



**FEDERAL ENERGY REGULATORY COMMISSION
ENVIRONMENTAL COMPLIANCE MONITORING PROGRAM
WEEKLY SUMMARY REPORT NO. 5
NORTH BAKKEN EXPANSION PROJECT
DOCKET NOS.: CP 20-52-000 AND CP 20-52-001
FOR THE PERIOD: AUGUST 29 THROUGH SEPTEMBER 4, 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 Monitors' construction review for this reporting period. The Compliance Monitors are responsible for reviewing WBI's construction activities and documenting compliance with the FERC Certificate.

During this reporting period, the Compliance Monitors issued twenty-four (24) Daily Monitoring Reports consisting of seventeen (17) Acceptable Reports and seven (7) Communication Reports. No Noncompliance or Problem Area Reports were issued during this reporting period. No Level 1 and four (4) 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	17	65
Communication	7	32
Problem Area	0	0
Noncompliance	0	0
Serious Violation	0	0
Approved Level 1 Variances	0	1
Approved Level 2 Variances	4	26
Total Reports and Variances	28	124

During this reporting period, two full-time Compliance Monitors conducted inspections documenting compliance with the Project's environmental requirements along the Project's right-of-way. The Compliance Monitors 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 Monitors 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 – report of inadvertent release on the right-of-way;*
- *Line Section 25 Loop (MP 0 – 20.3) – dewatering into upland cultural site; mowing and erosion control installation at the Lignite-McGregor Relocation Station;*
- *Line Section 30 Loop (MP 0 – 9.6) – restoration activities including clean-up and topsoil replacement through cultivated fields;*
- *Tioga Compressor Lateral (MP 0 – 0.5) – completion of pipeline installation at multiple existing foreign utilities; backfilling of trench;*
- *Tioga Compressor Station – on-going concrete placement for foundations at the compressor and ancillary buildings and pipe racks; site preparation and installation of temporary and permanent erosion controls;*
- *Tioga to Elkhorn Creek Pipeline Spread 1 (MP 0 – 23.0) – trenching and welding activities; mainline construction and horizontal directional drill activities on the north side of Lake Sakakawea;*
- *Tioga to Elkhorn Creek Pipeline Spread 2 (MP 23.0 – 62.8) – inadvertent releases on the Project right-of-way from guided bore; off right-of-way clearing; failure of dewatering structure; contractor elected to stop using access road AR34A;*
- *Tioga Plant Receipt Station – no activity;*
- *Section 25 Uprates Pipeline (MP 0.0 to 0.5)- land surveying and staking for three bore locations; staking of temporary workspaces;*
- *Norse Transfer Station – no activity;*
- *Robinson Station – ongoing installation of aboveground piping and meters for the new receipt station; installation of new piping and meter station;*
- *Springbrook Station – no activity;*
- *Lignite Plant and Border Stations – no activity;*
- *Elkhorn to Northern Border Interconnect Pipeline (MP 0 – 0.3) – no activity;*
- *Williston-Tioga-Minot Re-route (MP 0 – 0.2) – no activity; and*
- *Norse Plant Receipt Station – installation of new building meters, instruments, aboveground piping and control valves; welding and assembly of pipeline.*



COMMUNICATION REPORTS

Communication reports provide documentation of relevant meetings between the FERC Compliance Monitor and landowners, agency staff, Project representatives, EIs, and others. The seven (7) communication reports below present compliance-related information for keeping this weekly summary report relevant to current Project activities.

