



**FEDERAL ENERGY REGULATORY COMMISSION
ENVIRONMENTAL COMPLIANCE MONITORING PROGRAM
WEEKLY SUMMARY REPORT NO. 2
NORTH BAKKEN EXPANSION PROJECT
DOCKET NOS.: CP 20-52-000 AND CP 20-52-001
FOR THE PERIOD: AUGUST 8 THROUGH AUGUST 14, 2021**

On June 1, 2021, the Federal Energy Regulatory Commission (FERC) published an Order Issuing Certificate (Certificate) to WBI Energy Transmission, Inc. (WBI) to construct and operate pipeline and ancillary facilities in Burke, McKenzie, Mountrail, and Williams Counties, North Dakota for the North Bakken Expansion Project (Project).

WBI agreed to fund an Environmental Compliance Monitoring Program during construction of the Project. This report provides a summary of the FERC Compliance Monitor's construction review for this reporting period. The Compliance Monitor is responsible for reviewing WBI's construction activities and documenting compliance with the FERC Certificate.

During this reporting period, the Compliance Monitor issued twelve (12) Daily Monitoring Reports consisting of nine (9) Acceptable Reports and three (3) Communication Reports. No Noncompliance or Problem Area Reports were issued during this reporting period. One (1) Level 1 and five (5) Level 2 variance requests were approved for the Project during this reporting period. A tabular summary of the daily compliance reports and approved variances are presented below.

SUMMARY OF COMPLIANCE MONITOR REPORTS AND APPROVED VARIANCES FOR THE NORTH BAKKEN EXPANSION PROJECT		
Compliance Level	Number of Reports and Variances for this Reporting Period	Cumulative Number of Reports and Variances
Acceptable	9	24
Communication	3	14
Problem Area	0	0
Noncompliance	0	0
Serious Violation	0	0
Approved Level 1 Variances	1	1
Approved Level 2 Variances	5	17
Total Reports and Variances	18	56

During this reporting period, one full-time Compliance Monitor conducted inspections documenting compliance with the Project's environmental requirements along the Project's right-of-way. The Compliance Monitor coordinated with WBI's Environmental Inspectors (EIs) this week to inspect and discuss issues, planned and ongoing construction activities, review areas subject to variance requests, and clarify interpretations of the Project requirements. The activities of the Compliance Monitor were directed by the Compliance Manager, who coordinated with FERC staff as well as with WBI's field management and support staff.



SUMMARY OF ACTIVITIES

The Compliance Monitor inspected various activities in progress along the Project, including:

- *Elkhorn Creek Compressor Station – pipe delivery; stringing; bending; bore crew mobilization;*
- *Line Section 25 Loop (MP 0 – 20.3) – welding; pipeline assembly; boring; inadvertent release at a guided bore and associated clean-up;*
- *Line Section 30 Loop (MP 0 – 9.6) – welding; assembly; tie-in; trenching; lowering-in; variance request review;*
- *Tioga Compressor Lateral (MP 0 – 0.5) – no activity;*
- *Tioga Compressor Station – no activity;*
- *Tioga to Elkhorn Creek Pipeline Spread 1 (MP 0 – 23.0) – grading; topsoil stripping and segregation;*
- *Tioga to Elkhorn Creek Pipeline Spread 2 (MP 23.0 – 62.8) – horizontal directional drill (HDD); land surveys and staking of pipeline location; addressing lease holder concern;*
- *Tioga Plant Receipt Station – no activity;*
- *Section 25 Uprates Pipeline (MP 0.0 to 0.5)- no activity;*
- *Norse Transfer Station – no activity;*
- *Robinson Station – no activity;*
- *Springbrook Station – no activity;*
- *Lignite Plant and Border Stations – no activity;*
- *Elkhorn to Northern Border Interconnect Pipeline (MP 0 – 0.3) – no activity; and*
- *Williston-Tioga-Minot Re-route (MP 0 – 0.2) – no activity.*



COMMUNICATION REPORTS

Communication reports provide documentation of relevant meetings between the FERC Compliance Monitor and landowners, agency staff, Project representatives, environmental inspectors, and others. The two (2) communication reports below present compliance-related information for keeping this weekly summary report relevant to current Project activities. One (1) communication report detailing a variance request is not included.

