



TRANSMITTAL LETTER

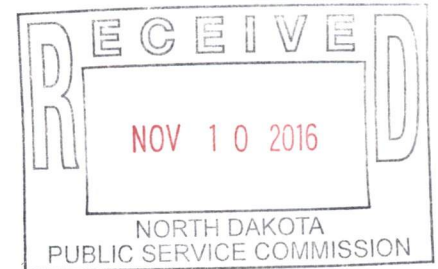
To: Julie Prescott, P.E. - Public Utility Analyst

Of: ND PSC - Public Utilities Division

State Capitol

600 East Boulevard – Dept. 408

Bismarck, ND 58505-0480



Date: October 31, 2016

Subject: Letter of Transmittal – PU-14-842 DAPL 26Sep16 ROW Inspection Photos

As promised, enclosed is a thumb drive with electronic copies of all the photos in our project file for the PU-14-842 DAPL 26Sep16 ROW Inspection Trip.

Please note: the excavation from a single stroke of a backhoe bucket depicted in several of the photos were by the landowner during the period of our inspector's on-site visit.

As I mentioned in our phone conversation this am, based on my review of the photos from the inspection, the condition of the Dakota Access Pipeline (DAPL) Right-of-Way (ROW) is significantly below the standards the project successfully demonstrated in other locations of the project. The top soil stockpiles are extremely small given the unusually wide ROW dimensions associated with this project and the expectation that a minimum of 12 inches of topsoil, where available be removed and stockpiled outside of the active work zones. As the photos show, there is clear evidence additional topsoil remains within the work zone.

Kathleen M. Spilman, P.E.
Managing Director

From the desk of...

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Supplemental photos to Sept. 26, 2016 site inspection trip report

Keitu Engineers & Consultants, Inc.

Kathleen Spilman, P.E.