



1250 West Century Avenue
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P.O. Box 5601
Bismarck, ND 58506-5601
(701) 530-1600

July 19, 2021

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, D.C. 20426

Re: OEP/DG2E
WBI Energy Transmission, Inc.
North Bakken Expansion Project
Docket Nos. CP20-52-000 and CP20-52-001
Supplemental Information for Variance Requests V4, 13, 21 and 25 and
Revision to Variance Request 25

Dear Ms. Bose:

On July 14, 2021, WBI Energy Transmission, Inc. (WBI Energy) submitted four variance requests for project modifications in accordance with Environmental Condition No. 5 of the Federal Energy Regulatory Commission's (FERC or Commission) June 1, 2021 Order issuing Certificate in the above referenced dockets. Commission Staff on July 16, 2021, requested that for each of the four variance requests, WBI Energy discuss how it would provide equal or greater protection to the resources impacted from what WBI Energy has committed to in the project Environmental Assessment. Attachment A includes WBI Energy's response for each variance request.

In addition, WBI Energy is filing as Attachment B a revised variance request form and related exhibits for V25 to incorporate a minor adjustment in the permanent access road to avoid an existing power pole.

Pursuant to 18 CFR § 385.2010 of the Commission's regulations, copies of this filing are being served to each person whose name appears on the official service list for this proceeding.

Should you have any questions or comments regarding this filing, please call the undersigned at (701) 530-1563.

Sincerely,

/s/ Lori Myerchin

Lori Myerchin
Director, Regulatory Affairs and
Transportation Services

Attachment

Courtesy Copies:

Dawn Ramsey, FERC Environmental Project Manager (via email)

Shannon Crosley, FERC Environmental Deputy Project Manager (via email)

Official Service List

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 19th day of July, 2021.

By /s/ Lori Myerchin
Lori Myerchin
Director, Regulatory Affairs and
Transportation Services
WBI Energy Transmission, Inc.
1250 West Century Avenue
Bismarck, ND 58503
Telephone: (701) 530-1563

Attachment A

WBI Energy Transmission, Inc.
North Bakken Expansion Project
Docket Nos. CP20-52-000 and CP20-52-001

Response to Environmental Information Request

Request No. 1

For each variance request, discuss how WBI would provide equal or greater protection to the resources impacted from what WBI has committed to in the Project EA.

Response:

V4 - A change in construction method from guided bore to cradle bore at multiple locations throughout the Project.

Switching to a cradle bore will shorten the bore length, reduce construction impacts at the bore entry and exit sites, and allow the bores to be completed more quickly. This change will not require additional workspace and, therefore, will not result in any additional impacts on environmental resources. Due to the shorter duration of construction required for the cradle bores, resulting noise and other construction-related impacts on the surrounding area will be reduced.

V13 - A relocation of temporary workspace and temporary extra workspace from the south side to the north side of the right-of-way per the request of the landowner.

This variance is in response to a landowner's request to move the workspace to avoid impacts on a tree row shelter belt planted on the south side of the right-of-way. Implementation of this variance will avoid the removal of the trees, which provide preventative erosion control (as well as other benefits for the landowner), and reduce potential negative impacts on the landowner's property.

Temporary extra workspace added to the east and west ends of the variance area on the south side of the right-of-way is necessary to provide additional space for soil storage. The temporary workspace within the wetland on the north side of the right-of-way will provide sufficient additional space for proper wetland soil segregation, which will avoid any upland/wetland soil mixing during construction. WBI Energy will implement the measures in FERC's *Wetland and Waterbody Construction and Mitigation Procedures* (Procedures) to ensure that potential impacts on the wetland area are reduced to the greatest extent practicable.

V21 - Shifting of a permanent access road to the northwest and southeast due to landowner improvements.

This shift in the access road location will not result in any new or additional impacts on environmental resources. However, it will avoid impacting the landowner's newly installed additional security features within the footprint of the original proposed permanent access. WBI Energy will implement the measures in FERC's Procedures to avoid impacts on wetland w-wm-ee-002e and waterbody o-wm-ec-001.

V25 - Shifting a permanent easement and temporary workspace to the southeast per the request of the landowner.

