



Permit No. <b>97514</b>
Revision Date
One-Call Report No.
Your Local One-Call No. Is 811

## ENCROACHMENT PERMIT

This Encroachment Permit is made and entered into on the date indicated below by and between the encroaching party ("PERMITTEE") and Northern Natural Gas Company ("NORTHERN"), as set forth below, for the purpose of allowing PERMITTEE to construct or maintain an encroachment on NORTHERN'S right-of-way or facilities. Facilities shall include, but are not limited to: fee properties, easements, pipelines, meter buildings and valve sites.

Encroaching Party (PERMITTEE): Iowa Department of Agriculture Landowner Name: David Greteman  
Name: Mike Bourland Line No (s): IAB62201 Carroll Branch Line  
Address: 502 East 9th St Des Moines, IA 50319 Address: 23731 210th St Carroll, IA 51401  
Phone: 515-242-6130 Phone: 712-830-6009  
Location of Encroachment: State: Iowa County: Guthrie City: \_\_\_\_\_ District: Ogden  
Milepost: 1.70 Eng. Stations: \_\_\_\_\_ Section: 30 Township: 81N Range: 31W

**Description of Encroachment:** This encroachment includes drain tile work associated the Ag Stewardship Program that will assist in the event of a 100-year flood. The proposed wetland permanent pool would not overlap the gas pipeline, no grading would take place near the pipeline, some tile work would need to cross the pipeline in 1 location, temporary flooding (during rain events) may cause water to pond over the pipeline for a short section (350 feet or so). Those flood waters would be in roughly an 8-inch rain event (100-year, 24-hour storm). The temporary inundation would last less than 4 hours.

This permit is granted to Permittee subject to the terms, requirements, conditions and special provisions shown below and the encroachment specifications shown on the reverse side of this form.

### NOTICE: ANY DAMAGES TO NORTHERN'S FACILITIES SHALL BE REIMBURSED IN ENTIRETY BY PERMITTEE

- It is understood that the PERMITTEE will cause the encroachment at no expense to NORTHERN. PERMITTEE agrees to supply NORTHERN plans and drawings, in detail, illustrating the proposed encroachment and NORTHERN'S facilities, unless NORTHERN elects not to require such plans.
- So that NORTHERN may schedule its personnel - and not delay PERMITTEE'S work, PERMITTEE agrees to notify NORTHERN 48-72 hours before any work commences on or near its right-of-way facilities.
- This permit does not change or modify any provisions of NORTHERN'S existing right-of-way contracts or easements, unless such easements are required to be amended as a result of PERMITTEE'S encroachment. PERMITTEE acknowledges that the granting of this Permit may require amendment of the existing right-of-way contract or easement to reflect a change in land use or land rights.
- This Permit shall be revocable in the event of noncompliance of any terms, requirements, conditions and specifications of this Permit upon written notice given to PERMITTEE and/or current owner of record.
- PERMITTEE is responsible for compliance with one-call laws.
- PERMITTEE shall, only to the extent consistent with and permitted by Article VII, Section 1 of the Iowa Constitution and Iowa Code Chapter 669, indemnify NORTHERN from and against any claim, as defined in Iowa Code SS669.2, caused directly by the negligent or wrongful acts or omissions of any employee of the PERMITTEE, as defined in Iowa Code SS669.2, while acting within the scope of the employee's office or employment in connection with the performance of this Agreement.
- PERMITTEE agrees that NORTHERN may remove any encroachment, or portion thereof, at PERMITTEE'S expense, if in NORTHERN'S judgment it is reasonably necessary to do so in order to construct, alter, maintain, repair or replace gas transmission facilities located within the right of way and easement. Should NORTHERN remove any such encroachments, or portions thereof, NORTHERN will not be liable to PERMITTEE or its successors or assigns for any damages resulting by reason of such removal, except for those damages arising out of the sole negligence of NORTHERN. In no event shall NORTHERN be required to replace the encroachment or any part thereof.
- PERMITTEE will require its contractor to provide evidence of general liability and other appropriate and usual insurance prior to any activity and/or construction on or near NORTHERN rights-of-way. In the event of excavation under NORTHERN pipelines, NORTHERN must be named as additional insured by the contractor. Any rights of subrogation or recovery will be waived in favor of NORTHERN. The insurance limits, terms and conditions that may be required will be dependent on the specific facilities potentially impacted and what would be usually and prudently obtained in similar industry situations.

Special Provisions: The attached Engineering Review (Exhibit A) and overall plan drawing (Exhibit B) are a part of this encroachment permit.

