



**FEDERAL ENERGY REGULATORY COMMISSION
ENVIRONMENTAL COMPLIANCE MONITORING PROGRAM
SUMMARY REPORT NO. 23
NORTH BAKKEN EXPANSION PROJECT
DOCKET NOS.: CP 20-52-000 AND CP 20-52-001
FOR THE PERIOD: JANUARY 23 THROUGH 29, 2022**

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 Monitor issued three (3) Daily Monitoring Reports consisting of three (3) Acceptable Reports and no Communication Reports. No Noncompliance or Problem Area Reports were issued during this reporting period. No Level 1 or 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	3	296
Communication	0	68
Problem Area	0	0
Noncompliance	0	0
Serious Violation	0	0
Approved Level 1 Variances	0	2
Approved Level 2 Variances	0	34
Total Reports and Variances	3	400

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) to inspect and coordinate regarding issues, discuss 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.

On January 14, 2022, WBI submitted a final in-service request to FERC for the remainder of the Project. On January 26, 2022, FERC granted WBI's in-service request and issued an Authorization to Commence Service. Daily inspections ended on January 26, 2022. Future inspections by the Compliance Monitor will occur intermittently as appropriate during the winter as weather conditions dictate (i.e., substantial thaw cycles). A final, more comprehensive inspection will occur after the spring thaw.



SUMMARY OF ACTIVITIES

Project components are listed below along with a summary of the Compliance Monitor's inspection activities during this reporting period, as applicable. Project-wide, the Compliance Monitor observed widespread snow and ice and limited access throughout the region; there was no monitoring activity for the majority of the Project except for the Tioga to Elkhorn Creek Pipeline Spreads 1 and 2, as specified below. All activities observed complied with the Project's plans and procedures.

- *Tioga to Elkhorn Creek Pipeline Spread 1 – North Spread (MP 0 – 23.0) – widespread snow and ice; access road and permanent security fences installed and maintained in good condition; public and private access roads stable; private driveway and tree line still stable;*
- *Tioga to Elkhorn Creek Pipeline Spread 2 – South Spread (MP 23.0 – 62.8) – widespread snow and ice; agricultural lands and hay fields restored and stable; public and private access roads stable;*



COMMUNICATION REPORTS

Communication reports provide documentation of relevant meetings between the FERC Compliance Monitor and landowners, agency staff, Project representatives, EIs, and others. No communication reports were issued by the Compliance Monitors during this period.



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 Monitor did not issue any problem area or noncompliance reports during this period.



SUMMARY OF LEVEL 1 AND LEVEL 2 VARIANCE REQUESTS

No Level 1 or Level 2 variance requests were approved for the Project during this reporting period.



SELECTED PHOTOGRAPHS OF OBSERVED ACTIVITIES



Tioga Elkhorn Creek PL Spread 1 – Stable and firm public road across the WBI right-of-way (January 24, 2022) – Acceptable – MP 7.4

Tioga Elkhorn Creek PL Spread 1 – Snowy and icy ground surface in and around the 56th Avenue NW Block Valve site and surrounding areas of the right-of-way (January 24, 2022) – Acceptable – MP 16.2



Tioga Elkhorn Creek PL Spread 2 – 35th Street NW across the WBI right-of-way (January 25, 2022) – Acceptable – MP 42.5

Tioga Elkhorn Creek PL Spread 2 – Stable ranch trail through hay fields (January 25, 2022) – Acceptable – MP 45.1



Tioga Elkhorn Creek PL Spread 2 – Snow over wetland w-mk-ea-004e and surrounding areas (January 25, 2022) – Acceptable – MP 46.6

Tioga Elkhorn Creek PL Spread 2 – Ice over 30th Street NW in McKenzie County (January 25, 2022) – Acceptable – MP 47.6



Tioga Elkhorn Creek PL Spread 2 – Frozen hay fields and less snow near Watford City (January 25, 2022) – Acceptable – MP 49.4

Tioga Elkhorn Creek PL Spread 1 – Preserved tree line avoided by construction (January 26, 2022) – Acceptable – MP 5.3



Tioga Elkhorn Creek PL Spread 1 – Private driveway over the new Tioga Elkhorn Creek pipeline (January 26, 2022) – Acceptable – MP 5.3