

**8-inch Crude Oil Pipeline,
Divide Lateral Project
Post-Construction Inspection Report**

Meadowlark Midstream Company, LLC

ND PSC Case No. PU-14-223

Keitu Project #569-1057

Prepared by:

Keitu Engineers & Consultants, Inc.

October 2016

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Meadowlark Midstream Company, LLC
8-inch Crude Oil Pipeline
Divide Lateral Project
Divide and Williams Counties, ND

Prepared by Keitu Engineers & Consultants, Inc.

Executive Summary

The State of North Dakota, acting through its North Dakota Public Service Commission (Commission), Division of the Public Utilities, has acquired Keitu Engineers & Consultants, Inc. (Keitu) to perform consulting services to perform construction inspections applying engineering and science principles for the purpose of ensuring that energy conversion and transmission facilities authorized by the Commission are constructed in compliance with the siting laws (N.D.C.C 49-22) and rules (N.D. Administrative Code Article 69-09) and applicable Commission orders for Case No. PU-14-223. Prior to the inspection, Keitu reviewed construction standards and issues and developed a Commission post-construction report to be completed for an inspection for a crude oil pipeline.

The site was visually inspected on September 27, 2016 by Keitu staff. Overall, the project was maintained and in acceptable condition. It appeared to be constructed as planned.

Introduction

The Project is an existing installed 8-inch crude oil pipeline. This part of the project involved converting the pipeline to a “transmission facility” from a “gathering facility”. The Project is operated by Meadowlark Midstream Company, LLC (Meadowlark). Two additional block valves were constructed at either end of the pipeline. One block valve was installed on the northern end of the Project within the facility boundaries of the Divide Pump Station (DPS) in Divide County, North Dakota and the second block valve was installed at the southern end within the facility boundaries of the Colt Rail Terminal (CRT), Williams County, North Dakota. This 8-inch pipeline delivers on average 40,000 barrels per day of crude oil.

The Project is under the jurisdiction of the Commission, which issued its Findings of Fact, Conclusions of Law, and Order on Case No. PU-14-223 on February 25, 2015, granting a Certificate of Site Compatibility for Corridor Compatibility No. 159 and Route Permit No. 171.

Purpose and Scope of Inspection

The North Dakota Energy Conversion and Transmission Facility Act (N.D.C.C. 49-22) authorizes the Commission to determine that the location, construction, and operation of jurisdictional energy conversion and transmission facilities will produce minimal adverse effects on the environment and welfare of the citizens of North Dakota. Construction inspections ensure the Project is constructed in compliance with siting laws, rules, and the applicable Commission Findings of Fact, Conclusions of Law, and Order Provisions (Order).

The Commission retained Keitu Engineers & Consultants, Inc. (Keitu) to complete a post-construction inspection of the Project. The inspection process included a review of the Application for Corridor Compatibility and Route Permit (Application), Order, and other applicable documents to determine Project-specific siting and construction requirements; a site visit and inspection of facilities; documentation of compliance; and a report summarizing findings. This report includes, but is not limited to, site visit observations, documentation of compliance deficiencies, and a summary of issues that should be addressed for the Project to be considered complete and in full compliance.

Methods

Keitu reviewed North Dakota siting laws and rules, the Application, and the Order for the Project to identify what Project-specific documentation was required for compliance. Keitu then reviewed Project documents in the Commission Online Case Search to identify those siting laws, rules, and Application and Order assertions that already had written verification, those that still required documentation, and those that required physical site verification.

Karine Finken, Project Manager, and Heather Miller, Project Engineer, of Keitu visited the Project area on September 27, 2016. In addition, Keitu was escorted around the Project by Alfred Garcia,

Pipeline Compliance Manager with Summit Midstream Partners, LLC (Summit). Digital photographs were taken showing typical Project infrastructure and documenting any problem areas and are located in Appendix A. Appendix B contains a map of the pipeline route with points of observation that were taken. The site was visually inspected along portions of the transmission line route by accessing three points as feasible where road access was available. The inspection began at the CRT in Section 1 of Township 155N, Range 99W in Williams County, and followed the line to the DPS in Section 1 of Township 161N, Range 100W in Divide County. Geographic coordinates were recorded at observation points or potential problem areas, if any, using a handheld Global Positioning System (GPS) (Trimble GeoExplorer 6000 series). A map showing the location of the observation points is attached as Figure 1 in Appendix B.

Observations/Findings of Commission Orders

The following section includes discussion of a list of components of the Project that were asserted in Orders which could be documented during the post-construction inspection to verify compliance with siting laws, rules and the Orders for the Project, via either written documentation or physical site verification. Included are detailed findings and observations from Keitu personnel involved in the post-construction inspection for the Project – Divide and Williams Counties.

1. Meadowlark's application for a waiver of procedures and time schedules is granted.

On August 4, 2014 (Docket #10), Julie Prescott moved the Commission to deem the applications complete and issue a Notice of Filing and Notice of Hearing in the request of Meadowlark for a waiver of procedures and time schedules, an Application for the conversion of approximately 43.5 mile long, 8 inch underground crude oil pipeline in Divide and Williams Counties, North Dakota, Case No. PU-14-223.

Order #1 is deemed complete.

2. Certificate of Corridor Compatibility No. 159 is issued to Meadowlark, designating a 125-foot-wide corridor centered on the route for the construction, operation, and maintenance of approximately 43.5-mile, 8-inch crude oil transmission pipeline and associated facilities in Divide and Williams Counties, North Dakota.