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
TiogaElkhorn Cr PL Spread 2_30Aug2021_VH1	8/30/2021	Tioga Elkhorn Cr PL Spread 2 MP 27.5	No	The Compliance Monitor spoke with the Lead Environmental Inspector (LEI) via phone in reference to two small inadvertent releases (IR) that occurred at MP 27.5. The IRs occurred on August 28, 2021 during guided bore activities at stream S-MK-EA-001. The IRs occurred in an upland area and the total release was less than one gallon. The contractor's boring crew cleaned the IR location. The LEI advised the contractor crews that the EIs needed to be informed of the IRs when they occur. The Compliance Monitor also advised the LEI that notification of the IRs should also be given to the Compliance Monitor at the time of occurrence along with photo-documentation.
TiogaElkhorn Cr PL Spread 2_30Aug2021_VH2	8/30/2021	Tioga Elkhorn Cr PL Spread 2 MP 27.5	No	The Compliance Monitor was notified of an IR at MP 27.5 where approximately 25 gallons of drilling mud (bentonite) came to the surface in an upland area during the boring operations. The contractor's boring crew used a vacuum truck and cleaned up the IR. The recovered drilling mud was taken away for proper disposal.
LineSection 25 Loop_31Aug2021_HT1	8/31/2021	Line Section 25 Loop MP redacted	No	The Spread 1 LEI informed the Compliance Monitor of a WBI-issued problem area report for trench dewatering onto an upland grassy area off right-of-way that was identified and flagged as a cultural resources site along the Line Section 25 Loop. Water was pumped from the pipeline trench and discharged through a filter bag. There was no erosion or ground disturbance as result of this incident. Discharge of trench water was consistent with the dewatering protocol dissipating the flow onto the grassy areas. Dewatering activities were stopped by WBI staff and hoses and filter bags were removed. Crews were also re-trained and made aware of environmental signs and zones.
TiogaElkhorn Cr PL Spread 2_01Sep2021_VH2	9/1/2021	Tioga Elkhorn Cr PL Spread 2 MP 51.6	No	The Compliance Monitor conducted an inspection of the waterbody crossing on access road AR 34A at MP 51.6 where a mat bridge and associated erosion control devices were installed. Project-approved signage was installed and visible, including "No Refueling" signs that were installed at the correct distance from the stream. The Compliance Monitor spoke to the LEI about the contractor installing "No Access" signs at the fence gap entering the access road, to prevent use of the road. The contractor has



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
				volunteered not to use the road starting September 1 and moving forward during the construction of the Project. All observations were within the limits of disturbance and in compliance with the Project's plans and procedures.
TiogaElkhornCr PL Spread 2 Station_02Sep2021_VH1	9/2/2021	Tioga Elkhorn Cr PL Spread 2 MP 27.5	No	The Compliance Monitor spoke to the LEI via telephone about an IR that occurred on the right-of-way at MP 27.5 where approximately 200 gallons of mud, water, and bentonite came to the surface in the bottom of a dry stream (S-MK-ea-001). There was no water in the stream at the time that the IR occurred. A vacuum truck was used to clean up the area immediately after the IR occurred.
TiogaElkhorn Cr PL Spread 2_02Sep2021_VH2	9/2/2021	Tioga Elkhorn Cr PL Spread 2 MP 38.9	No	The Compliance Monitor was contacted by the LEI and advised that a dewatering structure had failed during dewatering activities at MP 38.9. Water was being pumped from a 25-foot-long x 10-foot-deep x 8-foot-wide trench. Groundwater was approximately 2 feet deep within the trench. The water was clear and was being pumped with a 3-inch pump and a hose that was connected to a filter bag. Geo-textile fabric was installed on the bottom of the dewatering structure and the filter bag was placed on top of the geo-textile fabric inside the hay bale structure. The filter bag stayed connected and water filtered through the filter bag, but overtopped and separated approximately six hay bales from the top two rows of the dewatering structure causing a release of the water. Approximately 9,000 square feet of densely vegetated uplands were affected by the water release. No sensitive resources or water wells were nearby and no sediment was observed. No scouring or erosion occurred. The LEI spoke with the crew about building a more sturdy hay bale structure and monitoring the flow rate of water being pumped into the hay bale structures.
TiogaElkhorn Cr PL Spread 2_03Sep2021_VH1	9/3/2021	Tioga Elkhorn Cr PL Spread 2 MP 26.6 to MP 26.7	Yes	The Compliance Monitor was informed by the EI of a WBI-issued non-compliance report for grading beyond the approved limits of disturbance from MP 26.6 to MP 26.7. The off right-of-way area affected was 340-foot-long x 9-foot-wide. Original variance V44 was requested on August 26, 2021 to adjust the workspace in this area, but it was later rescinded. Revised variance V44 was requested and approved on August 30, 2021 for an adjusted change to the right-of-way configuration in this area. The contractor cleared outside the newly approved limits of disturbance before the survey crews adjusted the stakes according to the revised variance. The contractor was unaware of the revised variance and would have been inside the limits of disturbance of the original variance.