SUMMARY OF COMMUNICATION REPORTS FOR THE NORTH BAKKEN EXPANSION PROJECT				
Compliance Level/Report Number	Date Issued	Location (Spread/Facility/Milepost [MP]/County/State)	Follow-up Required (Yes or No)	Description
TiogaElkhornCr PL Spread 1_10Aug2021_HT1	8/10/2021	Tioga-Elkhorn Cr PL Spread 1 MP 14.2 to MP 14.7	No	The Spread 1 Lead EI informed the Compliance Monitor that a problem area report would be issued for excavating activities in an agricultural field near MP 14.7 north of 58th Street NW. Utility locating crews excavated a pit in an agricultural field approximately 18 inches below the ground surface to dispose of silted water from the hydro-vacuum truck (used to safely locate and expose foreign underground utilities). There was no sediment run-off from the right-of-way because of this incident, however such activity could potentially cause the mixing of topsoil with sub-soil. The problem area report was issued to the contractor to call the matter to their attention and to prevent similar activities that could result in soil mixing in the future.
TiogaElkhorn Cr PL Spread 2_12Aug2021_HT1	8/12/2021	Tioga Elkhorn Cr PL Spread 2 MP 50.9 to MP 51.6	Yes	The Compliance Monitor conducted an inspection of access roads (AR) AR-34 and AR-34A in response to a leaseholder concern that was sent to FERC staff regarding the use of AR to access the Tioga to Elkhorn Creek Spread 2 right-of-way between MP 51.0 and MP 52.0. A concerned leaseholder sent an e-mail to FERC staff with concerns regarding past WBI projects in the area and the potential for issues such as creation of ruts/trails and eventual restoration of AR (AR-34A in particular). The leaseholder was uncertain whether this AR had been approved by FERC. The leaseholder uses the land for cattle grazing. The Compliance Monitor met with the Lead EI at the right-of-way crossing and the subject AR. The approved alignment sheets depicted the route of both AR-34 and AR-34A. Both AR had been surveyed, staked, and labeled with signs consistent with the alignment sheets. Based on a review of the documentation, AR-34A was requested by WBI in their Implementation Plan dated June 2, 2021. The AR, with landowner approval, was subsequently approved by the FERC with the Notice to Proceed with Construction issued on July 8, 2021. Other than the installation of environmental signs and land surveys at the intersection of AR-34 and AR-34A from Highway 23, no other construction activities have been initiated at this location. The Compliance Monitor will periodically inspect this area to document compliance during construction and restoration.



PROBLEM AREA AND NONCOMPLIANCE REPORTS

Problem area reports record an observation where an area or activity does not meet the definition of acceptable, but is not considered a noncompliance.

Noncompliance reports record an observation where an area or activity that violates (is not in compliance with) the Project specifications, results in damage to resources, or places sensitive resources at unnecessary risk.

The Compliance Monitors issued no problem area or noncompliance reports during this period.



SUMMARY OF LEVEL 1 AND LEVEL 2 VARIANCE REQUESTS

One (1) Level 1 and five (5) Level 2 variance requests were approved for the Project during this reporting period.

SUMMARY OF APPROVED VARIANCES FOR THE NORTH BAKKEN EXPANSION PROJECT					
Variance Number	Variance Level ^a	Date Received	Location (Spread or Facility/ Milepost [MP]/ County/State)	Description	Status (Approval Date)
L2-V37-DM	2	8/9/2021	North MP 0.43	WBI requested an approximately 25-foot-wide by 115-foot-long (0.07 acre) additional temporary workspace (ATWS) on the north side of the Tioga Compressor Lateral right-of-way west of the Tioga Compressor Station to facilitate safe travel along the right-of-way. Mats will need to be shifted to the north so that they are in line with the requested ATWS, and this area will be used as a vehicle/equipment travel lane across 103rd Avenue and for new station access during bore activities. The permanent access planned at this location will not change. The ATWS, including the road ditches, will be matted as needed but no other improvements are planned. Project vehicles and equipment will travel across 103rd Avenue NW, but the road will not be closed. No new environmental surveys were needed and no resources were affected.	8/9/2021
L2-V3-DM	2	8/6/2021	South MP 26.7 to MP 26.8	WBI requested a change in the construction method to cross an unnamed dirt utility road from an open cut to a cradle bore at the request of the on-site well pad operator. This will require ATWS on either side of the right-of-way and on both sides of the road to provide sufficient space to complete the cradle bore crossing. Approximately 0.68 acre of ATWS will be required. During construction, additional best management practices will be implemented as needed, such as sediment control measures surrounding stockpiled spoil. Following construction, the area will be restored. No new environmental surveys were needed and no resources were affected.	8/9/2021
L2-V7-DM	2	8/6/2021	South MP 52.8	At the landowner's request, WBI requested a change in construction method from an open cut to a cradle bore to cross a private road at milepost (MP) 52.8 of the Tioga-Elkhorn Creek pipeline. This change will require an approximately 50-foot-wide by 150-foot-long (0.17 acre) ATWS on the east side of the right-of-way to facilitate the cradle bore crossing. During construction, additional best management practices will be implemented as needed, such as sediment control measures surrounding stockpiled spoil. No new environmental surveys were needed and no resources were affected.	8/11/2021
L2-V14-DM	2	8/6/2021	South MP 57.8 to MP 58.2	WBI requested a bore extension between MP 57.8 and 58.2 adjacent to 122nd Avenue NW in order to avoid existing utility lines on the north end of the bore site near MP 57.8 and to accommodate the bore string on the south end near MP 58.2. This change resulted in a slight (up to approximately 6.5-foot) shift in the centerline/right-of-way alignment to the east between the bore entry and exit sites. This request encompasses multiple changes in workspace. No new environmental surveys were needed and no resources were affected.	8/11/2021
L1-V41-HT	1	8/10/2021	North MP 0.4	WBI requested to extend the Line Section 30 Loop and the Tioga-Elkhorn Creek bores under 68th Street NW to reach the necessary	8/11/2021



