

May 22, 2017

VIA HAND-DELIVERY

Mr. Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480



**Re: Dakota Access, LLC - Case No. PU-14-842
Notification of Route Adjustments under
N.D.C.C. § 49-22-16.3(3)**

Dear Mr. Nitschke:

On January 20, 2016, the North Dakota Public Service Commission (“Commission”) issued Findings of Fact, Conclusions of Law, and Order (“Order”) granting Certificate of Corridor Compatibility Number 179 and Route Permit Number 191 to Dakota Access, LLC (“Dakota Access”) for the Dakota Access Pipeline Project (“Project”). On May 24, 2016, the Commission issued Supplemental Findings of Fact, Conclusions of Law and Order issuing First Amended Certificate of Corridor Compatibility Number 179 and First Amended Route Permit Number 191 to Dakota Access. On June 22, 2016, the Commission issued Second Supplemental Findings of Fact, Conclusions of Law and Order granting Dakota Access Second Amended Certificate of Corridor Compatibility No. 179 and Second Amended Route Permit No. 191 for the Project.

Recently, through review of the as-built information for the Project, it was discovered that minor route adjustments were not previously provided to the Commission. These three minor deviations are less than 1.5 miles in length and were the result of landowner site or route specific change requests during construction to avoid obstacles that appeared post order issuance. When evaluating the as-built files it was observed that these three changes had not been previously submitted and recorded as part of the administrative record. However, please now find and accept for the record the three route adjustments. Final as-built drawings and data will be provided to the Commission by May 26, 2017 pursuant to Order provision 32.

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Bismarck, North Dakota
58501-1215

289 PU-14-842 Filed: 5/22/2017 Pages: 23
**Certification and documentation for route
adjustments under N.D.C.C. 49-22-16.3**

The three route adjustments are labeled 133, 134, & 135. Route adjustments 135 & 136 were related to landowner requests and route adjustment 134 is related to spatial conflict with a well pad and flare stack. The details of each route adjustment are as follows:

1. Route adjustment 134 shifted the pipeline centerline south for a short distance to avoid a well pad. Prior to shifting, the pipeline centerline was in very close proximity to a flare stack and was not suitable for safe pipeline construction or operations and would have been disruptive to well pad operations. Constructing the pipeline through the well pad would have compromised the well pad base, increased the disturbed area required to safely construct, and extended the time required for reclamation.
2. Route adjustment 135 shifted the pipeline centerline south for a short distance to provide landowner access to livestock corrals and to accommodate a water line proposed to cross the property. During construction it was observed that the construction activities were going to block access to the corrals, Therefore, in cooperation with the landowner, the pipe was slightly adjusted to provide access and to eliminate the conflict. The shift also provided greater separation from the proposed water line. The pipeline centerline was shifted at the landowner's request.
3. Route adjustment 136 shifted the pipeline centerline south for a short distance to avoid conflicts with landowner stock dam and livestock water trough. As proposed, the pipeline would have been constructed very close to the stock dam and the landowner's water trough would have required temporary or permanent relocation. To avoid unnecessary impacts to the landowner's livestock operation, at the request of the landowner during construction the pipeline centerline was shifted.
- 4.

The route adjustments meet all of the requirements to proceed under N.D.C.C. § 49-22-16.3(3), and only require notification to the Commission of the route adjustments. No known exclusion or avoidance areas, as defined in North Dakota Administrative Code §§ 69-06-08-02(1) and (2), were affected by construction activities associated with the route adjustments.

To supplement the administrative record, enclosed for filing please find an original and ten (10) copies of the following documents pursuant to North Dakota Century Code ("N.D.C.C.") § 49-22-16.3(3):

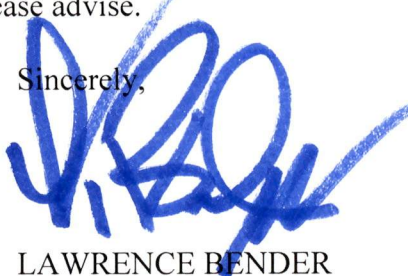
- Certification of Joey Mahmoud, with accompanying exhibits:
 - Exhibit A: Dakota Access Reroute Location Maps;
 - Exhibit B: Summary of the Environmental/Exclusion and Avoidance Areas Analysis Completed for Reroute Locations;
 - Exhibit C: Environmental Crossing Analysis for Reroute Locations;

Mr. Darrell Nitschke
May 22, 2017
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- Exhibit D: Summary of the Cultural Resources Analysis Completed for Reroute Locations;
- Exhibit E: Exclusion and Avoidance Criteria Analysis for Reroute Locations; and
- Certificate of Service.

