



— BUREAU OF —
RECLAMATION

Mni Wiconi Core System TransCanada Keystone Crossing

Construction of Protective Measures

Mni Wiconi Core Treatment Plant
February 28, 2020

Introductions

- EBDC Committee Members
- OST Representation
- Mni Wiconi Core System Staff
- Bureau of Reclamation
 - Arden Freitag - Dakotas Office Area Manager
 - Joe Hall – Dakotas Office Deputy Area Manager
 - Stacy Myhre - Deputy Rural Water Division Manager
 - Chris Haines - Core System AOTR



Meeting Objectives

- Informational and Open Discussion
- Focus on Protective Measures Construction
- Understand Details of Construction
- Discuss Project Administration Options





United States Department of the Interior

BUREAU OF RECLAMATION
Dakotas Area Office
304 East Broadway Avenue
Bismarck, ND 58501

IN REPLY REFER TO:

DK-2000
2.2.4.23

FLP 13 2020

CERTIFIED – RETURN RECEIPT REQUESTED

Honorable Julian Bear Runner
President
Oglala Sioux Tribe
P.O. Box 2070
Pine Ridge, SD 57770

Subject: Consultation and Notice of Operation and Maintenance and Replacement (OM&R)
Requirement, Cooperative Agreement No. 99FFC601351 for OM&R of the Oglala Sioux
Rural Water Supply System (OSRWSS) Core System, Mni Wiconi Project, South Dakota

Dear President Bear Runner:

As conveyed to your office on February 11, 2020, due to unavoidable changes in schedule, Regional Director Mike Black is unable to meet with you on February 27, 2020. Our office would like to continue to seek a date that works for both parties. Given the issues, I believe that a meeting would be both easier to schedule and more productive if it were limited in scope to a smaller group. Mr. Black will be in our area in late April, and a meeting on April 30, 2020, at the Mni Wiconi Water Treatment Plant in Fort Pierre would be feasible. Topics for the meeting should include how the protective measures on the OSRWSS Core System, as described below, can be implemented. I suggest a call between you and me to coordinate the specifics of rescheduling our meeting.

The other topic of importance I wish to address is the need to install protective measures on the OSRWSS Core line in response to the proposed TC Energy Keystone XL pipeline construction that crosses OSRWSS in two locations. Since this work falls within the purview of the PL 93-638 Agreement (Agreement) between the Oglala Sioux Tribe and Reclamation for the OM&R of the OSRWSS, we will be coordinating this effort through OSRWSS Director, Ron Blacksmith. Please consider this letter as notice of our need to collaborate on completing this important work consistent with Section J. in our Agreement.

Thank you for your continued interest in cooperating on our shared interest in the management of the OSRWSS. Please do not hesitate to contact me at (701) 221-1201 or arfcitag@usbr.gov to discuss rescheduling a meeting or the protective measures associated with the TC Energy pipeline crossing.

Sincerely,

Arden Freitag
Area Manager

cc: See next page





United States Department of the Interior

BUREAU OF RECLAMATION
Dakotas Area Office
304 East Broadway Avenue
Bismarck, ND 58501

FEB 17 2020

IN REPLY REFER TO:

DK-2000
2.2.4.23

Mr. Ron Blacksmith
Operation and Maintenance
OSRWSS – Mni Wicomi Water Treatment Plant
28542 Trails End Road
Fort Pierre, SD 57532

Subject: Installation of North Core Waterline Protective Measures – Cooperative Agreement No. 99FFC601351 for OM&R of the Oglala Sioux Rural Water Supply System (OSRWSS) Core System, Mni Wicomi Project, South Dakota

Dear Mr. Blacksmith:

Under our Cooperative Agreement for OM&R of the OSRWSS Core System, the Oglala Sioux Tribe (Tribe) is responsible for performing the activities necessary for continued, reliable, and safe water delivery. Relative to the potential construction of the TC Energy Keystone XL pipeline, we need to address the installation of protective measures where the pipeline is proposed to cross the water system along the North Core 14-inch waterline. I am requesting your concurrence on implementing these protective measures.

The protective measures (Project) would include 300-feet of continuous encasement of the North Core 14-inch waterline and lower the elevation of the waterline as established in the crossing criteria approved in 2013. Reclamation believes there are two options for the administration of the Project.

Option 1: The OSRWSS Core System would administer the Project. The Project would be administered similar to the current Murdo Water Tower project, where the OSRWSS would use their existing consulting engineer to develop plans and specifications, and to provide construction oversight. This allows the Tribe to use a familiar construction process and allows the operations staff to coordinate any required transitions directly with the tribal contractor. Further, the Tribe would collect applicable fees associated with the Project. Reclamation would provide technical assistance during the Project.

Option 2: The second option would be for Reclamation to administer the project. Reclamation would procure engineering services and contract construction of the protective measures. Reclamation would still consult with operations staff, including locating the pipeline and transition to the new waterline.