This reroute has been requested by the landowner to minimize potential impacts on future planned uses for the property. The original pipeline alignment in this area is immediately adjacent to (and the temporary workspace already partially encroaches upon) wetland w-wm-ec-004e. Therefore, this shift in

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Docket Nos. CP20-52-000 and CP20-52-001

Response to Environmental Information Request

the workspace will not result in any increased impact on the wetland. WBI Energy will implement the measures in FERC's Procedures to avoid impacts on the wetland.

Attachment B

North Bakken Expansion Project Variance Request Form



Variance Request Number: V25, Rev1

Anticipated Variance Level (1, 2, or 3): 3

Date Approval Needed: 7/19/2021

Date Submitted to FERC: TBD

Date FERC Approved: TBD

FERC Approval No.: TBD

Request Prepared By: Stephanie Merrell, ERM	Landowner: See tract number
Pipeline/Facility: Line Section 30	Tract Number: 156-96-04-001
Spread: North	In or within 50 feet of a wetland? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
County(ies): Williams	
Milepost(s): 0.1	In or within 50 feet of a waterbody? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Net Acreage Affected: -0.03	
Current Land Use/ Vegetative Cover: Mixed	In or within 50 feet of another environmentally sensitive area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Description of Nearby Features/Resources (Wetland, Waterbody, T&E Habitat, Invasive Species Area, Residence, Cultural Site, etc. [include distance(s)]):

No waterbodies, T&E habitats, invasive species areas, residences, or cultural sites exist within 100 feet of the proposed variance request. Wetland w-wm-ec-004e is approximately 20 feet from the variance request area.






Variance From: Permit Plan/Procedure Workspace Drawing Mitigation Measure Other

Detailed Description of Variance: Attachments? Yes No Number of Attachments: 4

WBI Energy is requesting a shift of the permanent easement and temporary workspace to the southeast. This footprint has been modified slightly from the previously submitted variance V25 (accession no. 20210714-5141) to avoid a power pole identified within the original workspace. Total acreage affected is as follows: 0.05 permanent easement addition, 0.30 permanent easement removal, 0.22 temporary workspace addition, and 0.21 converted from temporary workspace to permanent easement. This shift in the temporary workspace will result in a decrease in the overall acreage affected over the original route by 0.03 acre (0.04 acre less for the permanent easement and 0.01 acre more new temporary workspace).

Variance Justification:

This reroute has been requested by the landowner to minimize potential impacts on future planned uses for the property. The original pipeline alignment in this area is immediately adjacent to (and the temporary workspace already partially encroaches upon) wetland w-wm-ec-004e. Therefore, this shift in the workspace will not result in any increased impact on the wetland. WBI Energy will implement the measures in FERC's Wetland and Waterbody Construction and Mitigation Measures to avoid impacts on the wetland. For these reasons, and because the change will result in a net reduction in acreage affected, this variance will provide equal or greater protection to the affected resources.

For WBI Energy Use Only			
Additional Surveys Required		Surveyed Corridor Description	Additional Surveys Completed
Cultural Survey:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
T&E Survey:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
Wetland/Waterbody:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
Filed Survey Report(s) Documenting Survey Coverage (include FERC accession number(s)):			
Cultural survey reports are included as attachment 6-2 of WBI Energy's Implementation Plan (filed as CUI//PRIV under FERC accession no. 20210608-5150) DASK and waterbody/wetland surveys were filed under accession nos. 20210608-5151 and 20200911-5167.			
Sign-off (as appropriate)	Name (print)	Approval Signature	Conditions or Notes (See Attached)
Project Manager	Dave Linn		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Engineering	Allison Stephens		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Land Agent *	Wade Nielson		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Environmental Manager	Jill Linn		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Regulatory Affairs	Lori Myerchin		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Lead Environmental Inspector **	N/A		<input type="checkbox"/> Yes <input type="checkbox"/> No
Third Party Compliance Monitor	N/A		<input type="checkbox"/> Yes <input type="checkbox"/> No
Third Party Compliance Manager	N/A		<input type="checkbox"/> Yes <input type="checkbox"/> No
Other – Position:	N/A		<input type="checkbox"/> Yes <input type="checkbox"/> No
*Where request would affect areas outside of previously approved work areas, signature denotes approval gained from affected landowner(s) **Or designated Environmental Inspector for facility(ies)			
VARIANCE CONDITIONS OR NOTES			
Name:	Title:	Organization:	
Conditions or Notes:			
Name:	Title:	Organization:	
Conditions or Notes:			
Name:	Title:	Organization:	
Conditions or Notes:			

