10.02 to 9.32 acres). Permanent water impacts will increase from 0.2 acres to 0.216 acres.

Please note that other Project changes have been made, however, only changes impacting delineated wetlands/waterbodies is included in this update. Please let me know if you need information on any of the other changes.

The project will continue to adhere to the conditions outlined in Nationwide Permit 12 and the DA PCN authorization for NWO-2021-1653-BIS dated 1/30/2024. Please let me know, at your earliest convenience, that the Project may proceed under the existing authorization.

Thank you for your continued assistance with this Project. If you need any additional information, please feel free to reach out.

Thank you,
Jill

Jill Linn
Environmental Manager

WBIENERGY
TRANSMISSION

Office: 406-359-7332
Mobile: 406-939-5437



This information is for environmental review purposes only.

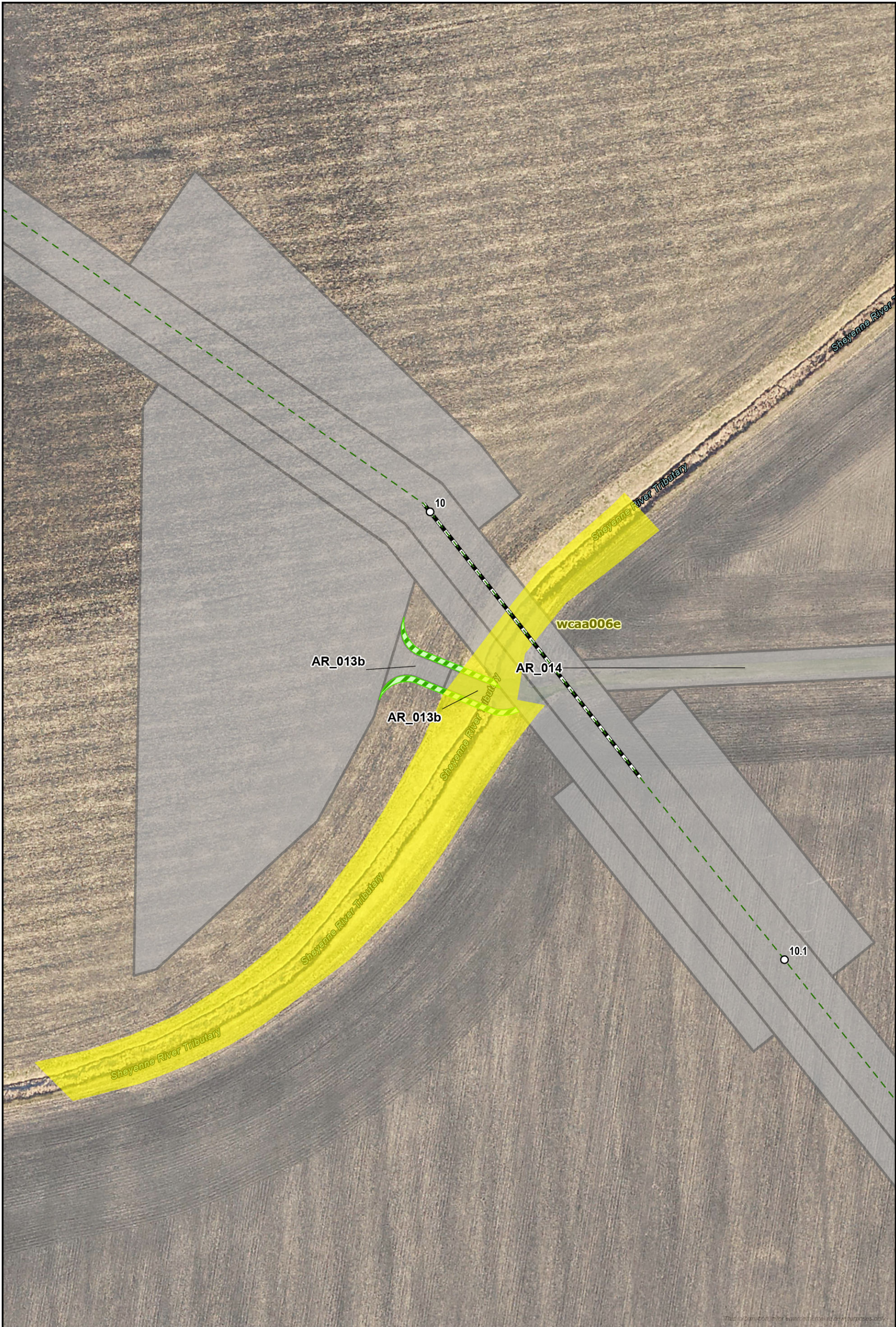
PERM Workspace to PERM Access Road	PERM Workspace to TEMP Workspace	Proposed Bore Location
PERM Facility to PERM Workspace	TEMP Workspace Added	Proposed Centerline
PERM Workspace Removed	TEMP Workspace Removed	No Change
PERM Workspace to PERM Facility	TEMP Workspace to PERM Workspace	Surveyed Wetland
Milepost1		

1:1,000

0 100 200
Feet

Proposed Project Modifications with Wetland/Waterbody Impacts

V2



This information is for environmental review purposes only.

