



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

October 16, 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 Modification (V67)

Dear Acting Secretary Reese:

On October 15, 2024¹, WBI Energy Transmission, Inc. (WBI Energy) submitted a variance request (V67) for a project modification 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 the correspondence and exhibits submitted with the U.S. Fish and Wildlife Service as Attachment A-1 to this filing and the North Dakota State Historic Preservation Office as Attachment A-2 regarding the proposed Project modification.

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.

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

¹ See eLibrary Accession No. 20241015-5392

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 16th day of October, 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

Attachment A-1

USFWS Correspondence

Reukauf, Robbyn

From: Johnson, Jessica N <jessica_n_johnson@fws.gov>
Sent: Friday, September 27, 2024 1:30 PM
To: Reukauf, Robbyn; Toso, Luke B
Cc: Linn, Jill
Subject: RE: [EXTERNAL] WBI Energy's Wahpeton Expansion Project: USFWS Addendum Request

**** 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. ****

Hello Robbyn,

Under the authority of and in accordance with the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*), we have reviewed the alternatives and have concluded that the proposed modifications to the action will not cause an effect to the listed species or critical habitat that was not considered in the previous consultation.

Let me know if you have any questions.

Thank you,
Jessica Johnson

Jessica Johnson
Environmental Contaminants Specialist
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501
Phone: 701-355-8507
Cell: 720-626-5250

From: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Sent: Thursday, September 26, 2024 3:30 PM
To: Toso, Luke B <luke_toso@fws.gov>
Cc: Johnson, Jessica N <jessica_n_johnson@fws.gov>; Linn, Jill <Jill.Linn@wbienenergy.com>
Subject: FW: [EXTERNAL] WBI Energy's Wahpeton Expansion Project: USFWS Addendum Request

Hi Luke,

I wanted to follow up on this email that Jill submitted last week regarding our Wahpeton Expansion project and confirm that you received this request. Since the addendum consultation email that I submitted 8/22/24, we ended up adding workspace near the Maple River as shown on the attached exhibit to allow for sufficient space to set up the pump and lay matting in the area.

WBI Energy does not believe that this slight modification to the Project scope will change the original determination. Can we get confirmation from the USFWS that you agree with WBI Energy's determination?

Please reach out with any questions or concerns. Thank you very much for your time.

Sincerely,
Robbyn Reukauf

WBI Energy Transmission, Inc.
2010 Montana Ave.
Glendive, MT 59330

Office: (406) 359-7295

Cell: (406) 853-4810

Email: Robbyn.Reukauf@WBIEnergy.com

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

Sent: Thursday, September 19, 2024 10:58 AM

To: Toso, Luke B <luke_toso@fws.gov>; Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>

Cc: Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Kelly, Steve <Steve.Kelly@WBIEnergy.com>; Pabst, Justin <Justin.Pabst@WBIEnergy.com>; Lueder, Gay Lynn <GayLynn.Lueder@WBIEnergy.com>; Bates, Andrew <Andrew.Bates@WBIEnergy.com>; Johnson, Jessica N <jessica_n_johnson@fws.gov>

Subject: RE: [EXTERNAL] WBI Energy's Wahpeton Expansion Project: USFWS Addendum Request

Luke/Jessica –

To ensure you have the most up to date information regarding project activities, I am providing the attached exhibit depicting minor changes to our planned project modification to withdraw water from the Maple River and transport it via hose/piping to the project location. We have added more workspace near the river as shown in the green hatching on the exhibit for equipment to set the pump and may now also lay matting in that area to support construction equipment.

I wanted to verify that you agree that the additional workspace and construction activity remain within the scope of the original consultation.