On February 25, 2015 the Commission designated a transmission facility corridor for Meadowlark's approximately 43.5 miles of 8-inch outside diameter pipeline in Divide and Williams Counties, North Dakota for the transmission of crude oil. The Certificate (Docket #39), was issued in accordance with the Order of the Commission dated February 25, 2015 in Case No. PU-14-223 and was subject to the conditions and limitations noted in the Order.

Order #2 is deemed complete.

- 3. The Route Permit No. 171 is issued to Meadowlark, granting authority to construct and operate an approximately 43.5 mile, 8-inch crude oil transmission pipeline and associated facilities in Divide and Williams Counties, North Dakota.**

On February 25, 2015 the Commission designated a transmission facility route for Meadowlark for the construction, operation, and maintenance of approximately 43.5 miles of 8-inch outside diameter pipeline in McKenzie County, North Dakota. The Permit (Docket #39) was issued in accordance with the Order of the Commission dated February 25, 2015 in Case No. PU-14-223 and was subject to the conditions and limitations noted in the Order.

Order #3 is deemed complete.

- 4. The Certification Relating to Order Provisions – Transmission Facility Siting (Certification) with accompanying Tree and Shrub Mitigation specification as executed by Meadowlark and filed with the Commission on October 6, 2014, is incorporated by reference and attached to this Order.**

On September 29, 2014, John R. Miller of Meadowlark, signed the Certification Relating to Order Provisions-Transmission Facility Siting and accompanying Tree and Shrub Mitigation Specifications (Docket #34, #39), binding Meadowlark to requirements set forth by the Commission in its Order. Specific order provisions are addressed in the following section of this report, starting on page 5.

Order #4 is deemed complete.

- 5. To the extent there are any conflicts or inconsistencies between Meadowlark's applications and the Certification, the Certification provisions control.**

Order #5 is deemed complete.

- 6. Meadowlark shall send a letter to each landowner with whom an easement was executed for the transmission facility specifying the name and phone number of the company representative who is responsible for receiving and resolving landowner issues for the life of the transmission facility.**

On April 10, 2015, John Morrison of Crowley Fleck, PLLP, filed a letter specifying the name and phone number of the company representative who is responsible for receiving and resolving landowner issues for the life of the transmission facility (Docket #48). While this letter was filed and docketed, Keitu cannot confirm that Meadowlark sent a letter to each landowner with whom an easement was executed for the transmission facility. The records may have been kept by the Meadowlark, but not docketed or submitted the Commission for docketing.

In Keitu's opinion, Order #6 is complete contingent on documents being supplied to the Commission upon request.

Certification Relating to Order Provisions – Facility Siting

- 1. Meadowlark understands and agrees that any Certificate of Corridor Compatibility or Route Permit issued by the Commission Subject to the conditions and criteria set forth in Chapter 49-22 of the North Dakota Century Code and Chapter 69-06-08 of the North Dakota Administrative Code, and that Company shall be responsible for compliance with this order and conditions and criteria set forth in the applicable laws and rules.**

On February 25, 2015 the Commission designated a transmission facility corridor for Meadowlark's pipeline and associated facilities in Divide and Williams Counties, North Dakota. The Permit, was issued in accordance with the Order of the Commission dated February 25, 2015 in Case No. PU-14-223 and was subject to the conditions and limitations noted in the Order.

Certification #1 is deemed complete.

- 2. Meadowlark agrees to hold a preconstruction conference prior to commencement of any construction, which must include a Meadowlark representative, its construction supervisor, and a representative of Commission Staff, to ensure that Meadowlark fully understands the conditions set forth in the Commission's order.**

A preconstruction meeting was held on April 9, 2015 via conference call (Docket #48). The following personnel were included: Dean Blikre (Meadowlark), John Millar (Meadowlark), Megan Davis (Meadowlark), Julie Prescott (Commission), and Nathan Gaffrey (Keitu).

The conference included a review of the Certification Relating to Order Provisions – Transmission Facility Siting, landowner notification and who they contact for complaints.

Certification #2 is deemed complete.

- 3. Meadowlark agrees to comply with the rules and regulations of all other agencies having jurisdiction over any phase of the transmission facility including all city, township, and county zoning regulations.**

On April 29, 2014, John Morrison provided the Application as prepared by E3 Environmental, L.L.C. (Docket # 1). Within the report, numerous State and Federal agencies including; but not limited to, North Dakota State Historic Preservation Office, North Dakota Game and Fish Department, U.S. Farm Service Agency, North Dakota Parks and Recreation Department, North Dakota State Lands Department, and the U.S. Fish and Wildlife Service were contacted.

Certification #3 is deemed complete.

- 4. Meadowlark understands and agrees that it shall obtain all other necessary licenses and permits, and shall provide copies of all licenses and permits to the Commission prior to**

construction activity associated with the transmission facility that requires said license or permit.

The Certificate of Corridor Compatibility and Route Permit Application (Docket #1) stated the construction of the pipeline was completed under a U.S. Army Corps of Engineers Nationwide Permit #12. Keitu could not find documentation of this permit based on the Commission's project files. The records may have been kept by the Meadowlark, but not docketed or submitted the Commission for docketing.

In Keitu's opinion, Certification #4 is complete contingent on documents being supplied to the Commission upon request.

5. Meadowlark agrees to inform the Commission and the Commission's third-party construction inspector of its intent to start construction on the transmission facility prior to the commencement of construction. Once construction has started, Company shall keep the Commission and the Commission's third-party construction inspector updated on construction activities on a weekly basis.