Name:	Title:	Organization:
Conditions or Notes:		

Wetland w-wm-ee-002e

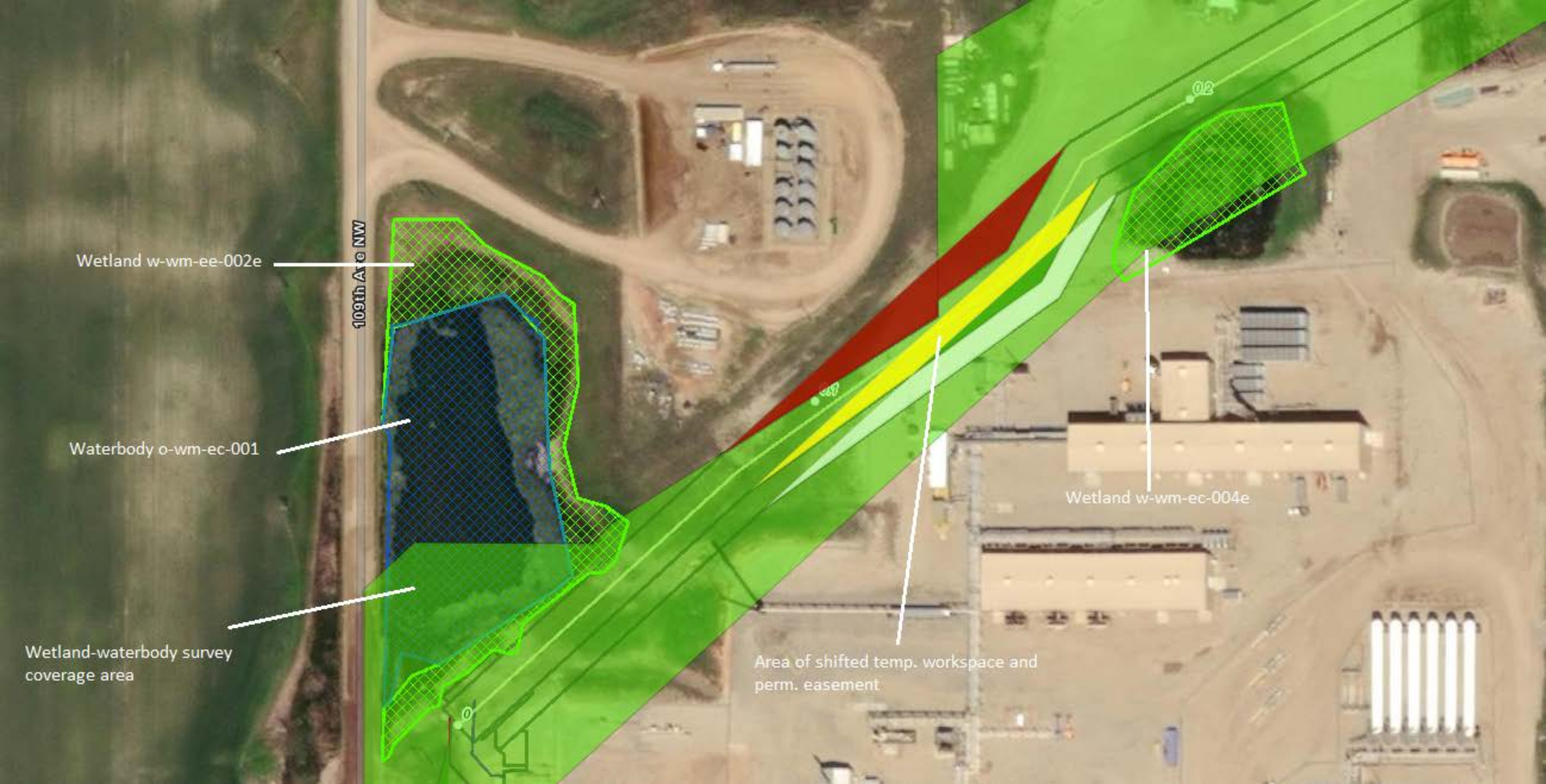
109th Ave NW

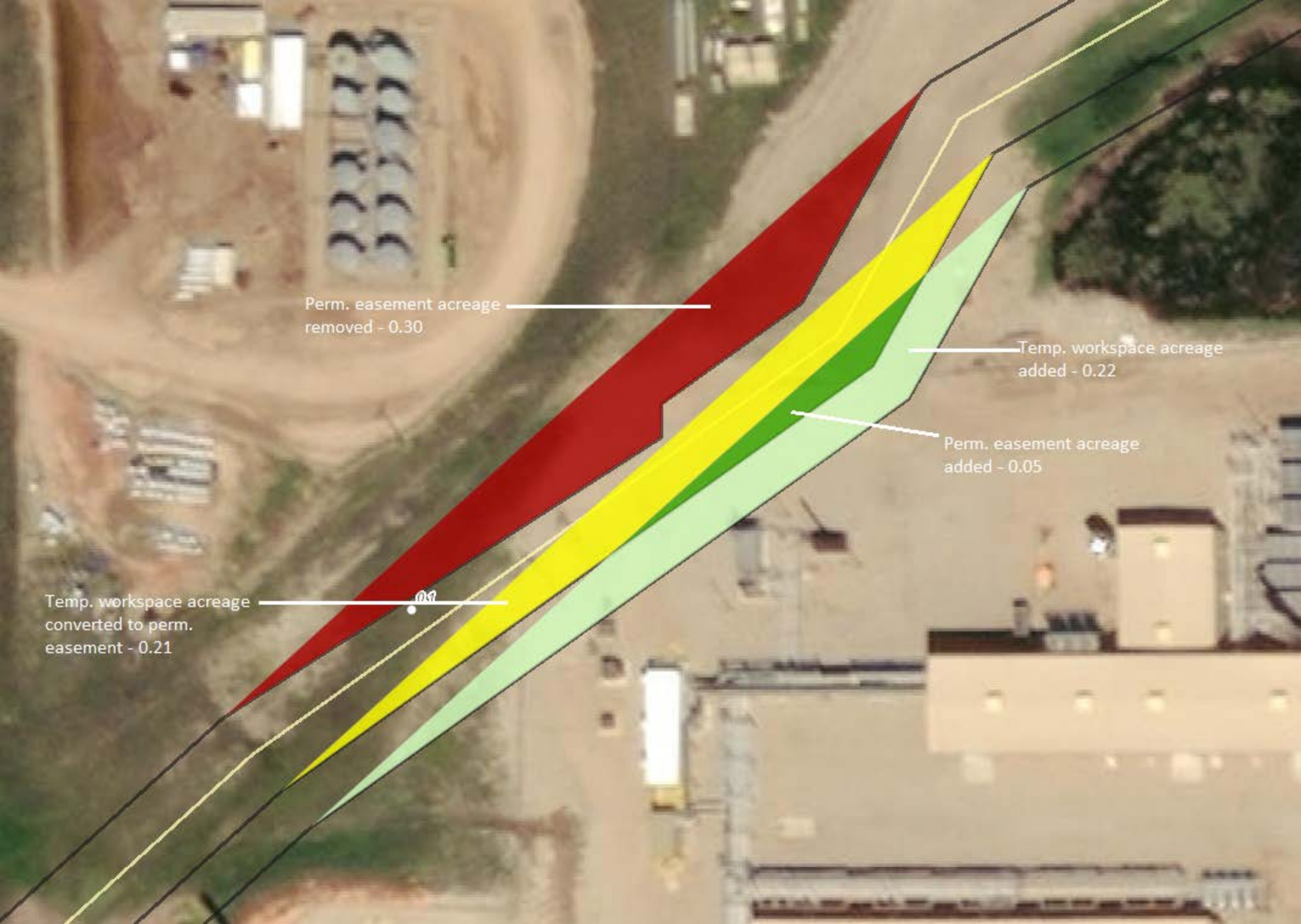
Waterbody o-wm-ec-001

Wetland-waterbody survey coverage area