TEMP Workspace Added	Proposed Centerline
Milepost1	No Change
Proposed Bore Location	Surveyed Wetland

1:1,000

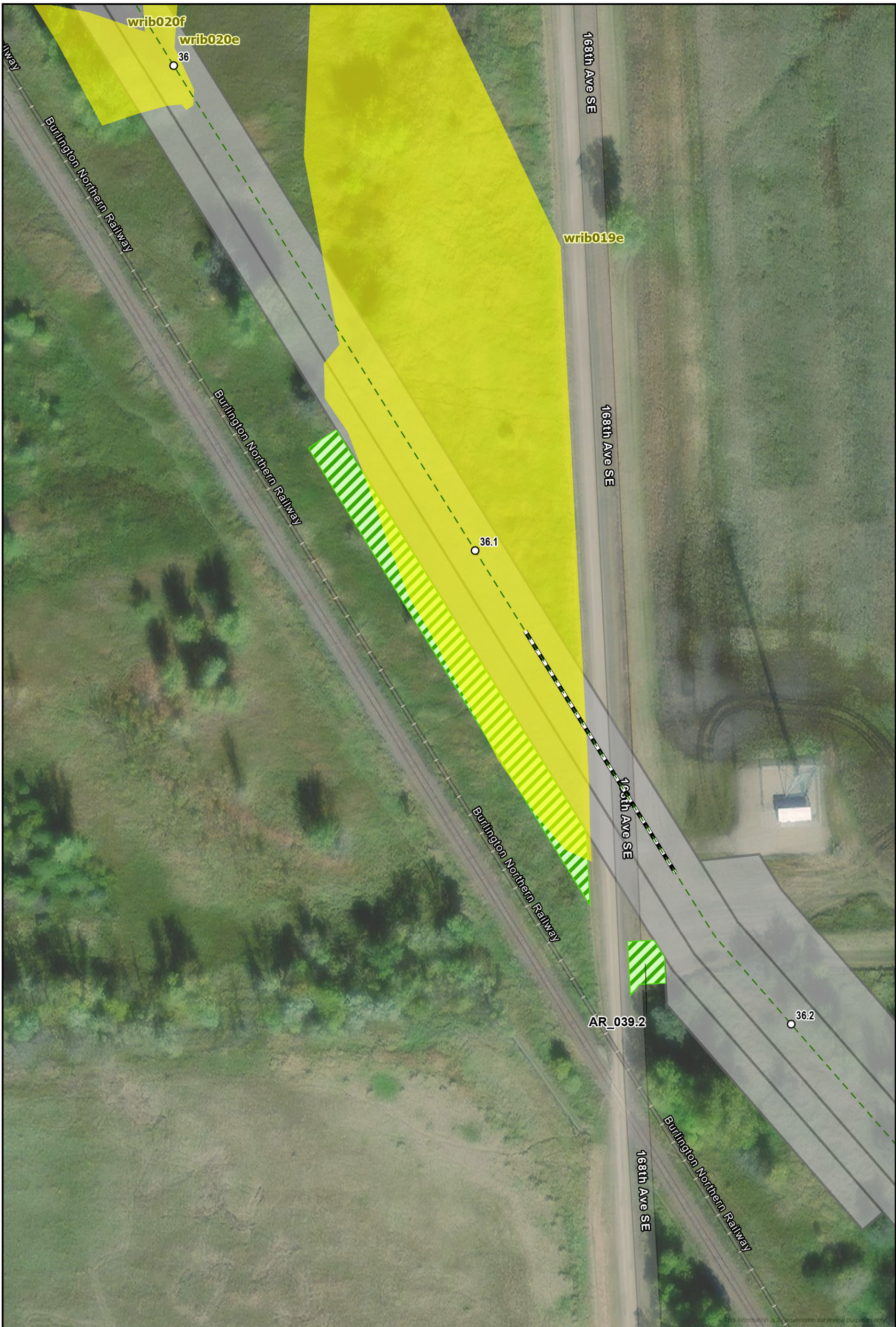
0 100 200
Feet



**Proposed Project Modifications
with Wetland/Waterbody Impacts**

V3





This information is for environmental review purposes only.