Thank you for your ongoing review of this project,
Jill

Jill Linn

*Director, Environmental Affairs
and Operations*

WBIENERGY
TRANSMISSION

Office: 406-359-7332

Mobile: 406-939-5437

From: Toso, Luke B <luke_toso@fws.gov>

Sent: Monday, August 26, 2024 12:29 PM

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

Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Kelly, Steve <Steve.Kelly@WBIEnergy.com>; Pabst, Justin <Justin.Pabst@WBIEnergy.com>; Lueder, Gay Lynn <GayLynn.Lueder@WBIEnergy.com>; Bates, Andrew <Andrew.Bates@WBIEnergy.com>; Johnson, Jessica N <jessica_n_johnson@fws.gov>

Subject: Re: [EXTERNAL] WBI Energy's Wahpeton Expansion Project: USFWS Addendum Request

**** 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 Robbyn -

We've reviewed this request and concur that the new layout is within the scope of our original consultation. Thank you for letting us comment on this change. Let me know if you need any additional documentation from our office.

Luke

Luke Toso

Deputy Field Supervisor

North Dakota Ecological Services

U.S. Fish and Wildlife Service

Cell: 720-793-6797

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

Sent: Thursday, August 22, 2024 2:09 PM

To: Toso, Luke B <luke_toso@fws.gov>

Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Kelly, Steve <Steve.Kelly@WBIEnergy.com>; Pabst, Justin <Justin.Pabst@WBIEnergy.com>; Lueder, Gay Lynn <GayLynn.Lueder@WBIEnergy.com>; Bates, Andrew <Andrew.Bates@WBIEnergy.com>

Subject: [EXTERNAL] WBI Energy's Wahpeton Expansion Project: USFWS Addendum Request

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Luke,

We are currently still undergoing active construction on WBI Energy's Wahpeton Expansion Project. WBI Energy and the pipeline contractor (Jomax) is exploring options for the final hydrostatic test and is proposing to utilize the Maple River as a potential water source. WBI Energy has obtained the required State of North Dakota temporary water permit to utilize the Maple River for water withdrawal purposes.

After further assessment of the proximity of the Maple River in relation to where we need to fill the pipeline with water at the North end of the Project to conduct the final hydrostatic testing, we are proposing to lay approximately 2,400 feet of flat hose/irrigation pipe along the 163rd Ave. SE roadside ditch within the county road right-of-way. The existing access road to reach the Maple River revised uptake point and the proposed temporary waterline pathway to lay the temporary water hose/pipe is depicted on the attached exhibit. This temporary water line and existing access is located

outside the approved environmental survey corridor. WBI Energy does not believe that this slight modification to the Project scope will change the original determination.

Please advise if you concur with WBI Energy's determination, and please reach out with any questions or concerns. I am traveling but will be checking my cellphone and email.

Thanks,

Robbyn Reukauf

WBI Energy Transmission, Inc.

2010 Montana Ave.

Glendive, MT 59330







Office: (406) 359-7295

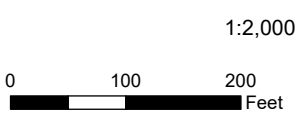
Cell: (406) 853-4810

Email: Robbyn.Reukauf@WBIEnergy.com



This information is for environmental review purposes only.