Also enclosed herewith is a disk containing the above-referenced documents in PDF format. Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/dmk
Enclosures

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

**Dakota Access, LLC
Dakota Access Pipeline Project
Siting Application**

CASE NO. PU-14-842

CERTIFICATION OF JOEY MAHMOUD

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

Joey Mahmoud, being first duly sworn upon oath, states and alleges as follows:

1. That I am employed as the Vice President of Engineering for Dakota Access, LLC (“Dakota Access”) for the Dakota Access Pipeline Project (the “Project”) and have the authority to bind Dakota Access with respect to the certification made herein.
2. That I submit this certification in accordance with North Dakota Century Code (“N.D.C.C.”) § 49-22-16.3(3) in support of Dakota Access’s route and corridor adjustments for the Project.
3. That on January 20, 2016, the North Dakota Public Service Commission (“Commission”) issued its Findings of Fact, Conclusions of Law and Order granting Dakota Access a Certificate of Corridor Compatibility and Route Permit for the Project.
4. That on May 24, 2016, the Commission issued its Supplemental Findings of Fact, Conclusions of Law and Order granting Dakota Access First Amended Certificate of Corridor Compatibility No. 179 and First Amended Route Permit No. 191 for the Project.

5. That on June 22, 2016, the Commission issued its Second Supplemental Findings of Fact, Conclusions of Law and Order granting Dakota Access Second Amended Certificate of Corridor Compatibility No. 179 and Second Amended Route Permit No. 191 for the Project.

6. That under N.D.C.C. § 49-22-16.3(3), modification to the approved Project route and corridor, as depicted on the maps filed herewith, were required for the Project.

7. That the reroutes occur in Williams, Mercer, and Morton Counties. Both the approved and modified route and corridor are depicted on the maps attached hereto as **Exhibit A**.

8. No owner of real property on which an adjustment is located and no applicable governmental entity with an interest in the same adjustment area oppose the adjustment.

9. That botany, wetland, and wildlife surveys were completed for the route and corridor modifications. A Summary of the Environmental/Exclusion and Avoidance Areas Analysis Completed for Reroute Locations prepared by Dakota Access discussing the various environmental reviews performed is attached hereto as **Exhibit B**. Also attached hereto as **Exhibit C** is a document setting forth the findings of the environmental crossing analysis for the reroute locations in table format.

10. That Class II and Class III cultural resources inventories have been completed for the Project, which includes the modified route and corridor. The review of the inventory and associated documents by the State Historic Preservation Office took into account all of the proposed route and corridor adjustments, as explained in the Summary of the Cultural Resources Analysis Completed for Reroute Locations from Dakota Access attached hereto as **Exhibit D**.

11. That following the Class III cultural resources inventories, the reports were submitted to the North Dakota State Historic Preservation Office for review. As discussed in the Summary of the Cultural Resources Analysis Completed for Reroute Locations, the State

Historic Preservation Office concurred with the recommendations provided in the reports, and stated no significant sites will be affected by the Project, with the exception of those sites included in the Evaluation and Mitigation Plan. The Evaluation and Mitigation Plan was also approved by the State Historic Preservation Office. See **Exhibit D**.

12. That no exclusion or avoidance areas will be affected by the route and corridor adjustments and associated construction activities. Dakota Access conducted the necessary field studies to confirm the route adjustments will not impact any exclusion or avoidance areas. A table setting forth the exclusion and avoidance criteria analysis performed for the reroute locations is attached hereto as **Exhibit E**. A Summary of the Environmental/Exclusion and Avoidance Areas Analysis Completed for Reroute Locations prepared by Dakota Access discussing the exclusion and avoidance area reviews performed is attached hereto as **Exhibit B**.

13. That for each of the route adjustments, the route outside the designated corridor is no longer than one and one-half miles in length. The exact length of each reroute, and the length outside of the designated corridor, is set forth in the environmental crossing analysis table attached hereto as **Exhibit C**.

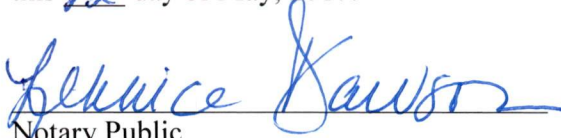
14. That Dakota Access will comply with the Commission's orders, laws, and rules designating the corridor and designating the route.

FURTHER AFFIANT SAYETH NOT.

