



Wyoming Interstate
Company, L.L.C.
a Kinder Morgan company

November 15, 2023

Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Attention: Ms. Kimberly D. Bose, Secretary

Re: Wyoming Interstate Company, L.L.C., Fort Union Gas Gathering, L.L.C.,
Bison Pipeline LLC; Northern Border Pipeline Company;
Docket Nos. CP23-543-000, CP23-544-000 and CP23-545-000,
Response to Data Request – OEP/DG2E/Gas Branch 5

Commissioners:

On October 31, 2023, Wyoming Interstate Company, L.L.C. ("WIC"), Fort Union Gas Gathering, L.L.C. ("FUGG"), Bison Pipeline LLC ("Bison") and Northern Border Pipeline Company ("Northern Border") received a data request ("Data Request") in Docket Nos. CP23-543-000, CP23-544-000 and CP23-545-000 from the Office of Energy Projects Regulation ("OEP") seeking environmental-related information on the Bakken xPress Project. The Data Request sought information applicable to each of the applicant proposals. Accordingly, WIC is herein filing with the Federal Energy Regulatory Commission ("Commission") responses to the applicable questions in the Data Request.¹

Description of Proceeding

On September 18, 2023, WIC submitted its application, pursuant to Section 7(c) of the Natural Gas Act requesting a certificate of public convenience and necessity for authorization for WIC to lease 300,000 dekatherm per day of natural gas transportation capacity from FUGG, Bison and Northern Border for use by WIC that will be used to provide transportation service to its shippers. Concurrently, FUGG is seeking grant of a limited jurisdiction certificate to allow for the transportation of interstate natural gas through its respective systems, while leaving the entity's other natural gas gathering and processing operations exempt from NGA jurisdiction. The project is referred to as the "Bakken xPress Project."

¹ Bison and Northern Border will be separately submitting responses applicable to their applications.

Description of Information Being Filed

WIC is herein submitting its responses to the October 31, 2023 OEP Data Request questions.

Filing Information

WIC is e-Filing this letter and response with the Commission's Secretary in accordance with the Commission's Order No. 703, *Filing Via the Internet*, guidelines issued on November 15, 2007 in Docket No. RM07-16-000.

Respectfully submitted,

WYOMING INTERSTATE COMPANY, L.L.C.

/s/

Francisco Tarin
Director, Regulatory

Attachment

Certificate of Service

I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding in accordance with the requirements of Section 385.2010 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure.

Dated at Colorado Springs, Colorado as of this 15th day of November, 2023.

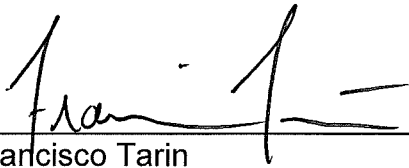
/s/

Francisco Tarin

Two North Nevada Avenue
Colorado Springs, Colorado 80903
(719) 667-7517

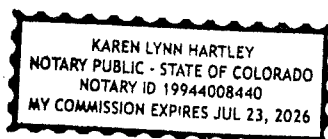
STATE OF COLORADO)
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COUNTY OF EL PASO)

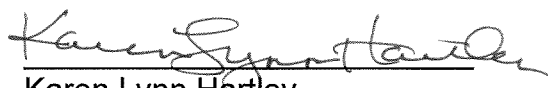
FRANCISCO TARIN, being first duly sworn, on oath, says that he is the Director of the Regulatory Affairs Department of Wyoming Interstate Company, L.L.C.; that he has read the foregoing Response to the Office of Energy Projects' Data Request dated October 31, 2023 in Docket Nos. CP23-543-000, CP23-544-000 and CP23-545-000, that as such he is authorized to verify the Response, that he is familiar with the contents thereof; and that the matters and facts set forth therein are true to the best of his information, knowledge and belief.



Francisco Tarin

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this 15th day of November, 2023.