On October 6, 2015, Meadowlark informed Nathan Gaffrey of Keitu that they were currently boring under railyard and anticipated hydro testing pipe on October 15, 2015. Dean Blikre of Meadowlark communicated with Keitu that they anticipated the CRT tie-in on October 16, 2016 and the DPS tie-in on October 21, 2015. Based on the Commission's project files there is no documentation that records were maintained and the Commission was updated throughout the project. The records may have been kept by the Meadowlark, but not docketed or submitted the Commission for docketing. Although, Meadowlark did keep the Commission's third-party construction inspector updated. It is at the discretion of the Commission to decide whether or not to request this additional documentation.

In Keitu's opinion, Certification #5 is complete contingent on documents being supplied to the Commission upon request.

6. Meadowlark understands and agrees that the pipeline will be buried to a minimum depth from the ground surface to the top of the pipe of 48 inches in range land, 48 inches for cultivated land, 48 inches at the bottom of the ditch for road crossings, and 72 inches across undeveloped section lines.

Meadowlark supplied the Commission with revised as-built alignment sheets displaying the route and depth of the pipeline (Docket #35). According to the depth sheets, the pipeline crossing at undeveloped section line 63rd Street NW is documented at an approximate depth of cover of 4.20 feet. An additional undeveloped section line NW ¼ of NE ¼ of S25 T157N R99W is documented at 5.10 feet for depth of cover. While each undeveloped section line was not reviewed for depth of cover it is observed that at least two may not meet the requirement of 72 inches across undeveloped section lines.

No exposed piping existed along the route or at road crossings at the post-construction site observation points. Potholing to find the exact depth of pipe was not performed during the post-construction inspection.

In Keitu's opinion, Certification #6 may not be complete.

- 7. Meadowlark understands and agrees that any Certificate of Corridor Compatibility or Route Permit issued by the Commission is subject to suspension or revocation and may, in an appropriate and proper case, be suspended or revoked for failure to comply with the Commission's order, the conditions and criteria of the certificate or subsequent modification, or failure to comply with the applicable statutes, rules, regulations, standards, and permits of other state, tribal, or federal agencies.**

Company has complied with the applicable statutes, rules, regulations, standards, and permits of other state or federal agencies to date. The Company's Application was not found to have been suspended or revoked for failure to comply with the Commission's order.

Certification #7 is deemed complete.

- 8. Meadowlark agrees to maintain records that will demonstrate that it has complied with the requirements of the Commission's order issuing a Certificate of Corridor Compatibility or Route Permit, and that it will preserve these records for Commission inspection at any reasonable time upon reasonable notice.**

Based on the Commission's project files docketed, there are records not found by Keitu which were agreed upon by Meadowlark. Records not found are described in the summary. The records may have been kept by the Meadowlark, but not docketed or submitted to the Commission for docketing. The records may possibly be available upon request from Meadowlark.

In Keitu's opinion, Certification #8 is complete contingent on documents being supplied to the Commission upon request.

- 9. Meadowlark agrees to construct and operate the transmission facility in the manner described in Meadowlark's application, in any late filed exhibits and supplemental materials (Application). To the extent there are any conflicts or inconsistencies between Meadowlark's Application and the provisions in this Certification Relating to Order Provisions, the Certification provisions control.**

Meadowlark constructed the pipeline in accordance with the application and supplemental materials. On September 27, 2016 a post-construction inspection was conducted by Keitu. Based on the inspection, the project was constructed as proposed to the Commission. The construction and operation of the facility is in accordance with the company's application.

Certification #9 is deemed complete.

10. Meadowlark agrees to report promptly to the Commission the presence in the permit area of any critical habitat or threatened species, endangered species, bald eagles, or golden eagles of which Meadowlark becomes aware and which were not previously reported to the Commission.

Yellowfield Biological Surveys, LLC was contracted to conduct a habitat assessment, raptor nest survey and sensitive species review of the project area in October 2013 (Docket #1). Additionally, SWCA Environmental Consultants was contracted to conduct a habitat assessment, raptor nest survey and sensitive species review of 9.5-acres for the DPS on April 25, 2014 (Docket #9). No active raptor nests were found within the 1 mile wide study area. No sensitive, threatened or endangered species were identified during the field surveys. Yellowfield Biological Surveys, LLC concluded the Project is not likely to adversely affect and is not expected to contribute to a trend towards federal listing, elevated federal listing or loss of viability to the population of species in their study area. Additionally, SWCA Environmental Consultants observed no threatened or endangered species during the field survey.

Keitu did not observe any threatened species, endangered species, bald eagles, or golden eagles during the October 22, 2015 and September 27, 2017 field inspections.

Certification #10 is deemed complete.

11. Meadowlark understands and agrees that all cultural resource mitigation plans must be submitted to the North Dakota State Historic Preservation Office and approved prior to the start of any fieldwork and construction activity in the affected area.

Juniper, LLC (Juniper) performed a Class I and Class III cultural resource inventory for the proposed project in July 10-14, 2013. Two new historic properties were identified, recorded and documented. These include 32DV129, a farmstead barn, with an adjacent school and 32WI1388 an isolated farmhouse. Juniper determined the four previously recorded historic properties would not be impacted by the gathering pipeline as no evidence of cultural resources were found within the Corridor. Juniper recommended 32DV129 as unevaluated as to its eligibility for the National Register for Historic Places, no impacts were observed because of construction and remediation. Site 23WI1388 was recommended as not eligible for listing on the National Register for Historic Places (Docket #1).