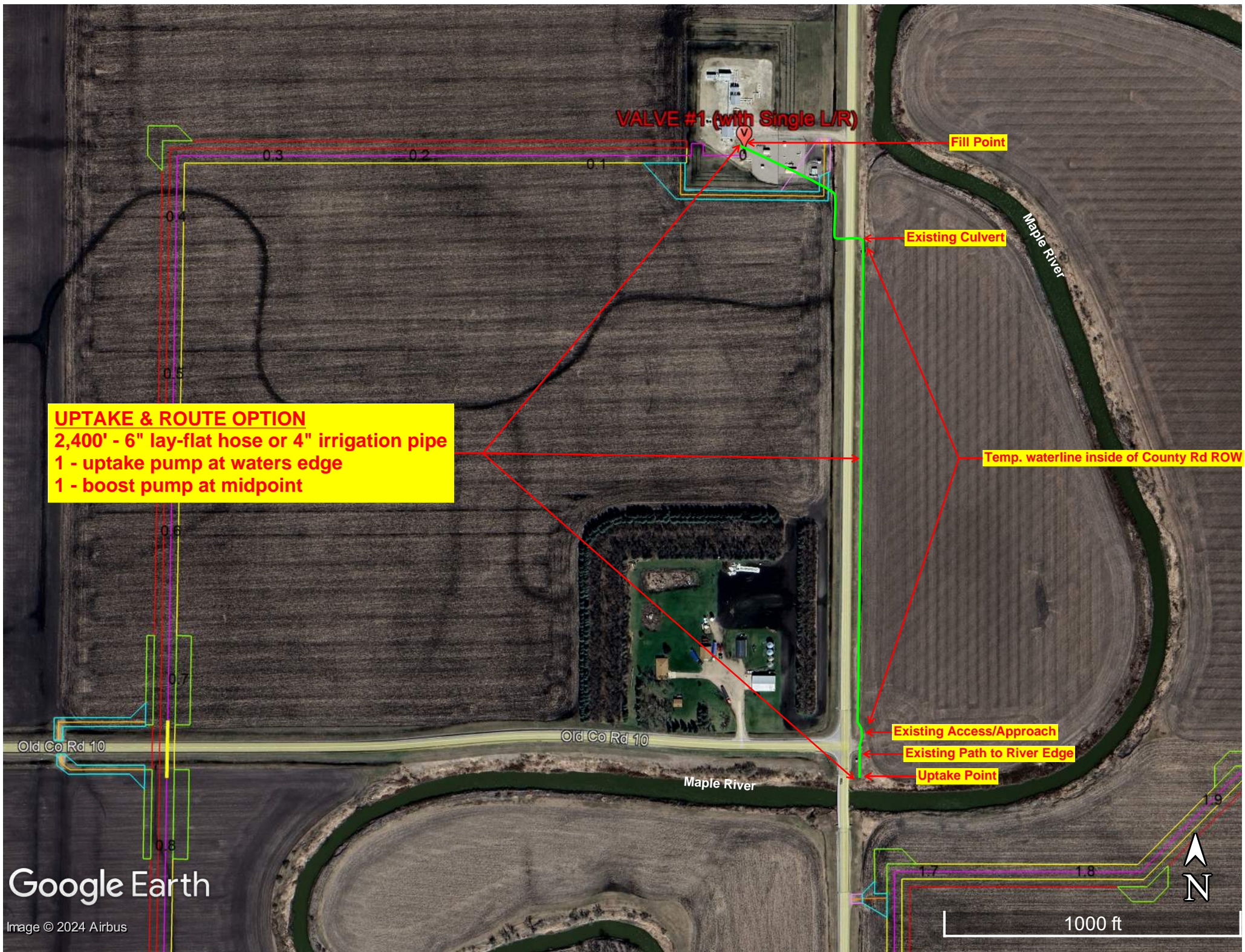
-  TEMP Workspace Added
-  Temporary Water Uptake Line
-  Milepost
-  Centerline
-  Approximate Wetland Boundary
-  No Change



Proposed Project Modifications

V67





Attachment A-2

ND SHPO Correspondence



October 9, 2024

Robbyn Reukauf
WBI Energy Transmission Inc.
2010 Montana Avenue
Glendive, MT 59330

ND SHPO Ref: 21-6245 WBI Wahpeton Expansion [Construction Matting] in portions of [T140N R50W Section 30 and T140N R50W Section 25] Cass County, North Dakota

Dear Robbyn,

We've reviewed the project ND SHPO Ref: 21-6245 WBI Wahpeton Expansion [Construction Matting] in portions of [T140N R50W Section 30 and T140N R50W Section 25] Cass County, North Dakota as received by our office on September 17, 2024.

We concur with a determination of "No Historic Properties Affected" for this portion of the project provided it takes place in the manner and location described in the documentation.

Thank you for the opportunity to review this project. For future correspondence regarding this project, please include the ND SHPO Reference number indicated in this letter. If you have any questions, please contact Margie Patton, Research Archaeologist at 701-328-3576 or mmpatton@nd.gov.