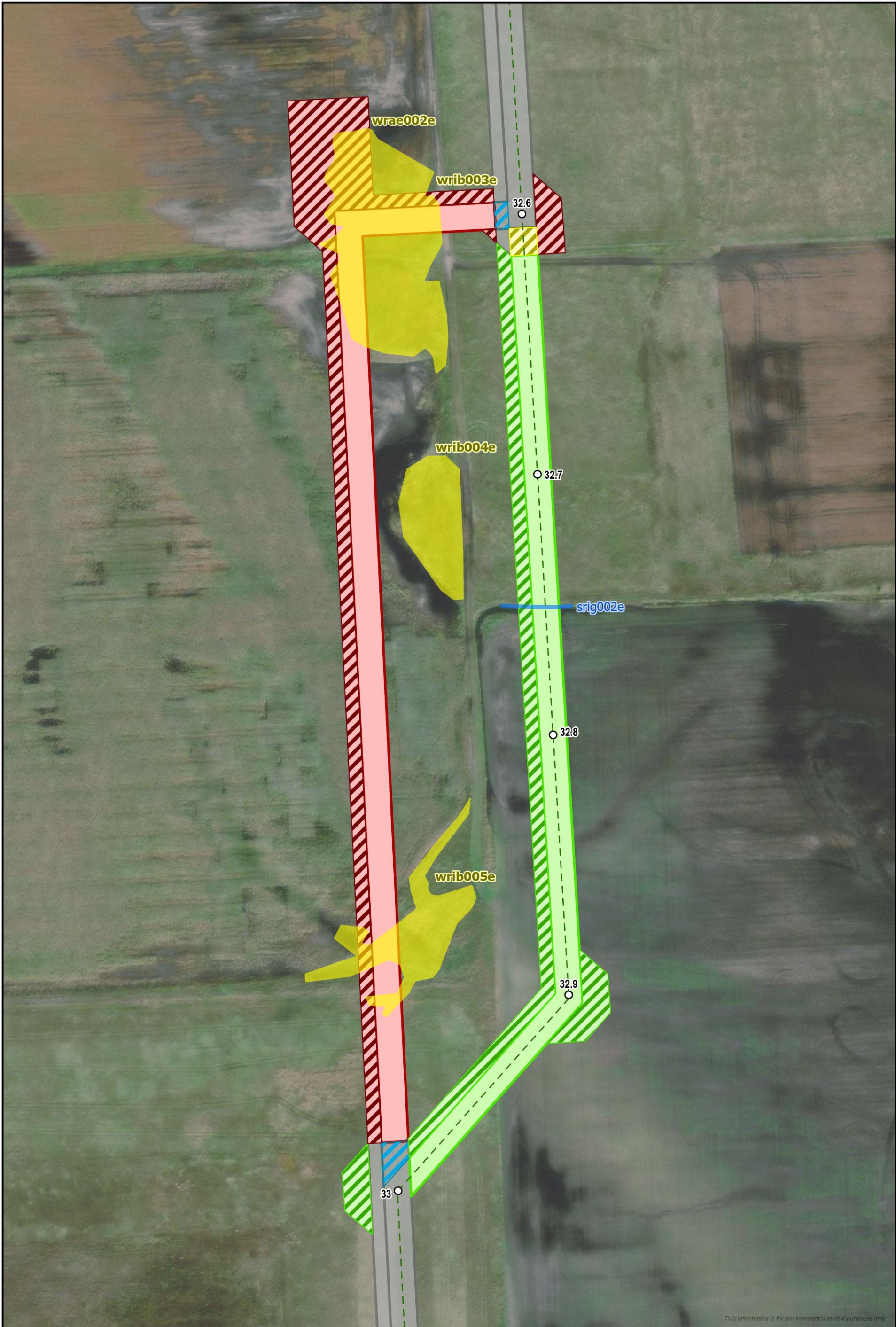
-  TEMP Workspace Added
-  Proposed Centerline
-  Milepost1
-  No Change
-  Proposed Bore Location
-  Surveyed Wetland



**Proposed Project Modifications
with Wetland/Waterbody Impacts**

V5





This information is for environmental review purposes only.