SWCA Environmental Consultants performed a Class I and Class III cultural resource inventory for the DPS on April 25, 2014. No cultural resources were previously recorded within 1-mile and no new cultural resources were recorded during the field survey.

The North Dakota State Historic Preservation Office corresponded and concurred a “No Significant Sites” determination for the project, provided the project remains as described and mapped in the given area (Docket #1).

Certification #11 is deemed complete.

- 12. Meadowlark understands and agrees that if any cultural resource, paleontological site, archeological site, historical site, or grave site discovered during construction, it must be marked, preserved and protected from further disturbances until a professional examination can be made and a report of such examination is filed with the Commission and the State Historical Society and clearance to proceed is by the Commission.**

Based on the Commission's project files docketed there is no unanticipated discovery plan for construction filed with the Commission and the State Historical Society. Certification of the unanticipated discovery plan may have been kept by the Meadowlark, but not docketed or submitted to the Commission for docketing. The records may possibly be available upon request from Meadowlark.

In Keitu's opinion, Certification #12 is complete contingent on documents being supplied to the Commission upon request.

- 13. Meadowlark understands and agrees that all buried facility crossings of graded roads must be bored unless the responsible governing agency specifically permits Meadowlark to open cut the road.**

From the post-construction inspection observation points, it appears that all road crossings were bored. The roads over the pipe crossings appeared undisturbed and to grade.

Certification #13 is deemed complete.

- 14. Meadowlark understands and agrees that all pre-existing township and county roads and lanes used during construction must be repaired or restored to a condition that is equal to or better than the condition prior to the construction of the transmission facility and that will accommodate their previous use, and that areas used as temporary roads or working areas during construction must be restored to their original condition.**

From the post-construction inspection observation points, it appears that all pre-existing roads and lanes used for construction were restored to their previous conditions. These areas also appear to be revegetated from the observation points.

Order #14 is deemed complete.

- 15. Meadowlark understands and agrees that construction must be suspended when weather conditions were such that construction activities would cause irreparable damage to roads or land, unless adequate protection measures approved by the Commission are taken.**

Based on the Commission's project files, there is no documentation that construction activities were suspended due to weather conditions or that adverse weather conditions existed. The records may have been kept by the Meadowlark, but not docketed or submitted to the Commission for docketing. The records may possibly be available upon request from Meadowlark.

In Keitu's opinion, Certification #15 is complete contingent on documents being supplied to the Commission upon request.

16. Meadowlark understands and agrees that all topsoil, up to 12 inches, or topsoil to the depth of cultivation, whichever is greater, over and along trench areas where cuts will be made, must be stripped and segregated from the subsoil. Except along segments of the line using the double ditching method, any area on which excavated subsoil will be placed must also be stripped of topsoil. After backfilling is completed, any excess subsoil must be placed over the excavation area, blending the grade into existing topography. Topsoil must be replaced over areas from which it was stripped only after the subsoil was replaced.

During the post-construction inspection, the vegetation along the majority of the pipeline route was in favorable condition, there was two areas identified where there was sparse vegetation or noxious weeds. These areas along the pipeline observed were to grade evenly to the adjacent soil level which would indicate that this Order was followed properly.

Certification #16 is deemed complete.

17. Meadowlark understands and agrees that reclamation, fertilization, and reseeding is being done according to the Natural Resources Conservation Service recommendations, unless otherwise specified by the landowner and approved by the Commission.

Vegetation within the project area is predominantly agricultural with active and inactive fields. On the north side of 62nd Street NW where the Project crosses, Keitu observed the agriculture vegetation along the ROW was not as robust as the agriculture vegetation outside of the adjacent ROW. The soil was observed to have stones throughout the ROW whereas outside of the adjacent ROW there was less stones at the surface of the soil. At the time of the inspection it was visually observed that the ROW in the agriculture field on the north side of 62nd Street NW has not reached the productivity level of the vegetation on the adjacent ROW in the same field. Keitu communicated this observation with Mr. Garcia of Meadowlark during the field inspection. Meadowlark communicated with Keitu that there has been no landowner complaints or issues in this area or along the Project as a whole.

Keitu visually observed the Project where it crosses Highway 85. The west side of Highway 85 was fully vegetated with no noxious weeds and appeared fully reclaimed. The ROW on the east side of Highway 85 was fully vegetated but Canada thistle (*Cirsium arvense*), a North Dakota State-listed Noxious Weed was identified throughout the ROW. Keitu communicated onsite with Mr. Garcia of Meadowlark that Canada thistle was found in the ROW. It is to be noted that

although Canada thistle was found along the ROW, it was also identified adjacent and well outside of the ROW and was likely established before construction of the Project commenced.

Based on the Commission's project files, there is no documentation that reclamation, fertilization, and reseeding was done to the Natural Resources Conservation Service recommendations, or any other specifications. The records may have been kept by the Meadowlark, but not docketed or submitted to the Commission for docketing. The records may possibly be available upon request from Meadowlark.

In Keitu's opinion, Certification #17 is complete contingent on documents being supplied to the Commission upon request.

18. Meadowlark understands and agrees that its obligation for reclamation and maintenance of the right-of-way will continue throughout the life of the transmission facility.

During post construction-inspection, Alfred Garcia of Summit stated they will continue to work on noxious weed control along the ROW with landowner permission.

Based on the post-construction inspection, Meadowlark has performed reclamation and maintenance of the right-of way and they have continued this since the facilities have been placed in operation.