Sincerely,

for William D. Peterson, PhD
State Historic Preservation Officer
(North Dakota)

21-6245

Reukauf, Robbyn

From: Patton, Margaret M. <mmpatton@nd.gov>
Sent: Wednesday, October 9, 2024 2:54 PM
To: Reukauf, Robbyn
Cc: Linn, Jill; Huncovsky, Greg; Steckler, Lisa L.
Subject: RE: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request
Attachments: 21-6245 NHPA Construction Matting.pdf

**** 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 Robbyn –

Attached is the response for the construction matting. Please let us know if you have any questions -

Margie

Margaret (Margie) Patton, PhD
Research Archaeologist
[Archaeology & Historic Preservation/SHPO](#)
State Historical Society of North Dakota
612 E Boulevard Ave
Bismarck ND 58505
701 328 3576

Please send New project review requests to: SHSCulturalReview@nd.gov



HISTORY FOR *everyone.*

From: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Sent: Tuesday, October 8, 2024 8:56 AM
To: Patton, Margaret M. <mmpatton@nd.gov>
Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: RE: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Thank you so much for the update, Margie, I really appreciate it. Sounds good. Please let me know if you have any questions.

Thanks,
Robbyn

From: Patton, Margaret M. <mmpatton@nd.gov>
Sent: Tuesday, October 8, 2024 7:54 AM
To: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: RE: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

**** 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 Robbyn –

The review is in the queue at #22 of 73. I expect to get to it this week, but we will definitely respond on or before the due date of 10/16/24.

Margie

Margaret (Margie) Patton, PhD
Research Archaeologist
[Archaeology & Historic Preservation/SHPO](#)
State Historical Society of North Dakota
612 E Boulevard Ave
Bismarck ND 58505
701 328 3576

Please send New project review requests to: SHSCulturalReview@nd.gov



HISTORY FOR *everyone.*

From: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Sent: Tuesday, October 8, 2024 8:32 AM
To: Patton, Margaret M. <mmpatton@nd.gov>
Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: FW: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Good morning, Margie,
I wanted to follow up with you on this SHPO addendum request that Jill Linn submitted 9/17/24 and confirm that this is currently under review.

Please let me know if you could provide a status update. Thank you very much for your time.

Thanks,
Robbyn Reukauf

WBI Energy Transmission, Inc.
2010 Montana Ave.
Glendive, MT 59330

Office: (406) 359-7295
Cell: (406) 853-4810
Email: Robbyn.Reukauf@WBIEnergy.com

From: Linn, Jill <Jill.Linn@wbienergy.com>
Sent: Tuesday, September 17, 2024 4:08 PM
To: Patton, Margaret M. <mmpatton@nd.gov>; Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Cc: Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: RE: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

Hi Margie,
Thank you for your review of this project modification. As we have worked through this plan, the construction teams have indicated that they may need to lay construction matting in the area identified with green hatching in the attached exhibit. WBI Energy believes construction matting does not change the "No Historic Properties Affected" determination, but please advise whether you concur. Again, thank you for your time and continued review of this project.

Regards,
Jill

Jill Linn
*Director, Environmental Affairs
and Operations*

WBIENERGY
TRANSMISSION

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

From: Patton, Margaret M. <mmpatton@nd.gov>
Sent: Tuesday, September 17, 2024 11:06 AM
To: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: RE: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request







**** 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. ****

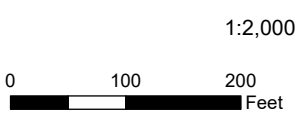
Hi Robbyn –


Attached is a letter for the temporary hose addition to the project. Please let us know if you have any questions -



This information is for environmental review purposes only.

-  TEMP Workspace Added
-  Temporary Water Uptake Line
-  Milepost
-  Centerline
-  Approximate Wetland Boundary
-  No Change






WBI ENERGY
TRANSMISSION
An MDU Resources Group company

Proposed Project Modifications

V67




ERM

Margie

Margaret (Margie) Patton, PhD
Research Archaeologist
[Archaeology & Historic Preservation/SHPO](#)
State Historical Society of North Dakota
612 E Boulevard Ave
Bismarck ND 58505
701 328 3576

Please send New project review requests to: SHSCulturalReview@nd.gov



HISTORY FOR *everyone.*

From: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Sent: Monday, September 16, 2024 9:47 PM
To: Patton, Margaret M. <mmpatton@nd.gov>
Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: Re: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Thank you for the update, Margie, I really appreciate it.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Patton, Margaret M. <mmpatton@nd.gov>
Sent: Monday, September 16, 2024 7:07:47 AM
To: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: RE: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

**** 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 Robbyn –

Its in the review queue at #30 of 94, with a due date of 9/21/24. We will be responding this week once we get to the review.