PERM Workspace Added	TEMP Workspace to PERM Workspace
PERM Workspace Removed	Milepost1
PERM Workspace to TEMP Workspace	Proposed Centerline
TEMP Workspace Added	No Change
TEMP Workspace Removed	Surveyed Wetland
	Surveyed Waterbody

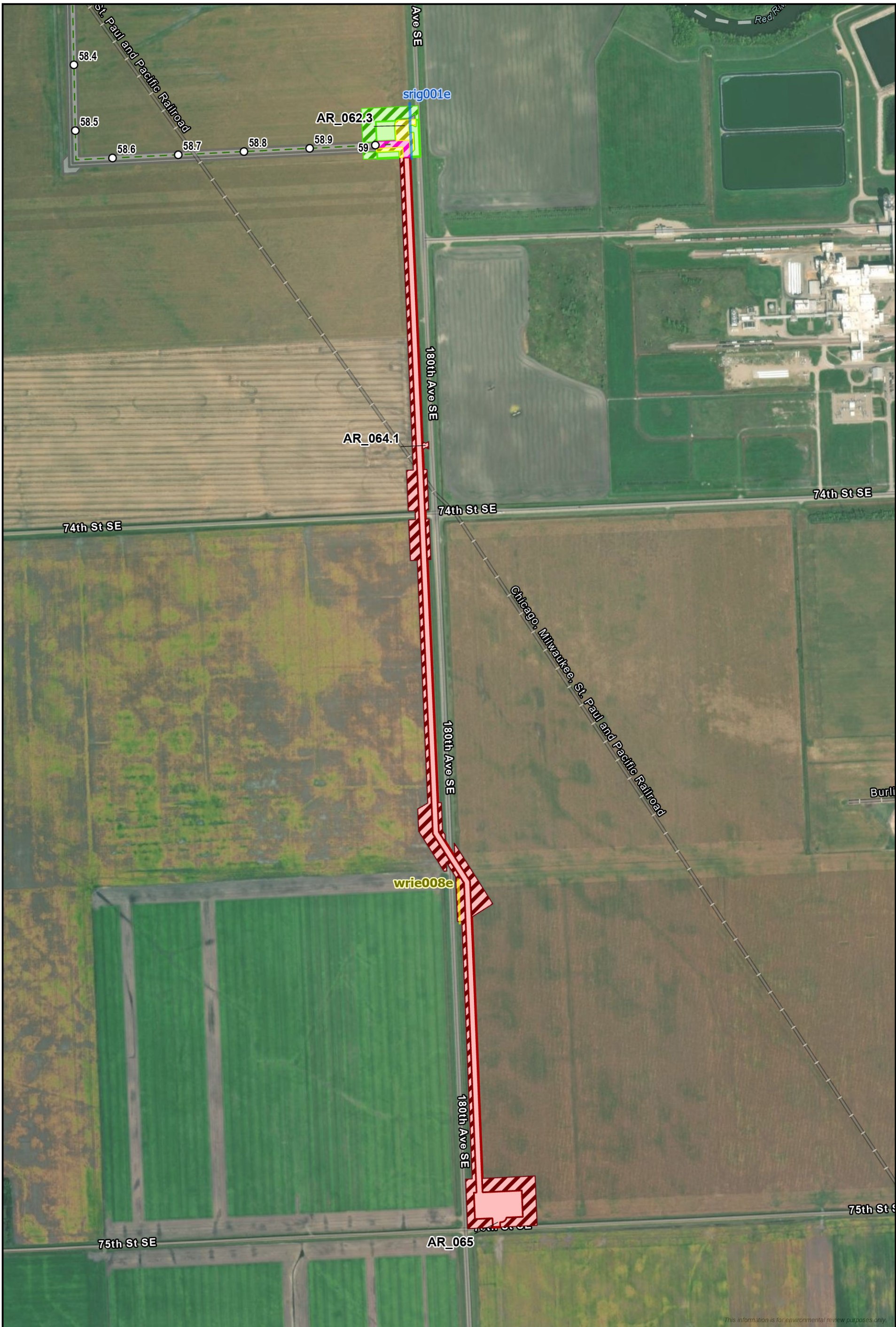
1:2,000

0 100 200
Feet

**Proposed Project Modifications
with Wetland/Waterbody Impacts**

V12





This information is for environmental review purposes only.

- █ PERM Workspace Added
- █ PERM Workspace Removed
- █ PERM Workspace to PERM Facility
- █ TEMP Workspace Added
- █ TEMP Workspace Removed
- █ TEMP Workspace to PERM Workspace
- Milepost1
- - - Proposed Centerline
- No Change
- Surveyed Wetland
- Surveyed Waterbody

1:8,000
0 100200
Feet



Proposed Project Modifications with Wetland/Waterbody Impacts

V14





This information is for environmental review purposes only.