Certification #18 has been followed to date.

19. Meadowlark understands and agrees that its obligation for reclamation and maintenance of the transmission facility, associated facilities, and roadways will continue throughout the life of the transmission facility.

During post-construction inspection, ongoing maintenance at the DPS due to heavy rainfall was observed.

Based on the post-construction inspection, Meadowlark has performed reclamation and maintenance of the facility.

Certification #19 has been followed to date.

20. Meadowlark agrees to comply with the Tree and Shrub Mitigation Specifications, attached.

In April 2015, Meadowlark submitted an Application (Docket #1) which stated there will be no clearing or removal of trees or shrubs. According to the pre-construction meeting, Mr. Blikre of Meadowlark confirmed there was no removal of any trees or shrubs during construction (Docket #48).

Certification #20 is deemed complete.

21. Meadowlark understands and agrees that it shall repair all fences and gates removed or damaged during all phases of construction and operation of the transmission facility shall be repaired or replaced.

During the post construction investigation on September 27, 2015, no fences or gates in poor condition were observed.

Certification #21 is deemed complete.

22. Meadowlark understands and agrees that it shall repair or replace all drainage tile broken or damaged as a result of construction operation of the transmission facility.

Landowners were contacted about the pipeline prior to the pipeline installation and there is no documentation in the Commission's files of a drainage tile encounter.

Certification #22 is deemed complete.

23. Meadowlark understands and agrees that staging areas or equipment shall not be located on land owned by a person other than Meadowlark unless otherwise negotiated with landowners.

A review of the project files indicates that construction remained in the ROW which consisted of a 50-75 foot temporary workspace and a 35 foot permanent easement (Docket #1). The temporary workspace was used as an access road along the length of the pipeline and to store materials.

Certification #23 is deemed complete.

24. Meadowlark understands and agrees that it shall remove all waste that is a product of construction and operation, restoration, and maintenance of the site, and properly dispose of it on a regular basis.

During the post construction investigation on September 27, 2016, no waste was observed at the project site. One can infer that it was properly disposed.

Order #24 is deemed complete.

25. Meadowlark understands and agrees that it shall, as soon as practicable upon the completion of the construction of the transmission facility, restore the area affected by the activities to as near as is practicable to the condition as it existed prior to the beginning of construction.

A post-construction site visit was performed on September 27, 2016 by Keitu. Noxious weed control is needed in a few areas. Alfred Garcia of Summit verbally communicated to on-site Keitu staff that noxious weed control will be implemented with landowner permission.

Certification #25 is deemed complete.

26. Meadowlark understands and agrees that it shall provide any necessary safety measures for traffic control or to restrict public access to the transmission facility.

Based on the post-construction inspection, Meadowlark restricts public access to the facility. Signs and a chain-link fence surround the main facility and the above ground valve stations.

Certification #26 is deemed complete.

27. Meadowlark understands and agrees that it shall advise the Commission of any extraordinary events which take place at the site of the transmission facility, including but not limited to injuries to any person, or the death of any threatened or endangered species on the site within five business days of such event.

A review of the Commission's files indicate no extraordinary events took place on site to date.

Certification #27 is deemed complete.

28. Meadowlark understands and agrees that it shall implement a procedure for how complaints concerning the transmission facility will be handled by Meadowlark.

On April 10, 2015, John Morrison of Crowley Fleck, PLLP, filed a letter specifying the name and phone number of the company representative who is responsible for receiving and resolving landowner issues for the life of the transmission facility (Docket #48). While this letter was filed and docketed, Keitu cannot confirm that Meadowlark sent the letter with the landowner complaint contact information to each landowner with whom an easement was executed for the transmission facility. The records may have been kept by the Meadowlark, but not docketed or submitted the Commission for docketing.

In Keitu's opinion, Certification #28 is complete contingent on documents being supplied to the Commission upon request.

29. Upon request, Meadowlark agrees to provide the Commission with engineering design drawings of the transmission facility prior to construction.

Meadowlark provided in the Route Permit Amendment (Docket #9) engineering drawings of the transmission facility prior to construction.

Certification #29 is deemed complete.

- 30. Meadowlark understands and agrees that it shall inform the Commission in writing of any plans to modify the transmission facility or of any plans to modify the site plan for the transmission facility. Meadowlark understands and agrees to obtain written approval from the Commission prior to any modifications to the site plan or the transmission facility. Approval may be granted after notice and opportunity for hearing.**

There is no documentation in the Commission's project files for modification to the transmission facility or site plan.

Certification #30 is deemed complete.

- 31. Meadowlark agrees to provide the Commission with both an electronic and a paper copy of the corridor approved by the Commission, and the facility design specifications for the construction of the transmission facility showing the location of the transmission facility as built, and will provide this information within 3 months of the completion of the construction. Meadowlark also agrees to provide an electronic version of the corridor approved by the Commission and the facility design specifications of the construction of the transmission facility showing the location of the transmission facility as built that can be imported into ESRI GIS mapping software within 3 months of the completion of the construction. This electronic map data must be reference to the North Dakota coordinate system of 1983, North and/or South zones US Survey feet (NAD 83) UTM Zone 13N of 14N feet (NAD 83), or geographic coordinate system (WGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed.**

Meadowlark provided sufficient design specifications in the Application and Exhibits to understand and verify the proposed transmission facility on April 2014, (Docket #1) and July 2014 (Docket #9). The Commission was provided with both paper and electronic copies. The Commission granted the proposed transmission facility and issued a Certificate of Corridor Compatibility and Route Permit on February 25, 2015 (Docket #41).