Margie

Margaret (Margie) Patton, PhD
Research Archaeologist
[Archaeology & Historic Preservation/SHPO](#)
State Historical Society of North Dakota
612 E Boulevard Ave
Bismarck ND 58505
701 328 3576

Please send New project review requests to: SHSCulturalReview@nd.gov



HISTORY FOR *everyone.*

From: Reukauf, Robbyn <Robbyn.Reukauf@WBIEnergy.com>
Sent: Monday, September 16, 2024 6:39 AM
To: Patton, Margaret M. <mmpatton@nd.gov>
Cc: Linn, Jill <Jill.Linn@wbienenergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Steckler, Lisa L. <lsteckler@nd.gov>
Subject: FW: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Hi Margaret,
I wanted to check in with you on the proposed SHPO addendum request that I submitted via email on 8/22/24. Originally, I had reached out to Lisa Steckler, who then passed along this email to you. This is SHPO Reference #21-6245.

Please let me know if you could provide a status update on this proposed addendum.

Thanks,
Robbyn Reukauf

WBI Energy Transmission, Inc.
2010 Montana Ave.
Glendive, MT 59330

From: Reukauf, Robbyn
Sent: Thursday, August 22, 2024 1:16 PM
To: Steckler, Lisa L. <lsteckler@nd.gov>
Cc: Lueder, Gay Lynn <GayLynn.Lueder@WBIEnergy.com>; Bates, Andrew <Andrew.Bates@WBIEnergy.com>; Pabst, Justin <Justin.Pabst@WBIEnergy.com>; Linn, Jill <Jill.Linn@wbienenergy.com>; Huncovsky, Greg <Greg.Huncovsky@WBIEnergy.com>; Kelly, Steve <Steve.Kelly@WBIEnergy.com>
Subject: WBI Energy's Wahpeton Expansion Project - SHPO Addendum Request

Hi Lisa,

We are currently still undergoing active construction on WBI Energy's Wahpeton Expansion Project. WBI Energy and the pipeline contractor (Jomax) is exploring options for the final hydrostatic test and is proposing to utilize the Maple River as a potential water source. WBI Energy has obtained the required State of North Dakota temporary water permit to utilize the Maple River for water withdrawal purposes.

After further assessment of the proximity of the Maple River in relation to where we need to fill the pipeline with water at the North end of the Project to conduct the final hydrostatic testing, we are proposing to lay approximately 2,400 feet of flat hose/irrigation pipe along the 163rd Ave. SE roadside ditch within the County Road right-of-way. The existing access road to reach the Maple River revised uptake point and the proposed temporary waterline pathway to lay the temporary hose/pipe is depicted on the attached exhibit. This temporary water line and existing access is located outside the approved environmental survey corridor. WBI Energy does not believe that this slight modification to the Project scope will change the original determination.

Please advise if you concur with WBI Energy's determination, and please reach out with any questions or concerns. I am traveling but will be checking my cellphone and email. Thank you very much for your time.