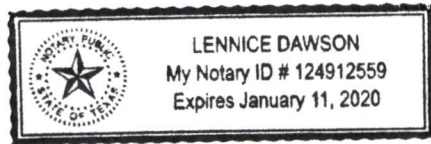


Joey Mahmoud

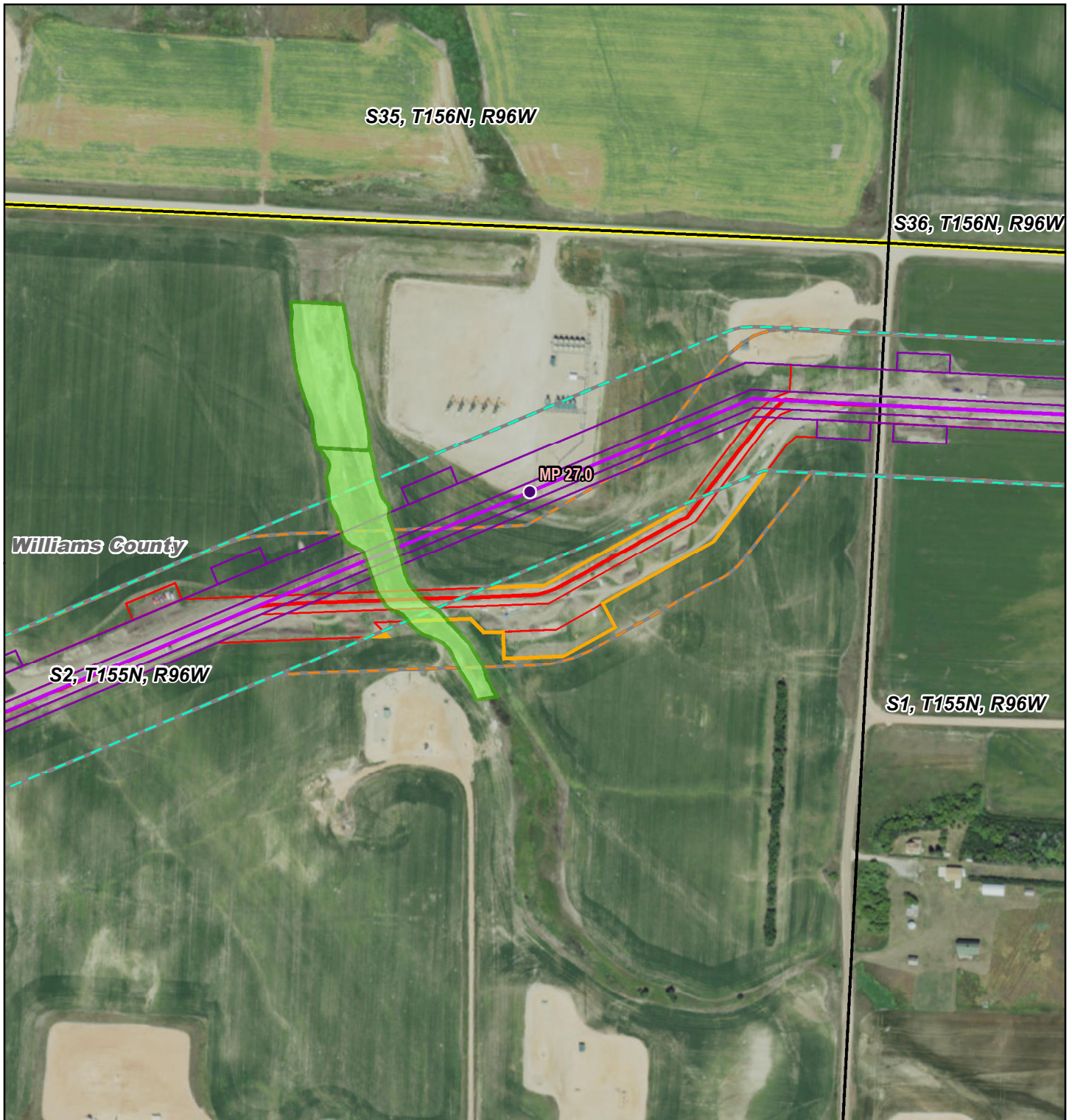
Subscribed and sworn to before me
this 22 day of May, 2017.