#### PERMITTEE

On this 24<sup>th</sup> day of August, 2022, I acknowledge that I have received, and reviewed with a NORTHERN representative, the requirements, conditions and specifications of this Permit. I also understand the provisions and prescribed penalties as provided under the law regarding excavation.

By: Michael A. Grebe

Title: Environmental Engineer Senior

Your local NORTHERN contact is:

Right of Way - Jennifer Sweeney 651-402-1776

Operations - Logan Hamel 402-378-0377

NORTHERN NATURAL GAS COMPANY

By: [Signature]

Title: Bryan Kruger - Director, Right of Way

DISTRIBUTION: 1. WHITE - ROW

2. CANARY - Operations

3. PINK - Engineering

4. GOLDENROD - Permittee

REV NNG FORM # \_\_\_\_\_

1 of 2

08/04

## ENCROACHMENT SPECIFICATIONS

NORTHERN NATURAL GAS COMPANY COMPANY, hereinafter called "NORTHERN," is an interstate transporter of natural gas, which is regulated by the U.S. Department of Transportation Office of Pipeline Safety. The following specifications are designed to comply with applicable state and federal regulations, to assure the safety of the public and to protect the pipeline.

The following specifications are minimum requirements for most proposed encroachments to avoid conflict with the existing easement rights. These are not the only types of activities permitted. Additional specifications may be required depending upon the proposed encroachments. Please contact the nearest NORTHERN office to review your individual situation.

### GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS

- A) Most state laws require 48 hours notice be given to utility companies prior to beginning excavation. This may be accomplished by contacting a "One-Call" or "Dig Alert" system (check your state).
- B) NORTHERN'S easement restricts the placement of a structure or any part of a structure within the right-of-way, except as herein permitted.
- C) An authorized NORTHERN representative must be on site during any work performed on or across the right-of-way, and will remain as long as power equipment is utilized.
- D) The NORTHERN representative will determine the existing cover over the pipeline for you.
- E) Any change in the amount of existing cover material (soil) on and over the right-of-way must be approved in advance and shall be no less than that required by the U.S. Department of Transportation.

### 1) FENCES

- A) Fences installed parallel to the pipeline, if permitted, will be offset from the center of the pipeline as designated by Northern's representative. For fences installed across the right of way, the first post either side of the pipe shall be set in a hand dug hole.
- B) PERMITTEE shall provide access through or around fences crossing the right-of-way to allow performance of normal right-of-way maintenance.
- C) Installer shall adhere to provisions A and C of GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS.

### 2) LANDSCAPING (plantings that require excavating deeper than 1 foot)

- A) Flower beds and shrubs are permitted within the right-of-way, but may be damaged by required annual surveys, if planted directly over the pipeline. Heavy maintenance may require total clearing of the right-of-way.
- B) Lawns and vegetable gardens are acceptable uses.
- C) Provisions A and C of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS pertain to this type of planting.

### 3) STREETS, ROADS AND DRIVEWAYS

- A) Residential driveways intended for light vehicle access to a single-family dwelling must have a minimum of 36 inches of cover over the pipeline.
- B) Driveways shall not run lengthwise within the right-of-way and must cross on an angle, which when measured between the proposed drive and the right-of-way is not less than 45 degrees.
- C) An opportunity for NORTHERN to make a pipe inspection must be given prior to the start of any construction.
- D) Provisions A, C, D and E of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS pertain to driveway crossings.
- E) Street or road construction requires a special encroachment agreement from the Right-of-Way and Land Department, and plans for such crossings should be submitted 90 days prior to work commencement to allow time for project impact review by the local NORTHERN office.

### 4) TEMPORARY EQUIPMENT CROSSINGS

- A) To protect NORTHERN'S pipeline from external loading, NORTHERN must perform an engineering evaluation to determine the effects of any proposed equipment use. Mats, timber bridges or other protective materials deemed necessary by NORTHERN shall be placed over NORTHERN facilities for the duration of any loading. Protective materials shall be purchased, placed and removed at no cost to NORTHERN. The right-of-way must be restored to its original condition.
- B) NORTHERN may require markings to identify specific areas where equipment use is authorized. Vibratory equipment is not permitted on the right-of-way.

### 5) OPEN WATERWAYS

- A) Open waterways smaller than 3 feet wide at the bottom are defined as "ditches" and must have a minimum of 36 inches of cover from the top of the pipe to the bottom of the ditch, or the ditch must be lined using an approved method and material. Larger open waterways are defined as "canals" and are considered on an individual basis.
- B) Anyone altering (clearing, regarding or changing alignment) a waterway must obtain approval from NORTHERN prior to making changes and shall meet Provisions A and C of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS.
- C) An opportunity will be provided for NORTHERN to install casing and/or other structural protection prior to canal installation.