INTERIOR REGION 5 • MISSOURI BASIN

KANSAS, MONTANA, NEBRASKA, NORTH DAKOTA, SOUTH DAKOTA

7/2016



Core System Easement Authority

- November 4, 2011 Letter to President John Yellow Bird-Steele

Reclamation, on behalf of the United States, does not have the power to grant or deny TransCanada easement across, through, or under water pipeline easements which burden private property in South Dakota...

Reclamation has an obligation to protect these facilities. In order to carry out that obligation, we plan to continue consultations with the Oglala Sioux Tribe and TransCanada to ensure that proposed Keystone XL Pipeline crossings will be constructed in a manner which will not interfere or endanger the Mni Wiconi Project Pipelines.

- Crossing Criteria was developed and Finalized in April 2013



Crossing Criteria - General

- Not later than 10 days before start of construction, TransCanada shall provide OSRWSS and Reclamation with notice of the start of construction in the vicinity of the crossing to facilitate monitoring and observation.
- TransCanada shall be responsible for addressing landowner concerns, issues and interests within the OSRWSS right-of-way or easement.
- A minimum clearance of 6 feet between the TransCanada Keystone XL pipeline and the OSRWSS Core System potable water pipelines at both crossing shall be maintained.



Crossing Criteria - General

- TransCanada must design its crossings such that the OSRWSS Core pipeline suffers no reduction in working pressure rating or pipeline integrity due to the operations of TransCanada. TransCanada will design the Keystone XL pipeline at both crossings with a 50 percent working pressure factor (as referenced in Appendix M of the Plan of Development). The higher pressure rated pipe should extend through the existing OSRWSS Core rights-of-way at both crossing locations.
- TransCanada shall install above ground signage (noting Keystone Pipeline location), and provide copies of as-built drawings of the Keystone XL Pipeline crossings to OSRWSS and Reclamation within 90 days of substantial completion of the crossing. The as-built drawings will show the location of the Keystone XL pipeline, the OSRWSS Core System pipelines and the fiber optic cables. The drawings will denote the latitude and longitude coordinates at each crossing location.



Crossing Criteria – North Core

- TransCanada shall provide OSRWSS and Reclamation with drawings and specifications for review and comment of all features of construction at the crossing. Comments will be provided to TransCanada which shall be incorporate into the final project Plan of Development.
- The North Core pipeline (14 inch PVC) will be relocated a minimum of 6 feet below the planned bottom of the Keystone XL pipeline at the crossing location.
- The North Core pipeline (14 inch PVC) pipeline will include a casing pipe using fused joint PVC pipe designed with sufficient diameter and wall strength for the burial conditions. Ends of casing pipe will be sealed.



Crossing Criteria – North Core

- The casing pipe will have a minimum total length of 300 feet (150 feet each side of crossing) or longer depending on allowable deflection of the North Core pipeline (14 inch PVC) and fused joint PVC pipe.
- The North Core pipeline relocation shall be designed and constructed in accordance with industry acceptance standards including applicable American Water Works Association manuals and 10 States Standards - Recommended Standards for Water Works.
- The North Core pipeline relocation site will be reclaimed as near as possible to its condition prior to the disturbance. The North Core pipeline will be relocated in a manner that causes the least interference to the landowner and their use of the land and if any injury is necessarily done to appurtenances such as roads, ditches, drainage, fences, vegetation, etc., it will repair or replace the same or will pay the landowner for such injury.