Notary Public



61338852_1.docx



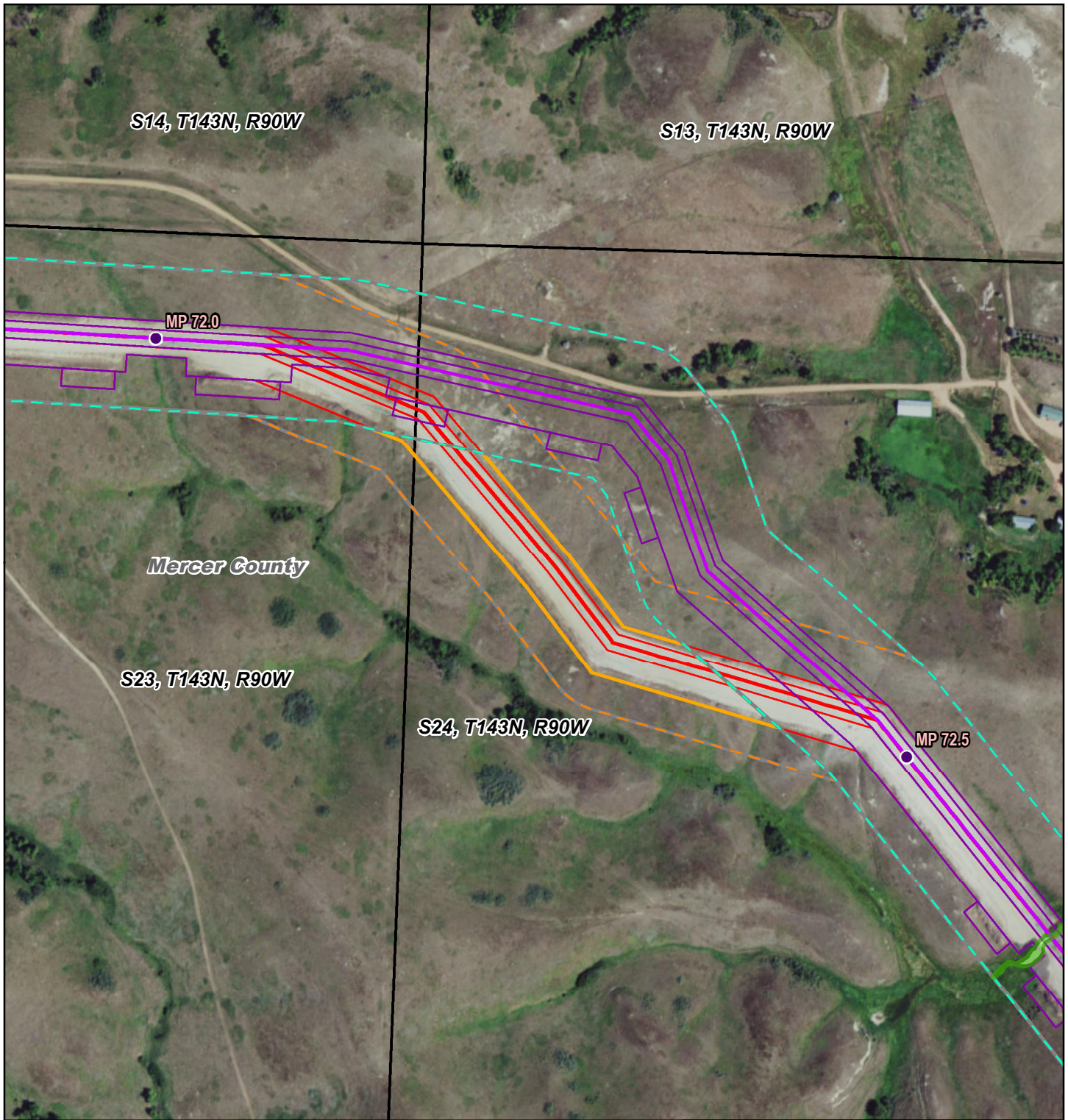
- PSC Milepost
- May 2016 Route
- May 2016 Workspace
- PSC Corridor
- 1 Mile Study Corridor
- May 2017 Route
- May 2017 Workspace
- Adjusted Corridor
- Area Outside of PSC Corridor
- North Dakota PLSS Section
- North Dakota PLSS Township

Waterbody
 Wetland



0 400 Feet

**Dakota Access Pipeline Project
North Dakota PSC
Reroute Location 133
EXHIBIT A**



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- PSC Milepost
- May 2016 Route
- May 2016 Workspace
- PSC Corridor
- 1 Mile Study Corridor
- May 2017 Route
- May 2017 Workspace
- Adjusted Corridor
- North Dakota PLSS Section
- North Dakota PLSS Township