Karen Lynn Hartley
Notary Public, State of Colorado
My Commission Expires: July 23, 2026

WYOMING INTERSTATE COMPANY, L.L.C.
Response to OEP Data Request
Dated October 31, 2023 in Docket No. CP23-545
Bakken xPress Project

CP23-545:

1. Provide the information to comply with section 157.206(b) of the Commission's regulations.

Response:

As noted in its application, WIC does not require the construction of any new facilities to provide the requested leased capacity arrangement. WIC will use existing facilities on its system to facilitate the lease arrangement. As such, no ground disturbance or changes to operational air and noise emissions are associated with WIC's requested authorizations and Section 157.206(b) is not applicable.

With regard to the non-jurisdictional facility modifications that will be undertaken by FUGG at the FUGG Bison Compressor Station located in Campbell County, Wyoming, the permitting information applicable to those construction activities were described in the permit matrix included as Exhibit Z-1 in the application. For ease of reference, FUGG has included the matrix behind this response. Note that FUGG reviewed the matrix for any necessary updates and determined the table is up to date.

Response prepared by or under the supervision of:

Francisco Tarin
Director, Regulatory
Wyoming Interstate Company, L.L.C.
719-667-7517

Non-Jurisdictional Construction Activities

1. General description of the project:

Installation of a compressor station with approximately 10,000 hp, one (1) 24" meter site, and associated facility piping to be located in Section 2, Township 48 North, Range 75 West in Campbell County, WY at the existing FUGG Bison Compressor Station in order to move gas from TC Energy Corporation's Bison Pipeline to FUGG's Ft Union P1, P2, and P3 pipelines.

2. Description of construction activities:

Installation of one compressor station, one meter site, and facility piping from TC Energy Corporation's Bison Pipeline to FUGG's Ft Union P1, P2, and P3 pipelines. The approximate length of those lines will be 400ft each. All construction activities will be done in accordance with applicable federal, state, and local environmental requirements during the planning, construction, and operation of the proposed project. Construction activities are expected to occur in 2025, depending on weather/site conditions.

3. Permitting:

See page 4.

4. Impacts of the construction activities:

The construction right-of-way width for the new pipeline connecting the new compressor station to FUGG's Ft Union P1, P2, P3 pipelines will be approximately 75 feet. The approximate acreage of disturbance during construction will be approximately 0.54 acres. Outside of the footprint of the existing FUGG Bison Facility property line there is one landowner from whom an easement will be acquired to support the construction of the discharge lines. FUGG has been in contact with this landowner to gain survey permission for the surveys mentioned below. The landowner was agreeable and was supportive of the project.