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

Four (4) 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-V44-DM	Level 2	(revision 8/30/2021)	South MP 26.4 to MP 27.0	WBI requested to avoid a well pad service road by flipping the right-of-way configuration along the Tioga-Elkhorn Creek pipeline so that the working side was on the eastern side of the right-of-way from mileposts 26.4 to 27.0. This change required additional temporary workspace (ATWS) along the eastern side of the right-of-way. The requested ATWS was 2,955-foot-long and 35-foot-wide. WBI also requested to retain the existing well pad service road along the west side of the right-of-way as a temporary access road (3,550-foot-long by 30-foot-wide). WBI also requested to shorten the 48th Street NW (Sand Creek Road) bore from 1,433 feet to 1,038 feet. The proposed southern bore workspace was within the requested ATWS associated with this variance. The variance resulted in 0.85 net acre affected. No surveys were required and no sensitive resources were affected.	8/30/2021
L2-V45-DM	Level 2	8/30/2021	North MP 0.0	WBI requested 0.07 acre of ATWS just east of 109th Avenue NW near Line Section 30 Loop milepost 0.0. The variance was needed to provide sufficient workspace to safely remove WBI's existing valve/facilities and to facilitate a tie-in of the new Line Section 30 Loop facilities. Approximately 0.001 acre of the ATWS overlaps with the previous permanent access road that was relocated via previously approved Level 3 Variance V21 (approved via accession number 20210720-3063). No surveys were required and no sensitive resources were affected.	8/30/2021
L2-V48-DM	Level 2	8/31/2021	North MP 12.0	WBI requested approximately 0.11 acre of ATWS on the west side of the right-of-way north of 60th Street NW near Tioga-Elkhorn Creek milepost 12.0. The ATWS was needed to facilitate a 90-degree equipment crossing requirement stated by a foreign utility company. The ATWS was 50-foot-wide and approximately 150-foot-long along its eastern edge and 50-foot-long along its western edge. No surveys were required and no sensitive resources were affected.	9/1/2021
L2-V50-DM	Level 2	8/31/2021	South MP 48.9	WBI requested an approximately 45-foot-wide by 140-foot-long (0.14 acre) ATWS on the east side of the right-of-way east of 121st Avenue NW and north of 29th Street NW near Tioga-Elkhorn Creek milepost 48.9. The variance was needed to provide adequate space to stockpile topsoil and subsoil due to the right-of-way being on a side slope. No surveys were required and no sensitive resources were affected.	9/1/2021

^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 – Maintained erosion controls and stabilized banks of waterbody S-WM-EA-001-P (August 30, 2021) – Acceptable – MP 8.9

Tioga Elkhorn Creek PL Spread 2 – Mat bridge installed crossing wetland W-MK-EA-004E. Erosion control devices installed at both sides of the mat bridge. (August 30, 2021) – Acceptable – MP 46.6



Line Section 25 Loop – Construction through grassy upland area (August 31, 2021) – Communication – MP 0.8

Lake Sakakawea HDD South – Overview of the Lake Sakakawea HDD at the pad (August 31, 2021) – Acceptable – MP 25.9



Lignite Plant Receipt Stations – Lignite Meter Station (September 1, 2021) – Acceptable – MP 0.0

Tioga Elkhorn Creek PL Spread 2 – Contractor installed "No Access" signs at access road AR 34A and have volunteered not to use the access road moving forward during the construction of the Project (September 1, 2021) – Communication – MP 51.6



Tioga Elkhorn Creek PL Spread 2 – Inadvertent release of approximately 200 gallons of water, mud, and bentonite occurred in the dry stream bed of stream S-MK-ea-001 (Photo courtesy the Lead Environmental Inspector) (September 2, 2021) – Communication – MP 27.5

Tioga Compressor Lateral – Installation of 20-inch diameter pipeline to the new WBI Tioga Compressor Station (September 2, 2021) – Acceptable – MP 0.0



Robinson Lake Plant Receipt Station – Existing operating buildings and new meter piping at the Robinson Lake Plant Receipt Station (September 3, 2021) – Acceptable – MP 0.0

Tioga Elkhorn Creek PL Spread 2 – 9-foot x 340-foot section of right-of-way that was cleared and graded outside the limits of disturbance by the contractor (September 3, 2021) – Communication – MP 26.7