 Waterbody
 Wetland

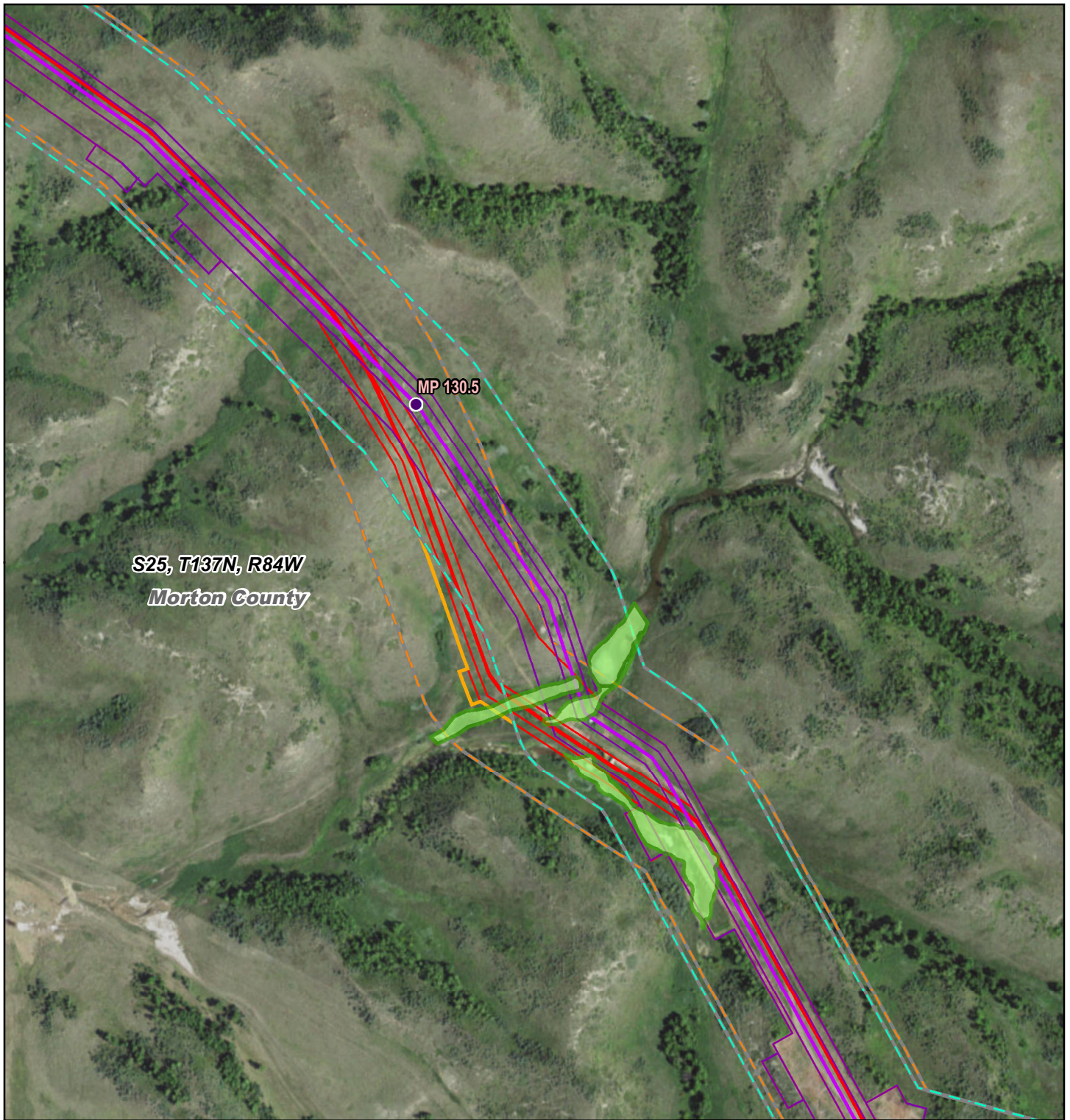
0 390 Feet

DAKOTA ACCESS, LLC

**Dakota Access Pipeline Project
North Dakota PSC
Reroute Location 134**

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*S25, T137N, R84W
Morton County*

MP 130.5



- PSC Milepost
- May 2016 Route
- May 2016 Workspace
- PSC Corridor
- 1 Mile Study Corridor
- May 2017 Route
- May 2017 Workspace
- Adjusted Corridor
- Area Outside of PSC Corridor
- North Dakota PLSS Section
- North Dakota PLSS Township

