The North Dakota Department of Agriculture’s pipeline restoration and reclamation oversight program connects landowners and tenants experiencing pipeline reclamation and restoration issues with an independent ombudsman, a third party resource to help reach a reasonable resolution.

The program also provides educational outreach to help landowners/tenants consider things such as pipeline pathways, type of pipeline installation, soil impacts, type of vegetation being reestablished, timelines and other issues before signing agreements.

Vision Statement
The ombudsmen are the recognized lead facilitators for promoting fairness when resolving pipeline reclamation and restoration issues, concerns, and disputes.

Mission Statement
To enhance landowner trust and cooperation in North Dakota’s energy development future by providing timely, effective, and impartial complaint management between surface owners/tenants and pipeline companies.

Values
These values guide activities and actions of the program. They demonstrate the agriculture commissioner’s belief that the manner in which the program is administered must be purposeful in progressing the goals North Dakota is trying to achieve by creating the program.

The program values:
- Fairness
- Respect
- Integrity
- Equity

This program also values a working environment that fosters innovation and collaboration.
The ombudsmen proceed by way of independent and impartial examinations initiated upon complaints by surface owners/tenants. The ombudsmen’s objective is to develop a service culture characterized by fairness, dedication, openness, and accountability. The ombudsmen may use informal facilitation or recommend mediation to avoid actions that can be costly and damaging to the surface owner/tenant and the pipeline company.

**NDDA will:**
- Establish methods for surface owners/tenants to issue complaints
- Complainst will be taken by: Phone, Email, Web, Personal interview
- Establish a method to track and assign complaint cases to an ombudsmen
- Prepare periodic reports to the agriculture commissioner regarding program activity
- Contract with qualified ombudsmen

**The ombudsmen will:**
- Make initial contact with the surface owner/tenant within 48 hours of receiving the complaint
- Conduct a site examination with the surface owner/tenant and document all issues associated with the complaint
- Meet with surface owner/tenant and pipeline company on site to review reclamation/restoration issues
- Work with surface owner/tenant and pipeline company to develop a plan and timeline to address the complaint
- Periodically monitor agreed upon reclamation/restoration site work
- Provide final report to the agriculture commissioner
- Site prior to reclamation

**NDDA will not:**
- Release the names of surface owners or tenants who receive assistance through this program
- Provide legal counsel or assistance in negotiating an easement
- Interfere with or supersede any agreements between surface owners/tenants and pipeline companies
- Conduct any regulatory functions
- Investigate any pipeline installed before January 1, 2006
- Investigate any pipeline regulated by the Public Service Commission under North Dakota Century Code Title 49

**The ombudsmen**

**Noun [om•buds•man]**
**Definition:** One who investigates, reports on, and helps settle complaints.

**The ombudsmen will:**
- Serve as a designated neutral resource for surface owners and tenants to raise concerns and request assistance to informally resolve complaints and problems
- Monitor and track inquiries, complaints, and disputes
- Seek to provide effective and equitable conflict resolution
- Focus on customer service to provide an identifiable and accessible process for receiving complaints and resolving disputes
- Direct surface owners/tenants to the correct process or agency (outside the ombudsmen program) when appropriate
- Make recommendations to the agriculture commissioner if a general problem trend is identified

**Primary Functions**
An ombudsmen has the following primary functions:
- Problem prevention
- Conflict resolution
- Communication facilitation

**Functional Description**
The ombudsmen will:
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- Seek to provide effective and equitable conflict resolution
- Focus on customer service to provide an identifiable and accessible process for receiving complaints and resolving disputes
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PROGRAM GOALS

1 Recognized Resource
   We are a resource that can evaluate issues and identify options after an impartial review of the complaint

2 Create Trust
   Create surface owner/tenant trust in working with pipeline companies by creating a venue to address concerns and enhance communication

3 Save Resources
   Save valuable resources by preventing disputes and resolving them in a timely manner in place of costly litigation

4 Balanced Approach
   Support surface owners/tenants and the energy industry by using a non-regulatory approach to balance land use needs and foster the relationship between land stakeholders

PROGRAM OBJECTIVES

- Pipeline reclamation and restoration problems addressed in the early stages have a higher degree of resolution and can often be resolved before further erosion of confidence by the surface owner/tenant and before loss of productivity by both parties

- Effective education of key stakeholders regarding the goals of the program will create buy-in and cooperation

- The ombudsman does not necessarily have to identify the solution to a problem but will be most successful by helping surface owners/tenants and pipeline companies identify and carry out solutions

- The ombudsman must be an effective consensus-builder and facilitator

PROGRAM ASSESSMENT

NDDA will use customer satisfaction surveys and stakeholder interviews to complete an annual program assessment.

FOR FURTHER INFORMATION

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The North Dakota Department of Agriculture is an equal opportunity employer and provider.

Sept. 2018
Agriculture Commissioner
Doug Goehring