PERM Workspace Added	Milepost1
PERM Workspace to TEMP Workspace	Proposed Bore Location
TEMP Workspace Added	Proposed Centerline
TEMP Workspace to PERM Workspace	No Change
	Surveyed Waterbody

1:2,000

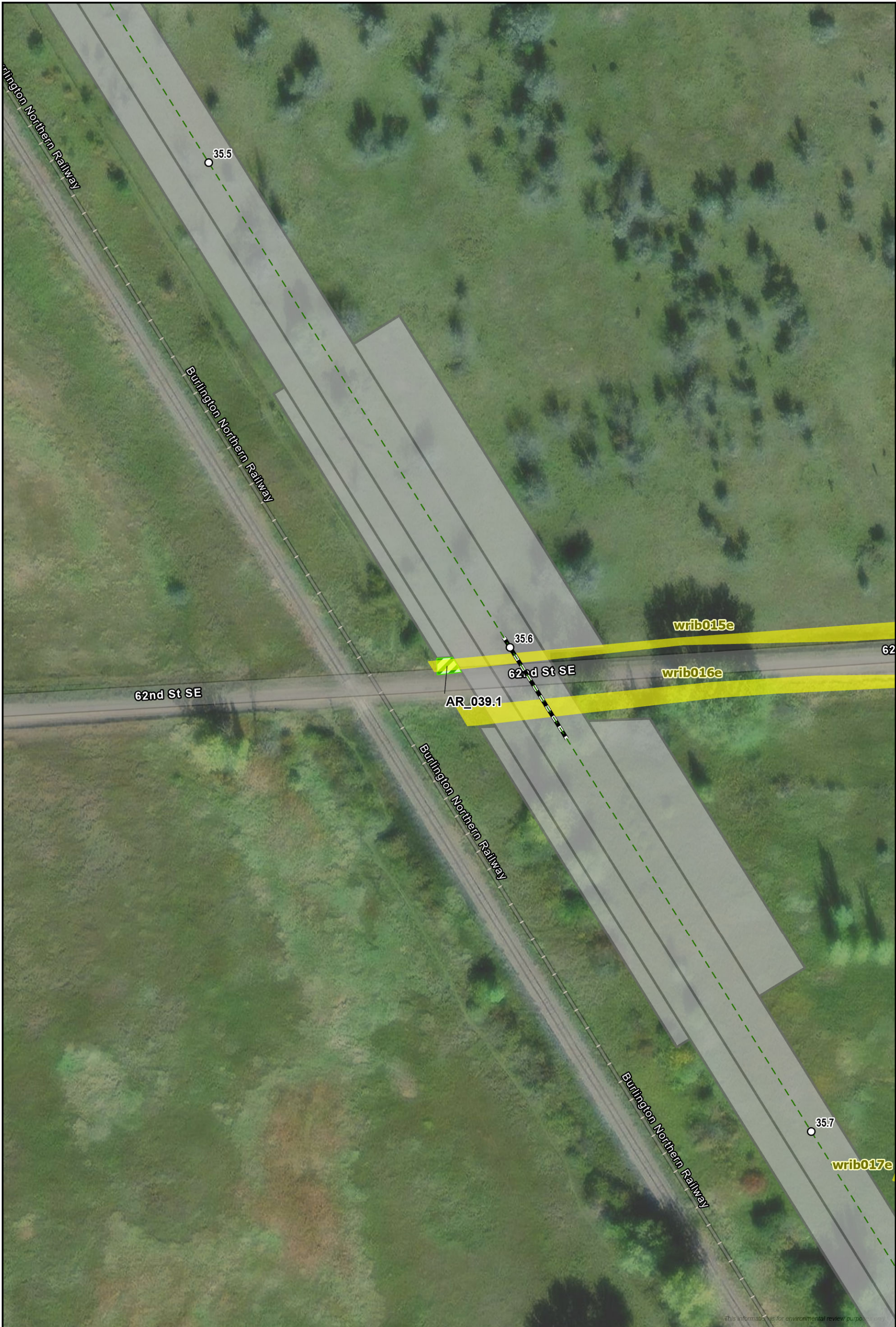
0 100 200
Feet



Proposed Project Modifications with Wetland/Waterbody Impacts

V31





This information is for environmental review purposes only.

TEMP Workspace Added	Proposed Centerline
Milepost1	No Change
Proposed Bore Location	Surveyed Wetland

1:1,000

0 100 200
Feet



**Proposed Project Modifications
with Wetland/Waterbody Impacts**

V41