0 400 Feet

Waterbody
 Wetland



DAKOTA ACCESS, LLC

**Dakota Access Pipeline Project
North Dakota PSC
Reroute Location 135**

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UTM83-14F

1:4,800
Date: May, 2017



**Summary of the Environmental/Exclusion and Avoidance Areas Analysis
Completed for Reroute Locations
Dakota Access Pipeline Project
North Dakota PSC**

Dakota Access, LLC has completed environmental surveys for the proposed Dakota Access Pipeline Project (Project) across affected tracts. The environmental survey consisted of land use assessment, a wetland and waterbody delineation, threatened and endangered species assessment, and cultural resources assessment (See the attached Cultural Survey Summary). This document provides a summary of the environmental survey methodology completed along the Project route and datasets utilized to complete the PSC reroute analysis of exclusion and avoidance areas.

The attached tables correspond to the environmental analysis and evaluation of exclusion and avoidance areas completed for each reroute location as described below.

Environmental Survey Methodology

Biologists conducted the environmental survey within a defined environmental survey area (400-foot corridor centered on the pipeline). The following provides a brief description of the methods utilized to complete the environmental survey.

Land Use Assessment

Vegetation community types occurring along the Project route were identified, described, and delineated based on data obtained during field surveys and review of aerial photography. During field surveys, vegetation communities were described as part of the U.S. Army Corps of Engineers (USACE) wetland delineations and classification of land uses. To be able to compare the original filed route with the reroutes, the U.S. Geological Survey (USGS) National Land Cover database was utilized to determine the land use for the reroute environmental analysis.

Wetland and Waterbody Delineation

Biologists conducted a wetland and waterbody delineation to identify and record physical features that may be considered “waters of the United States,” as defined by the USACE. “Waters of the United States” include most wetlands, rivers, creeks, streams, lakes, and tributaries. The delineation was conducted in accordance with the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains* (USACE, 2010) and the routine determination guidelines provided in the *USACE Wetland Delineation Manual* (Technical Report Y-87-1). The field delineated wetland and waterbody data was utilized in the environmental analysis and is included in the mapping exhibits.

Threatened and Endangered Species Assessment

Biologists conducted a threatened and endangered (T&E) species assessment to determine the presence or absence of federally listed threatened and endangered species and potential suitable habitat within the environmental survey area.

Exclusion and Avoidance Areas

Exclusion and avoidance areas [North Dakota Administrative Code Chapter 69-06-08-02 (1 and 2)] were included in the analysis for the site suitability evaluation process; information on how data was gathered for these areas and results of the review is described below:

69-06-08-02	Transmission Facility Corridor and Route Criteria	
1	Exclusion areas	Results
1.a.	Designated or registered national: parks, sites, landmarks, monuments, wilderness	Publically available datasets were utilized to evaluate national, state, or county exclusion areas; in addition, any of these potential exclusion areas would have been identified during the Project title vetting process. <i>See Exhibit G, “National, State, or County Exclusion Areas”</i> column for the results of the review of this exclusion area.
1.b.	Designated or registered state: parks, sites, monuments, archeological sites, natural preserves	Publically available datasets were utilized to evaluate national, state, or county exclusion areas; in addition, any of these potential exclusion areas would have been identified during the Project title vetting process. <i>See Exhibit G, “National, State, or County Exclusion Areas”</i> column for the results of the review of this exclusion area.

<p>1.c.</p>	<p>County parks and recreational areas, municipal parks, parks owned or administered by other governmental subdivisions</p>	<p>Publically available datasets were utilized to evaluate national, state, or county exclusion areas; in addition, any of these potential exclusion areas would have been identified during the Project title vetting process. <i>See Exhibit G, “National, State, or County Exclusion Areas”</i> column for the results of the review of this exclusion area.</p>
<p>1.d.</p>	<p>Areas of critical habitat</p>	<p>Potential T&E habitat data was collected in the field, as described above under Environmental Survey Methodology. <i>See Exhibit G, “T&E/Rare Species Critical Habitat”</i> column for the results of the review of this exclusion area.</p>
<p>1.e.</p>	<p>Areas where unique or rare species would be irreversibly damaged</p>	<p>Potential T&E habitat data was collected in the field, as described above under Environmental Survey Methodology. <i>See Exhibit G, “T&E/Rare Species Critical Habitat”</i> column for the results of the review of this exclusion area.</p>
<p>1.f.</p>	<p>Area within 1,200 feet of ICBM facility</p>	<p>Publically available datasets were utilized to evaluate national, state, or county exclusion areas; in addition, any of these potential exclusion areas would have been identified during the Project title vetting process. <i>See Exhibit G, “City Limits or Military Installation”</i> column for the results of the review of this exclusion area.</p>