### 6) EXCAVATION

- A) Plans for any excavation on the right-of-way must be approved prior to commencing work. Excavating within 18 inches of the pipeline shall be done by hand until the pipeline is exposed and shall be done only in the presence of an authorized NORTHERN representative. When excavating

for crossing a ditch line, after the pipe has been exposed, the excavation equipment must be positioned such that it will not reach within 1 foot of the pipeline. Final stripping on sides and top of the pipeline shall be by hand.

- B) When a backhoe is used, the bucket teeth should be curled under each time it is brought back into the ditch to reduce the chance of teeth contacting the pipe.
- C) Any plowing or ripping of soil on the right-of-way, including agricultural, at depths greater than 15 inches will be handled on an individual basis.

### GENERAL REQUIREMENTS FOR BURIED LINE CROSSINGS

- A) All buried lines crossing NORTHERN'S right-of-way shall be installed in accordance with Northern's Operating procedure 80.103, Crossing of Company Pipelines by Foreign Operators, all applicable codes and requirements governing such installations.
- B) All foreign lines shall cross NORTHERN'S right-of-way at an angle as close to 90 degrees as possible. Parallel occupancy of NORTHERN'S right-of-way shall not be permitted.
- C) All buried lines should cross under the pipeline. However, when obstructions or unfavorable soil conditions are encountered, or when the NORTHERN pipeline is located at a depth greater than 3 feet, approval to cross over the line may be granted.
- D) All buried lines crossing the NORTHERN pipeline shall maintain a minimum separation of 12 inches between the two facilities, with the same depth carried across the entire right-of-way.
- E) A joint trench is the recommended method for multiple utility crossings. Under normal circumstances this requires that only one permit be obtained by the excavating company.
- F) No foreign appurtenances (meters, poles, drop boxes, collection basins, etc.) shall be located on the right-of-way, except as herein permitted.
- G) A 6-inch wide vinyl burial warning tape shall be placed 12 to 18 inches above the crossing line and extend across the entire right-of-way, as a protective measure.
- H) An authorized NORTHERN representative must be on-site during all excavation and clean-up work performed on the right-of-way.

### 7) COMMUNICATION LINES TELEPHONE, TV, OTHER DATA LINES

- A) Communication lines shall meet all provisions of the GENERAL REQUIREMENTS - BURIED LINE CROSSINGS.
- B) Communication lines shall be encased in a rigid nonmetallic conduit across the full width of the right-of-way.
- C) Signs shall be placed at each edge of the right-of-way to mark the underground cable angle and path of crossing. If the underground cable crosses above the pipeline, the signs shall so indicate. These signs are to be furnished by the power company or the encroaching party.

### 8) POWER LINES

- A) Power lines shall meet all of the above GENERAL REQUIREMENTS - BURIED LINE CROSSINGS and shall be installed in accordance with the National Electrical Safety Code.
- B) Power lines shall have minimum clearances between lines of 12 inches or greater.
- C) Power lines of 600 volts or more shall cross a minimum of 3 feet below the pipeline.
- D) Power lines shall be encased in rigid nonmetallic conduit.
- E) Signs shall be placed at each edge of the right-of-way to mark the underground cable angle and path of crossing. If the underground cable crosses above the pipeline, the signs shall so indicate. These signs are to be furnished by the power company or the encroaching party.

### 9) SANITARY SEWER AND WATER CROSSINGS

- A) Sewer and water lines shall meet all above GENERAL REQUIREMENTS - BURIED LINE CROSSINGS.
- B) Sewer line crossings are limited to tight lines only.
- C) Septic tanks and drain fields are not permitted within the right-of-way.

### 10) SUBSURFACE DRAINAGE TILE (NONMETALLIC)

- A) Drainage tile shall meet provisions A, B, D, F, G, and H of GENERAL REQUIREMENTS - BURIED LINE CROSSINGS.

### 11) METALLIC PIPE CROSSINGS

- A) All metallic pipes crossing NORTHERN'S pipeline, shall be installed pursuant to Northern's Operating procedure 80.103, Crossing of Company Pipelines by Foreign Operators.

### 12) OVERHEAD LINE CROSSINGS

- A) Shall maintain a minimum of 30 feet of vertical clearance across the right-of-way.
- B) Shall have no poles or appurtenances located on the right-of-way.
- C) Above ground crossings shall not be above or closer than 30 feet horizontally to any gas escape vent (e.g., relief valve vent, station blow down vent, block valve vent, etc.).