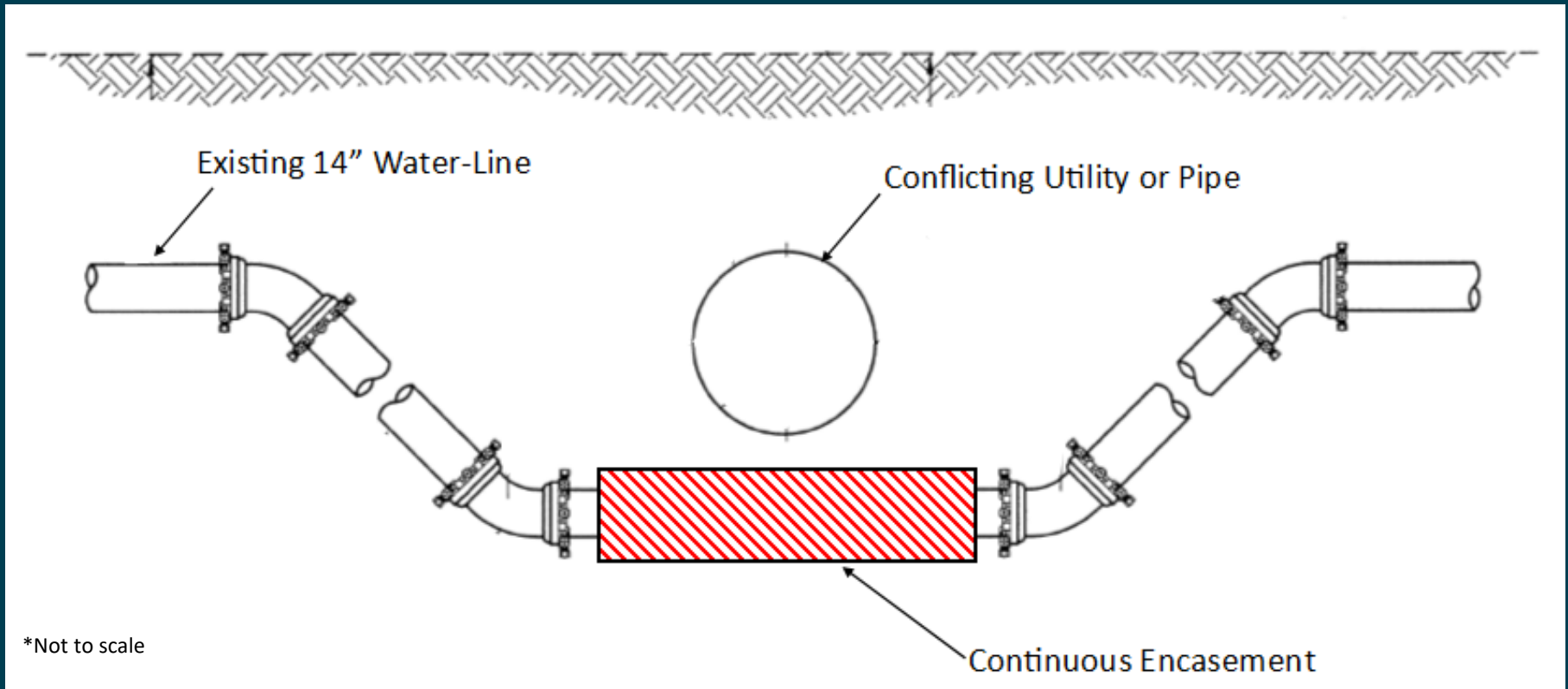


Summary of North Core Crossing

- Minimum of 6 feet between TransCanada Pipeline and OSRWSS Core System water pipeline
- 50% working pressure factor
- Encasement pipe will be continuous fused joint PVC
- Minimum casing length of 300'



Typical Crossing Detail



Project Administration Option 1

1. OSRWSS Core System administer the Project

- Same method as the current Murdo Water Tower Construction
- Core System would use their existing consulting Engineer AE2S.
- Familiar process for program and operations staff
- Tribe could collect applicable fees associated with construction projects



Project Administration Option 2

2. Reclamation Administers the Project

- Reclamation would procure engineering services for plans, specifications, and construction services.
- Reclamation would still coordinate with operations staff for locates and transition to new pipeline.
- Tribe would not be able to collect applicable construction fees



North Core Crossing

Open Discussion



Crossing Criteria – South Core

- TransCanada shall provide OSRWSS and Reclamation with drawings and specifications for review and comment of all features of construction at the crossing, including cathodic protection. The cathodic protection design is of particular concern to assure it does not impact the South Core pipeline or its cathodic protection system. Comments will be provided to TransCanada which shall be incorporated into the final project Plan of Development.
- TransCanada shall bore under the OSRWSS South Core pipeline right-of-way, which is 75 feet wide.



Crossing Criteria – South Core

- The OSRWSS South Core line (24 inch diameter steel) is protected by an induced current ground bed. TransCanada must coordinate and correspond with OSRWSS's and Reclamation's corrosion experts prior to developing crossing plans to assess the potential impacts of interference of its pipeline.
- TransCanada shall install test stations as shown on Drawing CP-1. An alternate design / location of the corrosion protection test station may be used if mutually acceptable.



Crossing Criteria – South Core

- TransCanada shall not case the Keystone XL pipeline crossing under the OSRWSS South Core line due to potential cathodic protection interference problems. If this is not possible, then TransCanada must provide a cathodic protection plan for review, comment, and approval from OSRWSS and Reclamation which accounts for the casing pipe.
- OSRWSS has a buried fiber optic cable installed above the South Core pipeline that was placed by plow; its precise location is unknown. The burial depth information provided on the drawings is for information purposes only. TransCanada shall take whatever precautions necessary to avoid damaging the buried fiber optic cable.



Summary of South Core Crossing

- OSRWSS and Reclamation to review Keystone Pipe-line construction details
- TransCanada to bore under full 75' Mni Wiconi Easement width
- 50% working pressure factor
- Corrosion experts to review cathodic protection details
- Protect buried fiber optic cable



Next Steps

1. Determine Protective Measures Project Administration entity.
2. Assist OSRWSS Core System and its consulting engineer AE2S with the development of an Emergency Response Operations Plan.



Thank you

Questions

