

KC HARVEY ENVIRONMENTAL, LLC

July 22, 2013

Dan Cimarosti, Program Manager
U.S. Army Corps of Engineers
Omaha District, North Dakota Regulatory Office
1513 South 12th Street
Bismarck, ND 58504

RE: Vantage Pipeline – Notice of Construction

Dear Mr. Cimarosti,

This letter provides notice on findings, approvals, and scheduled construction for the proposed Vantage Pipeline Project (Project). The Project will transport ethane from Tioga, North Dakota, United States to a terminal near Empress, Alberta, Canada. As a result of the project's proposed international border crossing, Vantage US LP filed a request for a Presidential Permit in May, 2010. This filing initiated preparation of an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA) by the U.S. Department of State (DOS). Other federal, state, tribal, and local permitting and approval processes were also initiated in 2010, including North Dakota Public Service Commission (PSC) utility corridor siting requirements.

The Project received a DOS Environmental Assessment Finding of No Significant Impact (FONSI) on May 13, 2013 and a Presidential Permit approval on July 16, 2013. All other related federal and tribal reviews, permitting procedures, and consultations we're satisfactorily completed. The PSC issued a Certificate of Corridor Compatibility approval on June 20, 2012.

Field wetland assessments were completed on the project alignment in 2010 through 2012. The Project will result in temporary disturbance to wetlands. No permanent dredge or fill impacts will occur in wetlands or waters. Furthermore, temporary wetland disturbances will be minimized by avoidance and minimizing work areas. Unavoidable wetland disturbances by the pipeline trench will be backfilled to original contours and stockpiled soils separated by horizons.

We discussed these anticipated project effects with you at an agency kick-off meeting in Bismarck in August, 2010. We were informed that barring another federal nexus, an application requesting approval for impacts to waters of the U.S. would not be necessary under these project effects. You requested continued USACE dialogue and a courtesy letter notification of construction. The DOS provided your office with draft and final copies of the EA for review and comment, and engaged the USACE in interagency involvement

During the EA process, the following other project relevant federal processes were satisfactorily addressed:

- U.S. Fish and Wildlife Service (USFWS)
 - Endangered Species Act

- Migratory Bird Treaty Act
- Refuges, Waterfowl Production Areas, and easements under the Fish and Wildlife Coordination Act
- Natural Resource Conservation Service
- North Dakota State Historic Preservation Office (SHPO)
 - National Historic Preservation Act
- U.S. Department of Indian Affairs
- Tribal Historic Preservation Office(s) THPO
 - National Historic Preservation Act
- Eighteen Tribal Governments Contacted
- State of North Dakota
 - Public Service Commission
 - Game and Fish Department (NDGF)
 - Land Department
 - Department of Health
 - Department of Parks and Recreation

As part of the EA and related federal, state, and local coordination, an Environmental Protection Plan (EPP) was completed for the Project. The above-referenced compliance requirements, best management practices, and quality controls will be implemented through the EPP during Project construction and operations. The EPP is available in the EA where it is public information. Project EPP oversight will be implemented through required monitoring, reporting, and maintenance.

Project construction will begin on August 5, 2013.

Vantage US LP would like to extend our appreciation to the USACE and all stakeholders for your involvement and responsiveness throughout the Vantage Pipeline Project process. We look forward towards your continued engagement.

Sincerely,

Brad R. Kovach
Sr. Biologist and Sr. Project Manager

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