Wetland w-wm-ec-004e

Area of shifted temp. workspace and perm. easement





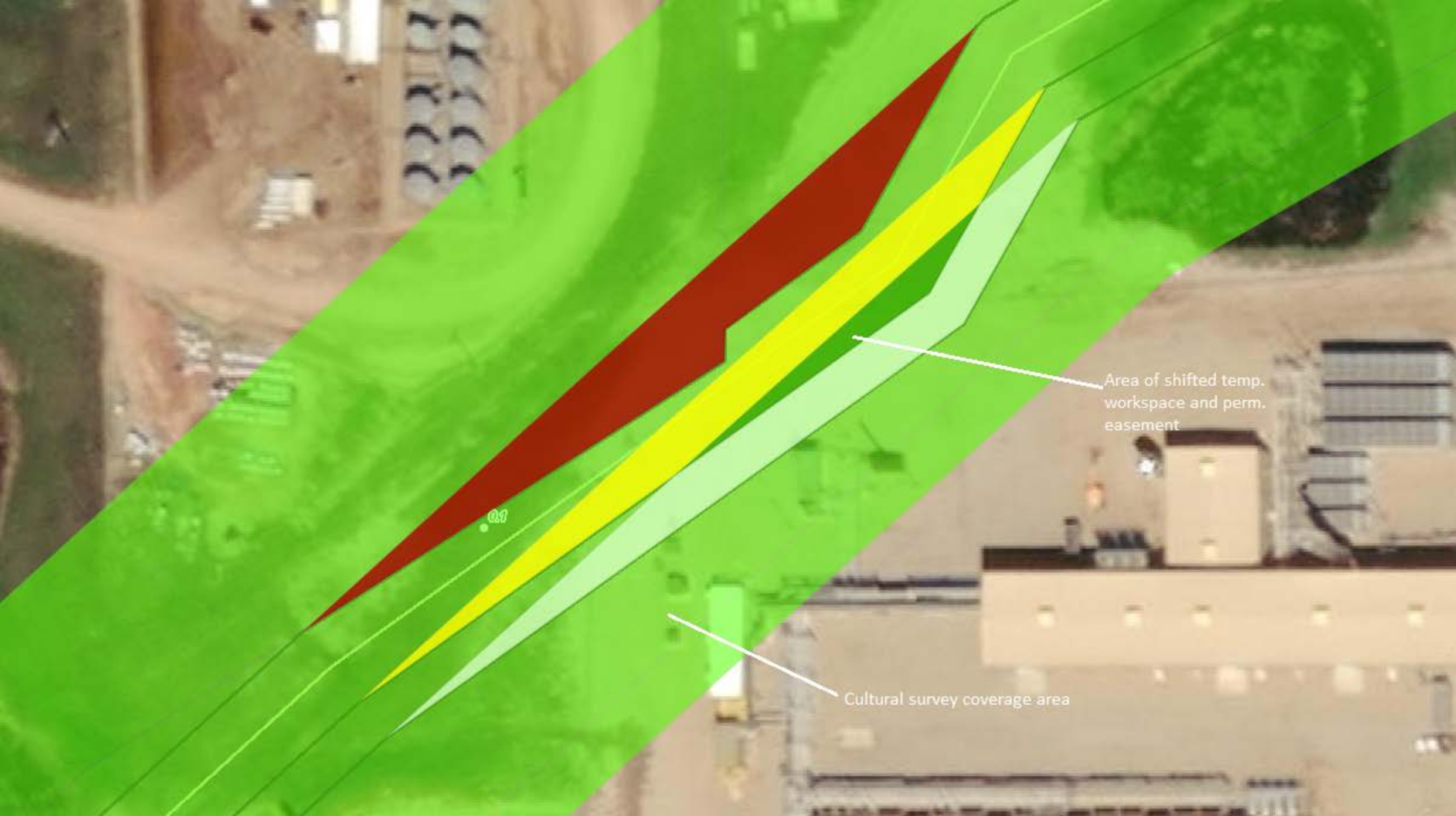
Perm. easement acreage removed - 0.30

Temp. workspace acreage added - 0.22

Perm. easement acreage added - 0.05

Temp. workspace acreage converted to perm. easement - 0.21

0.01



Area of shifted temp.
workspace and perm.
easement

Cultural survey coverage area



Area of shifted temp.
workspace and perm.
easement

Dakota skipper survey
coverage area