Certification #31 is deemed complete.

- 32. Meadowlark understands and agrees that the authorizations granted by any Certificate of Corridor Compatibility or Route Permit issued by the Commission for the transmission facility are subject to modification by order of the Commission if deemed necessary to protect further the public or the environment.**

A review of the project files did not indicate that any authorizations granted by Certificate of Corridor Compatibility or Route Permit for a transmission facility were modified by the Commission to date.

Certification #32 is deemed complete.

33. Meadowlark understands and agrees that in the event Meadowlark desires to construct, within any corridor granted by a Certificate of Corridor Compatibility in this proceeding, a transmission facility or energy conversion facility that was not included in Meadowlark's application in this proceeding, Meadowlark shall apply to the Commission for a Route Permit or Site Certificate for the facility.

A review of the project files did not indicate that any other authorizations granted by the Certificate of Corridor Compatibility or Route Permit for a transmission facility or energy conversion facility desire to construct within the existing other than those originally included Route Permit or Site Certificate.

Certification #33 is deemed complete.

34. Meadowlark shall notify the Commission, as soon as reasonably possible, if any damage, as defined by the North Dakota Century Code Chapter 49-23, occurs to underground facilities during construction conducted under the certificate or permit issued in this proceeding. In the event of any damage to underground facilities, Meadowlark shall suspend construction in the vicinity of the damage until compliance with Once-Call Excavation Notice System requirements under North Dakota Century Code Chapter 49-23 has been determined and clearance to proceed has been given by the Commission.

Based on the project files, there is no documentation that any damage occurred to underground facilities during construction.

Certification #34 is deemed complete.

35. Meadowlark understands and agrees that the corridor certificate and route permit are subject to suspension or revocation and may, after hearing, be suspended or revoked for failure to comply with the Commission's order, requirements of the One-Call Excavation Notice System under North Dakota Century Code Chapter 49- 23, the conditions and criteria of the certificate or permit or subsequent modification, or failure to comply with applicable statutes, or rules, regulations, standards, and permits of other state or federal agencies.

The Commission has not suspended or revoked for failure to comply with the Commission's order, requirements of the One-Call Excavation Notice System under North Dakota Century Code Chapter 49-23. Meadowlark has complied with the applicable statutes, rules, regulations, standards, and permits of other state or federal agencies to date.

Certification #35 is deemed complete.

36. Meadowlark agrees to utilize the following procedures if Meadowlark seeks a route adjustment before or during construction of the pipeline, pursuant under N.D.C.C. §49-22-16.3:

Meadowlark did not file a route adjustment before or during construction of the pipeline. During the post-construction inspection the pipeline was observed in the same location as filed with the Commission.

Certification #36 is deemed complete.


Conclusions

Overall, the Project appeared to be constructed as designed with minimal impacts to the surrounding natural and human environment. The Project site was in acceptable condition and well maintained.

The project appeared to have been constructed in compliance with the siting laws and rules and applicable Commission orders. Order #6 and Certifications #4, #5, #8, #12, #15, #17, and #28 is complete contingent on documents being supplied to the Commission upon request. Certification #6 does not appear complete with the documents filed with the Commission. The depth of cover appears to not be adequate to the Certification.

I declare that, I have the specific qualifications based on education, training, and experience to assess a project of this nature.

Sincerely,



Jaimee Antognazzi
Operations Manager

Appendix A: Site Photos

Date & Time: Tue Sep 27 11:38:18 CDT 2016
Position: 048.28226°N / 103.35387°W
Altitude: 2237ft
Datum: WGS-84
Azimuth/Bearing: 295° N65W 5244mils (True)
Elevation Grade: -006%
Horizon Grade: +003%
Zoom: 1X



Photo 1 – “PIG” launcher at CRT, pipeline start.



Photo 2 – Pipeline leaving CRT.