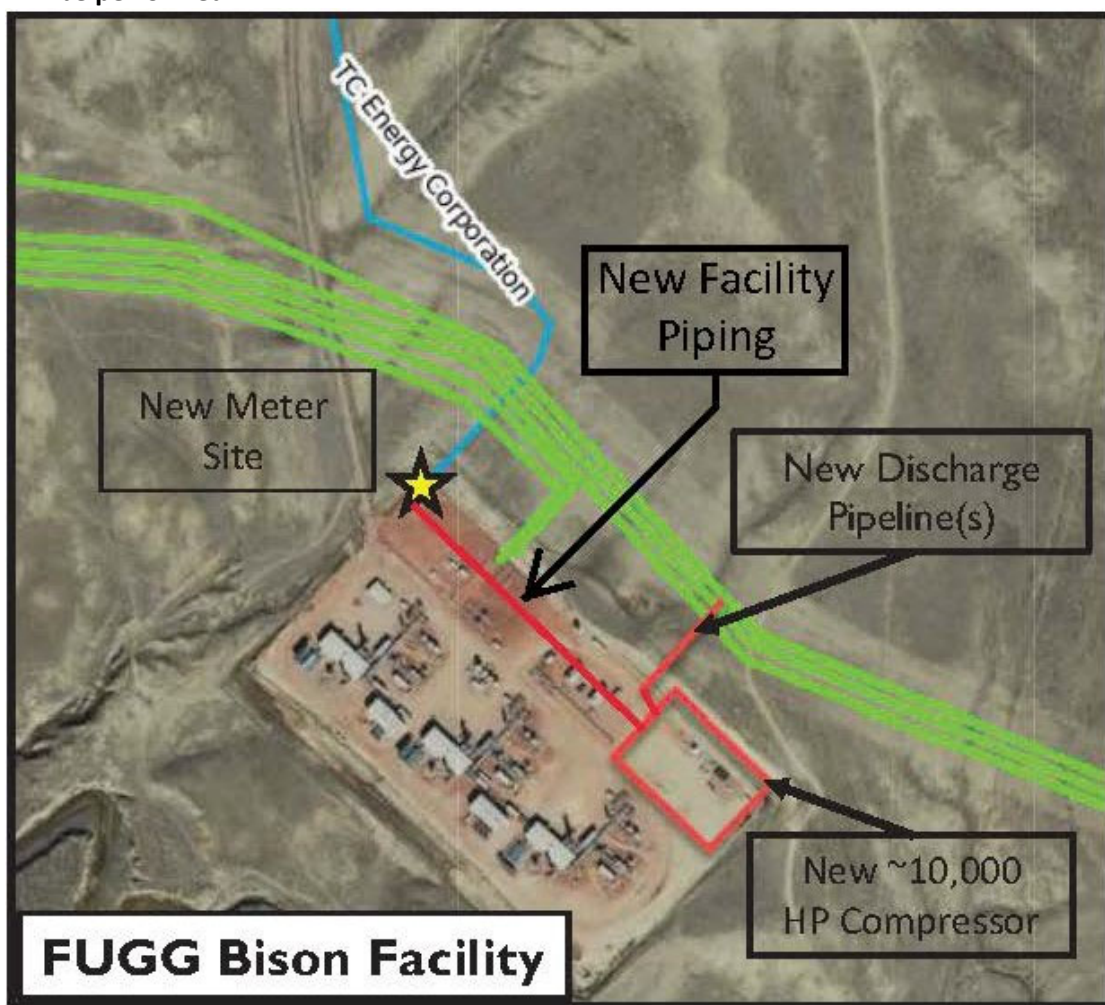
A Class III cultural resource inventory was conducted, and a report was prepared for a proposed pipeline on private surface in Campbell County, Wyoming to fulfill requirements of Section 106 and the National Historic Preservation Act. The inventory and report were designed following guidance from the Wyoming SHPO (2012). The undertaking included a Class III inventory of the proposed project area of disturbance. During field work, no cultural resources were identified within the proposed area of disturbance. Background research was conducted, and no historic properties were identified within the proposed area of disturbance or within one mile of the proposed project. A finding of No Historic Properties Affected with no further work is recommended.

A delineation of wetlands and other waters was performed based on the methodology described in the United States Army Corps of Engineers (USACE) Wetland Delineation Manual (Environmental Laboratory, 1987) and the Regional Supplemental to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (USACE, 2010). No wetlands or waters were identified within USACE jurisdiction for the proposed area of disturbance utilizing the USACE Jurisdictional Determination Form Instructional Guidebook (USACE-United States Environmental Protection Agency, 2007).

Non-Jurisdictional Construction Activities

A survey was conducted for threatened and endangered species in Campbell County, Wyoming. Prior to the survey, the U.S. Fish & Wildlife Service's (USFWS) information for Planning and Consultation (IPaC) website was reviewed for a list of USFWS Endangered Species Act (ESA) threatened, endangered, proposed, and candidate species designated critical habitat that may be present within the workspace associated with the proposed project. The results of the IPaC listed Ute's ladies'-tresses (threatened) and the monarch butterfly (candidate) but did not identify any federally designated critical habitats crossed by the proposed project. A field survey was conducted for characteristics of potential habitat for each species and the information recorded to determine if it was present within the proposed area. No potential for suitable habitat for Ute's ladies'-tresses or monarch butterfly caterpillars was observed within the survey area.

5. **Map of the construction activities showing the pipelines and the areas in which the construction will be performed:**



6. **Construction schedule for the proposed construction activities:**

The proposed construction schedule for the project is expected to take approximately fifteen (15) months depending on weather conditions and contractor productivity.

7. **List of the facilities to be constructed, including proposed construction work for each facility:**

One (1) 24" compressor station, one (1) 24" meter site, and associated facility piping will be

Non-Jurisdictional Construction Activities

constructed for this project. Most of the construction will occur within the existing FUGG Bison Facility footprint.