### 13) BLASTING

- A) Blasting for grade or ditch excavation shall be utilized only after all other reasonable means have been used and are unsuccessful in achieving the required results.
- B) Depending on type of pipeline facilities blasting must be a minimum perpendicular distance of between 150 and 300 feet from Northern facilities.
- C) Blasting plans shall be submitted to NORTHERN for approval at least 4 days prior to the anticipated start of any blasting activities.
- D) All blasting shall be done with the NORTHERN authorized representative present.

## EXHIBIT A



To: Iowa Department of Agriculture  
From: Northern Natural Gas

Date: 08/24/2022

Northern Natural Gas (NNG) engineering has reviewed the preliminary site plan provided by the developer, the Iowa Department of Agriculture, for the proposed land development project. The developer's plan consists of installing a wetland permanent pool that would not overlap the gas main location or have any grading near the pipeline. The design will include a tile work crossing in one location. There will also be a temporary site access route across the pipeline during construction. Temporary flooding during rain events (8 inches or more) may cause water to pond over the pipeline in an approximate 350 foot section for less than 4 hours. NNG owns a blanket easement in this area.

The proposed development will encroach upon an NNG high pressure natural gas branch line, the 6-inch-diameter IAB62201 in Section 30, Township 81N, Range 31W of Guthrie County, IA, near pipeline milepost 1.70.

### Engineering Notes

Engineering approves of the encroachment under the following conditions:

- Engineering makes note of the encroachment guidelines (ES-0065) listed below.

### Encroachment Guidelines

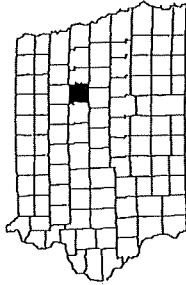
- **Representation:** An NNG representative shall always be present when excavation work is being performed within 25 feet of NNG's pipeline. This requirement is per NNG operating procedure OP 80.102, "Damage Prevention Program." The contractor shall provide NNG a Iowa utility one call ticket with 48-hour notice prior to excavating in the area.
- **Excavation:** Mechanical excavation is allowed up to 24 inches from the NNG pipeline. Hand excavation or hydrovac excavation is required when excavating 24 inches or closer to NNG's pipeline.
- **Permanent Structures:** Any enclosed structure or building permanent in nature regardless of purpose may not be installed inside the NNG easement and should be installed a minimum of 35 feet from NNG facilities.
- **Foreign Utilities:** All foreign utilities (water, gas, sanitary, sewer, oil, communication, etc.) must cross NNG's pipelines at or near a right angle with a required minimum of 12 inches of separation. It is preferred that foreign utilities cross under NNG's pipeline where reasonable. Foreign utilities running parallel to NNG facilities must be placed a recommended minimum offset of 30 feet from NNG facilities.
- **Appurtenances:** All above grade appurtenances shall not interfere with ground patrols or leak surveys. All light poles, manholes, signs, trees, shrubs, etc. must be placed a recommended offset distance of 30 feet from NNG facilities.
- **Fence Posts:** New residential, commercial, and industrial fences may not cross pipelines. Fences running parallel to NNG facilities have a minimum recommended offset of 20 feet.
- **Grade Modifications:** Earthwork and other grade modification must maintain a minimum of 36 inches of cover (or existing cover if less than 36 inches) over NNG's pipeline after construction in all locations. Grading modifications shall not be designed to impound water above NNG facilities.
- **Parking Lot and Pavement:** NNG recommends a designated 15-foot-wide "green belt" space to accommodate future leak tests. If concrete or asphalt surfaces will extend within the proposed "green belt"

space for more than 100 feet over NNG's pipeline, NNG requires automatic sealing testing ports (cast iron valve boxes or approved equivalent) be installed in the proposed parking lot to accommodate regular leak detection surveys by NNG field operations personnel. Testing ports are to be installed 1-2 feet off the centerline of the pipe with a maximum distance of 100 feet between testing ports.