<p>1.g.</p>	<p>Areas within 30 feet of direct line of ICBM launch facilities</p>	<p>Publically available datasets were utilized to evaluate national, state, or county exclusion areas; in addition, any of these potential exclusion areas would have been identified during the Project title vetting process. <i>See Exhibit G, “City Limits or Military Installation”</i> column for the results of the review of this exclusion area</p>
<p>2</p>	<p>Avoidance Areas</p>	<p>Results</p>
<p>2.a.</p>	<p>Designated or registered national: historic districts, wildlife areas, wild, scenic or recreational rivers, wildlife refuges, grasslands</p>	<p>Publically available datasets were utilized to evaluate national, state, or county avoidance areas; in addition, any of these potential avoidance areas would have been identified during the Project title vetting process. <i>See Exhibit G, “National, State, or County Exclusion Areas”</i> column, which also encompasses a review of all national avoidance areas, for the results of the review of this avoidance area.</p>
<p>2.b.</p>	<p>Designated or registered state: wild, scenic, recreational rivers, game refuges, game management areas, forest management lands, grasslands</p>	<p>Publically available datasets were utilized to evaluate national, state, or county avoidance areas; in addition, any of these potential avoidance areas would have been identified during the Project title vetting process. <i>See Exhibit G, “National, State, or County Exclusion Areas”</i> column, which also encompasses a review of all national avoidance areas, for the results of the review of this avoidance area.</p>

2.c.	Historical resources which are not specifically designated as exclusion or avoidance areas	<i>See</i> Exhibit G, “Historic Resources or Landmarks” column for the results of the review of this avoidance area. <i>See also</i> Exhibit D, Cultural Resource Summary.
2.d	Areas which are geologically unstable	The U.S. Geological Survey Landslide Susceptibility national dataset was utilized to determine landslide susceptibility of the reroute locations. <i>See</i> Exhibit G, “Geologically Unstable Areas” for the results of the review of this avoidance area.
2.e.	Within 500 feet of a residence, school, or place of business	There are no residences, schools, or places of business within 500’ of the route modifications.
2.f	Reservoirs and municipal water supplies	Publically available datasets were utilized to implement avoidance of known reservoirs and municipal water supplies during the initial routing analysis. The same datasets were utilized to evaluate the proposed route modifications and no reservoirs or municipal water supplies were identified.

<p>2.g.</p>	<p>Water sources for organized rural water districts</p>	<p>Dakota Access coordinated with rural water districts to obtain locational data on existing and planned rural water district transmissions lines and source locations. While multiple transmission lines are being crossed with the proposed pipeline, Dakota access will implement permit-specific code and industry-complaint crossing techniques to meet applicable district guidelines. No known rural water district sources are being impacted by the proposed route modifications.</p>
<p>2.h.</p>	<p>Irrigated land</p>	<p>Google Earth aerial imagery was reviewed at each reroute location. Acreages within the Project footprint were calculated in Geographic Information Systems (GIS) if irrigated lands were identified. <i>See</i> Exhibit G, “Irrigated Lands” column for the results of the review of this avoidance area.</p>
<p>2.i.</p>	<p>Area of recreational significance but not designated exclusion areas</p>	<p>There are no areas of recreational significance not designated as exclusion areas that will be impacted by the route modifications</p>

Prime Farmland

The Natural Resources Conservation Service (NRCS) SSURGO database was utilized to determine which soil types would be crossed at the reroute location. Once the soil types crossed were identified, the NRCS Web Soil Survey was utilized to determine if any of the soil types within the County were considered prime farmland.

Woodlands and Wetlands

For woodlands, forested land use types identified by the USGS National Land Cover database were utilized.

For wetlands, as described above under Environmental Survey Methodology, field delineated wetlands were utilized in this analysis.

100-Year Floodplain

The Federal Emergency Management Agency (FEMA) 100 Year Flood Zones national dataset was utilized to determine if the reroute locations were located within the 100-year flood zone. Many of the reroute locations were in areas that did not have FEMA floodplain data available.