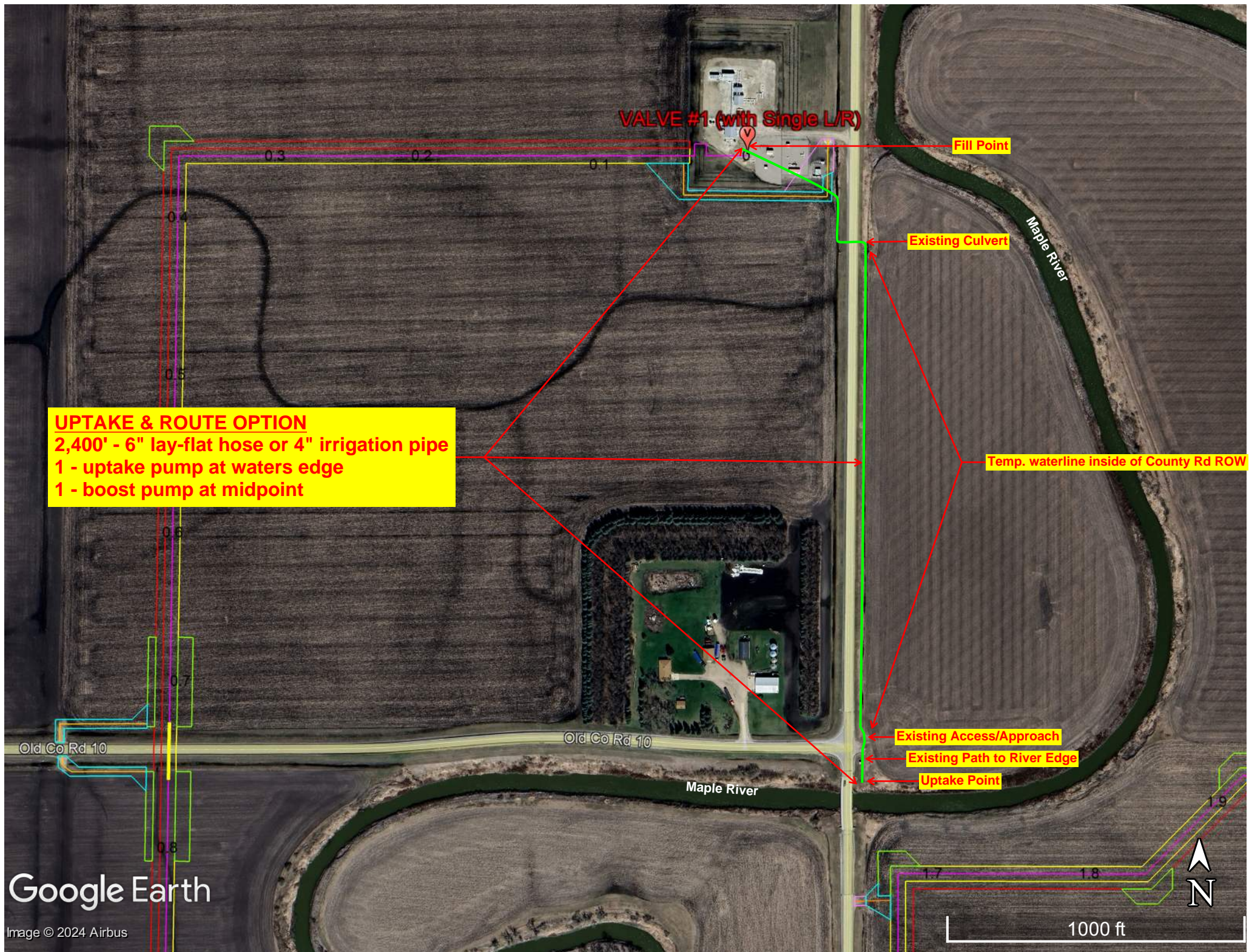
Thanks,
Robbyn Reukauf

WBI Energy Transmission, Inc.
2010 Montana Ave.
Glendive, MT 59330

Office: (406) 359-7295

Cell: (406) 853-4810

Email: Robbyn.Reukauf@WBIEnergy.com



VALVE #1 (with Single L/R)

Fill Point

Existing Culvert

Maple River

UPTAKE & ROUTE OPTION
2,400' - 6" lay-flat hose or 4" irrigation pipe
1 - uptake pump at waters edge
1 - boost pump at midpoint

Temp. waterline inside of County Rd ROW

Old Co Rd 10

Old Co Rd 10

Maple River

Existing Access/Approach

Existing Path to River Edge

Uptake Point

Google Earth

Image © 2024 Airbus