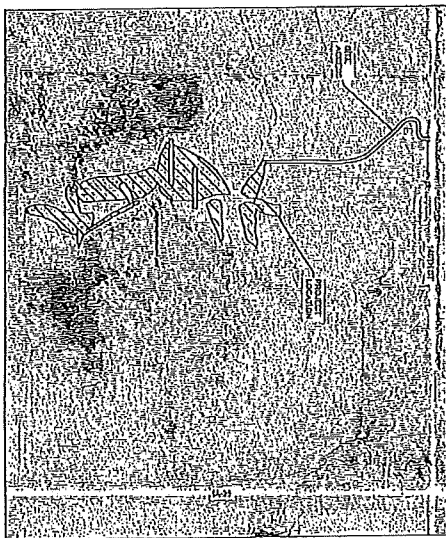
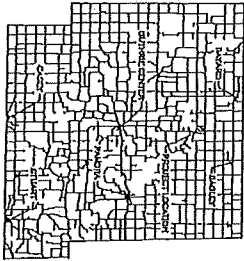
- **Road Crossings:** All road crossings must cross the NNG pipeline at or near a right angle and maintain a minimum of four feet of cover over the pipeline within the roadway and road ditches. Roads running parallel to NNG's facilities must be outside the easement and offset a recommended distance of 25 feet from NNG facilities.
- **Heavy Vehicle Crossings:** As a guideline, all vehicular crossings over the NNG pipeline have the following load restrictions (per ½ axle) without additional protection:
  - o >24" Cover – 20,000 lbs.
  - o ≥36" Cover – 20,000 lbs.
- NNG engineering requests vehicle specifications for all construction equipment exceeding 80,000 lbs. gross vehicle weight or exceeding the specified load restrictions that will be anticipated to cross NNG facilities. NNG engineering shall recommend appropriate crossing protection methods, if required. Potential crossing protection methods include use of timber/steel plate matting, temporary bridge structures, or pipeline reinforcement.
- Any damages or modifications to NNG's facilities shall be repaired or modified at the expense of the encroaching party. An estimate can be provided by NNG for any modifications or repairs as required.

NNG requires that the encroachment conditions are met to ensure pipeline integrity and safety during and after construction. NNG engineering will continue to review any revised construction plans and new proposals as they are developed.

## STATE OF IOWA.



**GUTHRIE COUNTY**



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Sheet List Table	
Sheet Number	Sheet Title
000	COVER SHEET
001	PROJECT SUMMARY & LIMITS
002	DESIGN SITE CONDITIONS
003	PROPOSED DRAINAGE PLAN
004	EXISTING DRAINAGE PLAN
005	PROPOSED EROSION PLAN
006	EXISTING EROSION PLAN
007	PROPOSED CUTTING PLAN
008	EXISTING CUTTING PLAN
009	PROPOSED CULVERT PLAN AND PROFILE
010	EXISTING CULVERT PLAN AND PROFILE
011	PROPOSED STRUCTURE PLAN AND PROFILE
012	EXISTING STRUCTURE PLAN AND PROFILE
013	PROPOSED TIE PLAN AND PROFILE
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SITE ADDRESS:  
2202-2208 140TH ST. BAYARD, LA 50022  
CULTRURE COALINTY

PROJECT DRAWING: COORILLUTE SYSTEM  
HORIZONTAL: NAD83 LOWA STATE PLANE SOUTH ZONE (144000)  
VERTICAL: NAVD83  
UNITS: U.S. SURVEY FEET

CIVIL ENGINEER

I HEREBY CERTIFY THAT THIS DOCUMENT CONTAINS NO INFORMATION PREVIOUSLY RELEASED BY THE FBI OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE STATE OF TEXAS.

**DANIEL JENSEN**

PHOTO SHOTS OF DIVISIONS CONVERTED TO THE SCALE  
ALL SHEETS, EXCLUDING C&H

# STRUCTURAL ENGINEER

1 MONTHLY CREDIT RATING THE DEPARTMENT OF SOCIAL AFFAIRS IN THE  
INDIAN WARS PROVIDED BY ME OR UNDER MY DIRECT PERSONAL  
SUPERVISION AND THAT I AM A FULLY LICENSED PROFESSIONAL BROKER  
UNDER THE LAWS OF THE STATE OF IOWA.

**ASHLEY GREGORY**

NYU Press, November 2014, 2015  
 PAPER, 9780814735215 COVERED BY THE  
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NRCS NEED PARTIAL CERTIFICATION  
THE GRADING PROFESSIONALS HEREBY  
CERTIFY THAT, TO THE BEST OF THEIR  
PROFESSIONAL KNOWLEDGE,  
JUDGEMENT, AND BELIEF, THESE PLANS  
MEET APPLICABLE NRCS STANDARDS.

GUT813130A BREAKPOINT  
WETLAND

MINISTRY OF AGRICULTURE AND LAND SURVEYING  
CANTON COUNTY, IA

**SHIVE-HATTERY**  
ARCHITECTURAL PHOTOGRAPHY

11511 Glenhurst Dr., S.W. (at) Midway Park, Box 1210  
01322-0121 (404) 438-7474

for a look at our work, visit us at [www.shive-hattery.com](http://www.shive-hattery.com)

6-27-2022

## CONSTRUCTION

PROJECT NO: 424359

CLIENT NO: 0076131304

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