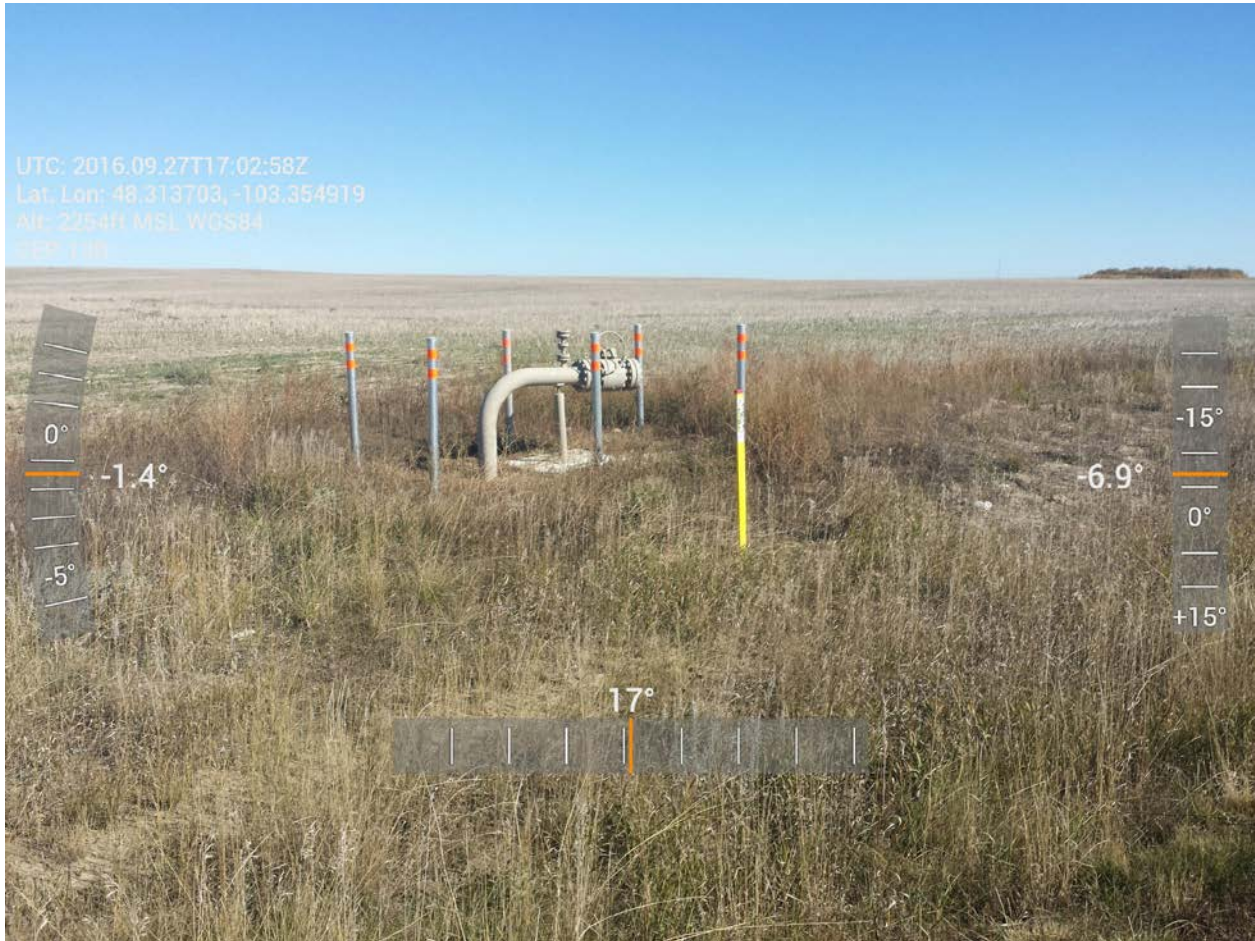


Photo 3 – Photo of valve for any possible future connections.



Photo 4 – Pipeline ROW showing agriculture vegetation sparse and visible stones north of 62nd Street NW.



Photo 5 – Pipeline ROW showing fully vegetated agriculture land south of 62nd Street NW.



Photo 6 – Typical pipeline marker at road crossing.



Photo 6 – Fully vegetated alfalfa (*Medicago sativa*) field along ROW.



Photo 7 – Vegetated agricultural field and grassland along pipeline ROW.



Photo 8 – Canada thistle found on ROW near Hwy 85.