SUMMARY OF APPROVED VARIANCES FOR THE NORTH BAKKEN EXPANSION PROJECT

Variance Number	Variance Level ^a	Date Received	Location (Spread or Facility/ Milepost [MP]/ County/State)	Description	Status (Approval Date)
			to MP 9.1	bore length to clear all foreign utilities identified near these crossing locations. The two pipelines run parallel within the approved workspace along this segment. No new workspace or changes to the existing temporary or permanent workspace will be required. The Line Section 30 Loop bore will be extended by an additional 60 feet resulting in a slight realignment of the centerline. The Tioga-Elkhorn Creek bore will be extended by an additional 45 feet resulting in a slight realignment of the centerline. No new environmental surveys were needed and no resources were affected.	
L2-V28-DM	2	8/7/2021 (revised 8/12/2021)	South MP 59.6 to MP 59.7	WBI requested a change in AR location to provide access to the right-of-way off County Road 37 near Tioga-Elkhorn Creek MP 59.7. The new temporary AR is approximately 30-feet-wide by 205 -feet-long. The first approximately 90 feet of the AR starting at County Road 37 is comprised of an existing, previously disturbed and gated gravel road entrance. The remaining approximately 115 feet of the proposed temporary AR will be newly constructed by WBI. The new temporary AR will affect 0.14 acre of upland cultivated cropland, shrub/scrub, and an existing previously disturbed gravel road. The net acreage affected is 0.08 acre. No new environmental surveys were needed and no resources were affected.	8/13/2021

^a Variance Level Definitions

Level 1 Variance – reviewed and approved or denied by the Compliance Monitors. These requests must be within the approved workspace or of like use and are for site-specific, minor, performance-based changes to Project specifications or mitigation measures that provide equal or better protection to environmental resources.

Level 2 Variance – reviewed and approved or denied by the Compliance Manager. These requests involve Project changes that would affect an area outside of the previously approved work area, but within the corridor previously surveyed for cultural resources, sensitive species, sensitive resources, etc.



SELECTED PHOTOGRAPHS OF OBSERVED ACTIVITIES



Line Section 30 Loop – On-going process of pipeline assembly at the Section Line 30 Loop (August 9, 2021) – Acceptable – MP 0.3



Tioga Elkhorn Creek PL Spread 1 – Topsoil stripped and segregated through cultivated fields (August 9, 2021) – Acceptable – MP 18.9



Tioga Elkhorn Creek PL Spread 1 – Joints of pre-coated pipe secured along the right-of-way (August 10, 2021) – Acceptable – MP 2.1



Tioga Elkhorn Creek Spread 1 – Topsoil and adequately installed silt fence (August 10, 2021) – Acceptable – MP 2.6



Tioga Elkhorn Creek PL Spread 2 – Topsoil segregated and stored within the approved workspace (August 11, 2021) – Acceptable – MP 25.9

Tioga Elkhorn Creek PL Spread 2 – Rip-rap rock over synthetic fabric at rock construction entrance (August 11, 2021) – Acceptable – MP 36.3



Tioga Elkhorn Creek PL Spread 2 – Exiting part of AR-34 (August 12, 2021) – Communication – MP 50.9

Tioga Elkhorn Creek PL Spread 2 – North end of AR-34A for temporary construction access (August 12, 2021) – Communication – MP 50.9



Line Section 30 Loop – Pipeline lowered-in over padded trench spoil (August 13, 2021) – Acceptable – MP 0.2



Line Section 25 Loop – Section of abrasion-resistant coated pipeline (August 13, 2021) – Acceptable – MP 0.4



Line Section 25 Loop – Installation process under 73rd Street NW and 103rd Avenue NW (August 14, 2021) – Acceptable – MP 2.1



Line Section 25 Loop – Assembled extensive section of pipeline of Line Section 25 Loop (August 14, 2021) – Acceptable – MP 2.2