8. Permitting matrix for the construction activities, including permit, permitting agency, date of submission, and status:

See page 4.

9. List of the studies that have been performed in preparation for the construction, including the entity performing each study and the high-level conclusions of the studies:

Environmental surveys of the proposed project site were performed in August of 2023.

ONEOK, Inc., and its contractors, conducted a Class III cultural resource inventory along with a report for a proposed pipeline on private surface in Campbell County, Wyoming to fulfill requirements of Section 106 and the National Historic Preservation Act. The inventory and report were designed following guidance from the Wyoming SHPO (2012). The undertaking included a Class III inventory of the proposed area of disturbance. During field work, no cultural resources were identified within the proposed area of disturbance. Background research was conducted, and no historic properties were identified within the proposed area of disturbance or within one mile of the proposed project. A finding of No Historic Properties Affected with no further work is recommended.

ONEOK, Inc., and its contractors, performed a delineation of wetlands and other waters based on the methodology described in the United States Army Corps of Engineers (USACE) Wetland Delineation Manual (Environmental Laboratory, 1987) and the Regional Supplemental to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (USACE, 2010). No wetlands or waters were identified within USACE jurisdiction for the proposed area of disturbance utilizing the USACE Jurisdictional Determination Form Instructional Guidebook (USACE-United States Environmental Protection Agency, 2007).

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10. List of studies that are currently being performed or anticipated to be performed, including anticipated date of completion:

No additional studies are planned to be performed.

Non-Jurisdictional Construction Activities

TC to FUGG Discharge Line, Campbell County, Wyoming				
Consultation/Permit Matrix August 2023				
Agency	Permit, Approval, or Consultation Required	Applicability / Compliance	Schedule	Comments
FEDERAL				
US Army Corps of Engineers	Nationwide Permit 12	Clean Water Act Section 404	1-2 weeks for surveys	Project will be covered under Nationwide Permit 12. Confirm waterbody in project area is non-jurisdictional if looking to open cut waterbody feature. Field surveys must be conducted during the growing season (generally May-September timeframe.)
U.S. Fish and Wildlife Service	Rare species, migratory bird, and raptor consultations	Endangered Species Act, Migratory Bird Treaty Act, and Bald and Golden Eagle Protection Act compliance	Varying survey windows for compliance	Field surveys required to confirm no potential for suitable habitat for Ute’s ladies’-tresses, monarch butterfly caterpillars, and NLEB (No Tree Take) within the survey area (compliance with General Conditions of NWP 12). Ute's Ladies' Tresses (presence/absence survey window is generally July-Sept), Monarch caterpillars (April-June), NLEB - no survey needed since no trees are present in the project footprint (confirmed via aerial review).
STATE - WYOMING				
WY Department of Environmental Quality	NPDES Permit	Clean Water Act Section 402	30-45 days	Small Construction General Permit is NOT required since disturbance will be less than 1 acre of land (0.54 acres of disturbance). SWPPP required on site and BMPs needed for construction
WY Department of Environmental Quality	Wastewater Discharge Permit (Hydrostatic Test Water)	Clean Water Act Section 402	30-45 days	Necessary if discharging hydrostatic test water. Unknown at this time, but permit will be acquired prior to water discharge.
Wyoming Department of State Parks and Cultural Resources, SHPO	Cultural Resources Consultation	NHPA Section 106	2-4 weeks	Confirm finding of No Historic Properties Affected. Review Class I cultural desktop to review previous surveys conducted in the Project Area. If any areas previously unsurveyed, conduct Class III cultural survey to confirm compliance with Section 106 (for NWP 12). If Class III has to occur, this must take place outside of snow cover/frozen ground conditions.
Wyoming State Engineers Office, Surface Water Division	New Appropriation for Domestic Use or Temporary Change Permit	Wyoming State Law W.S. 41-3-101	60-90 days	Necessary if utilizing water from a natural source. Unknown at this time, but permit will be acquired prior to any water appropriation.
WY Department of Environmental Quality	Title V Permit Modification	Clean Air Act Title V	3-month application prep; 8-10 months for agency review	Amending existing Title V at Bison Compressor Station
COUNTY/LOCAL-CAMPBELL COUNTY				
None				