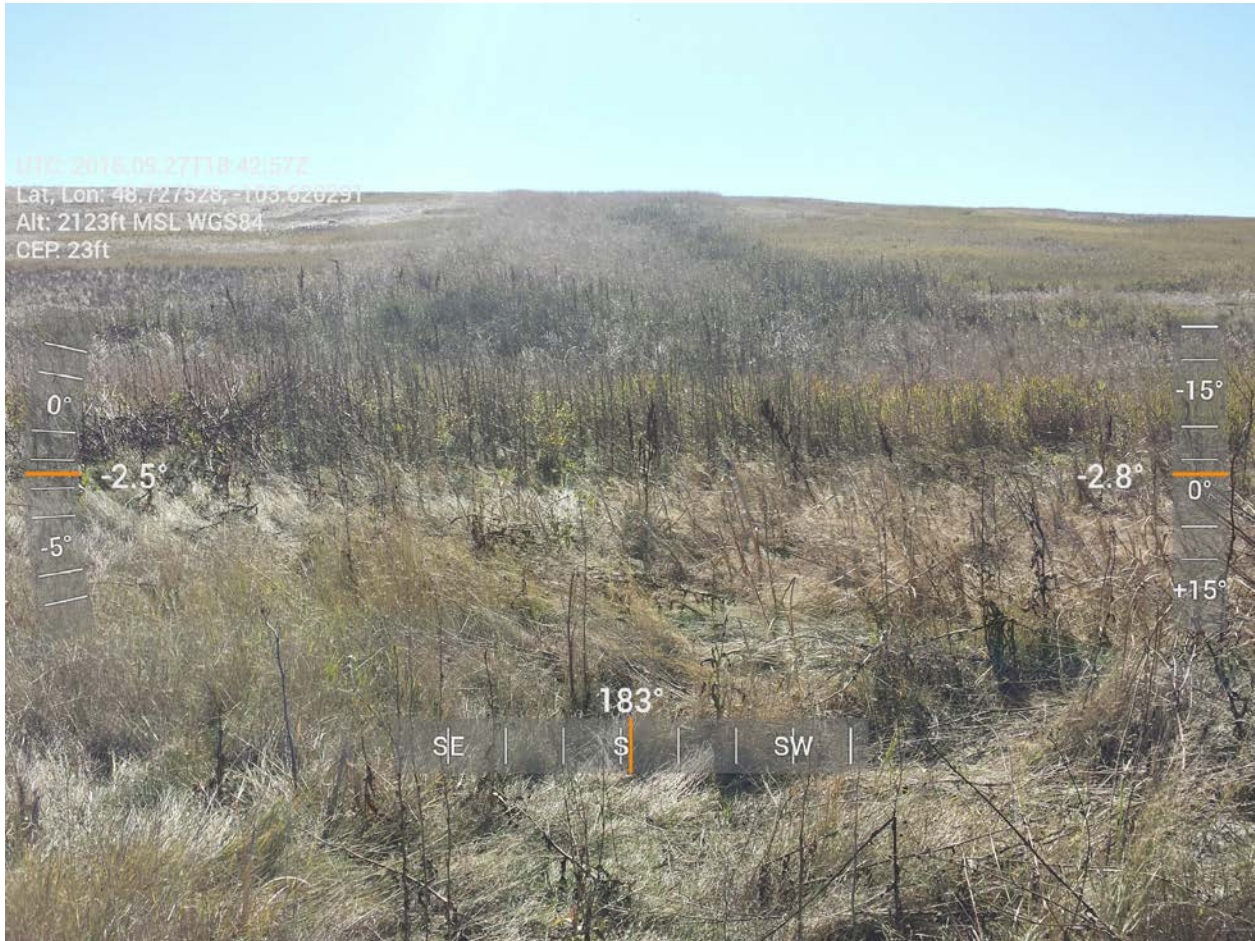


Photo 9 – ROW inundated with Canada thistle, although fully vegetated.



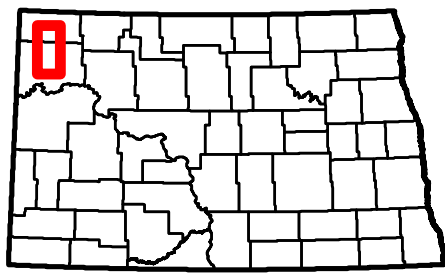
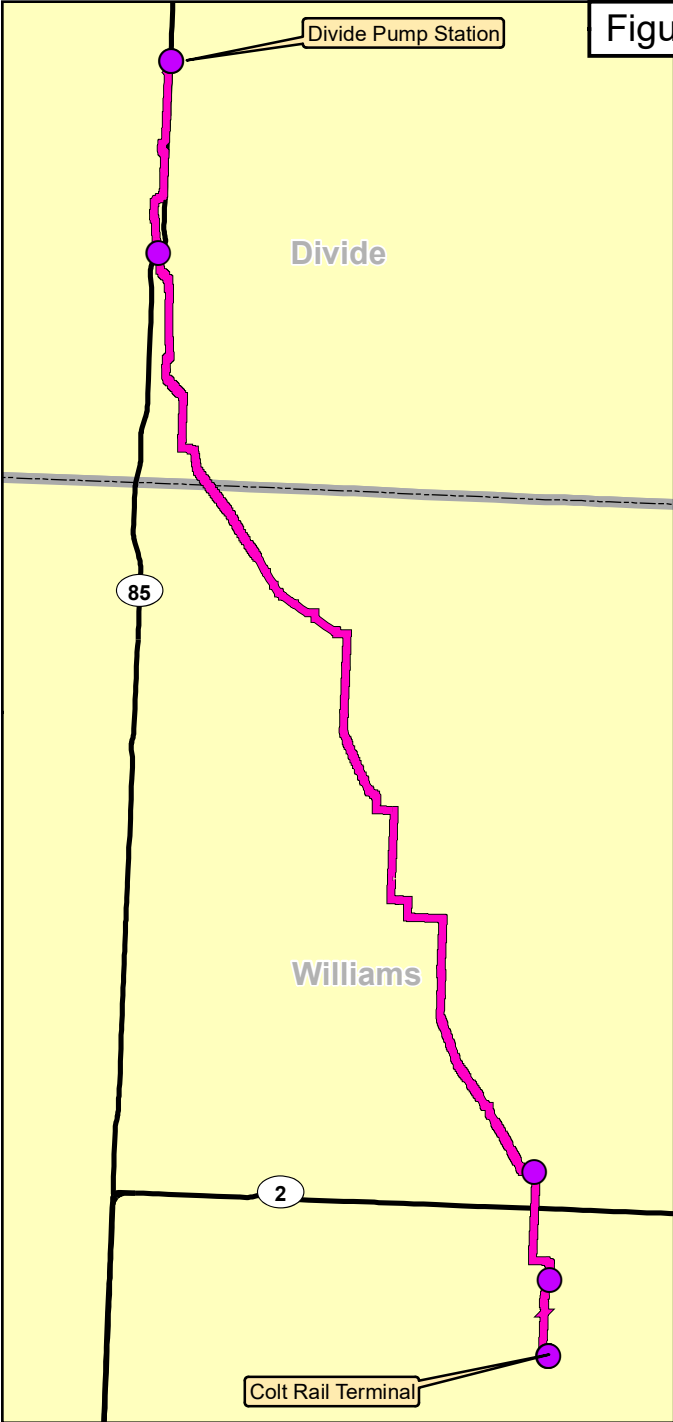
Photo 10 – Tanks at the Divide Pump Station.






Photo 11 – End valve, connecting to Divide Pump Station.

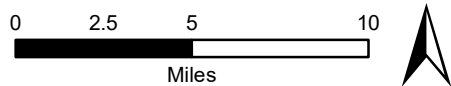
Appendix B: Figure

Figure 1



Legend

-  Project Centerline
-  Observation_Points
-  Counties



**ND PSC Case Number
PU-14-223**

**Medowlark Midstream
Company, LLC**

**8-inch Crude Oil Pipeline
Divide and Williams County, ND
Divide Lateral Pipeline Project**

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