**Dakota Access Environmental Crossing Analysis for Reroute Locations- May 2017
North Dakota PSC**

Filed Route	Centerline length within reroute location (miles)	Length of centerline outside original PSC corridor (miles)	Land Cover Type ¹ (acres within workspace)						Wetlands ² (acres within workspace)	Waterbodies ² (number of features crossed by centerline)
			Cultivated Crops	Forest	Developed, Open Space	Grasslands/Herbaceous	Pasture/Hay	Shrub/Scrub		
Reroute Location 133										
May 2016*	0.42	0.15	8.17	0	0	0	0	0	0.38	0
May 2017	0.44		7.58	0	0	0	0	0	0.22	0
<i>Net Difference</i>	+0.02		-0.59	0	0	0	0	0	-0.16	0
Reroute Location 134										
May 2016*	0.50	0.20	0	0	0	9.26	0	0	0	0
May 2017	0.48		0	0	0	8.60	0	0	0	0
<i>Net Difference</i>	-0.02		0	0	0	-0.66	0	0	0	0
Reroute Location 135										
May 2016*	0.37	0.08	0	0	0	6.88	0	0	0.52	0
May 2017	0.38		0	0.01	0	7.50	0	0	0.73	0
<i>Net Difference</i>	+0.01		0	+0.01	0	+0.62	0	0	+0.21	0
TOTAL NET DIFFERENCE	+0.01	--	-0.59	+0.01	0	-0.04	0	0	+0.05	0

¹ Based on the U.S. Geological Survey National Land Cover Database

² Based on field delineations

*Reroute area was previously submitted to the PSC for approval on 5/25/16

EXHIBIT C



**Summary of the Cultural Resources Analysis Completed for Reroute Locations
Dakota Access Pipeline Project
North Dakota PSC**

Dakota Access, LLC has completed Class II/III cultural resources survey for the proposed Dakota Access Pipeline Project (Project) across affected tracts. This document provides a summary of the Class II/III methodology and results of surveys completed along the Project route and datasets utilized to complete the PSC reroute analysis of exclusion and avoidance areas (Table 1).

Cultural resources investigation conducted in support of this Project began with a Class I search for previously reported archaeological sites and manuscript files focused on a 2-mile-wide (3.2 km) area centered on the 400-foot-wide environmental survey corridor. The Class I search was conducted at the SHSND office in Bismarck, North Dakota. This work was followed by a Class II/III cultural resources inventory across all portions of the Project where landowner access was voluntarily provided. All field work was conducted under the direct supervision of the Principal Investigators permitted by the State Historical Society of North Dakota (SHSND), and in compliance with the North Dakota State Historic Preservation Office (SHPO) Guidelines Manual for Cultural Resources Inventory Projects (SHSND, 2012). To date, a total of three Class II/III inventory report volumes have been prepared and submitted to the SHSND that detail the results of the Class II/III survey investigations to date (Landt et al 2016; Lange Mueller et al 2015a; Lange Mueller et al 2015b). Salient information regarding background review studies, environmental and cultural setting, methods, results and recommendations may be referenced in these report volumes. The SHSND concurred with the management recommendations provided these report volumes in a letter dated February 19, 2016. The letter further stated that no significant sites will be affected by the Project, with the exception of those sites included in the *Evaluation and Mitigation Plan*. The *Evaluation and Mitigation Plan* was also approved by SHSND in a letter dated February 19, 2016.

The revised May 2017 workspace has achieved avoidance, or has minimized impacts to all significant archaeological sites documented through Class II/III investigations. For those sites where impacts will be minimized, mitigation and data recovery investigations were completed in April of 2016 in accordance with the approved *Evaluation and Mitigation Plan*, thus completing necessary cultural resources investigations for the Project.



References

Landt, Matthew J., Sara A. Millward, Michael J. Prouty, Abbie L. Harrison, Dristin Safi, Patrick D. Trader, and Beth McCord

2016 *Volume III: 2015 Dakota Access Cultural Resources Inventory*, Prepared by Gray & Pape and Alpine Archaeological Consultants. Prepared for Energy Transfer Partners.

Lange Mueller, Allison, Craig Picka, Matthew Terry, and Dean Sather

2015a *Dakota Access, LLC Dakota Access Pipeline Project (ND): 2014 Dakota Access Class II/III Cultural Resources Inventory*, Prepared by Merjent, Inc., Minneapolis, Minnesota. Prepared for Energy Transfer Partners

Lange Mueller, Allison, Dean T. Sather, Craig M. Picka, and Matthew Landt

2015b *Volume II: 2015 Dakota Access Class II/III Cultural Resources Inventory*. Prepared by Merjent, Inc. and Gray & Pape, Inc., Cincinnati, Ohio. Prepared for Energy Transfer Partners.

**Dakota Access Exclusion and Avoidance Criteria Analysis for Reroute Locations- May 2017
North Dakota PSC**

Filed Route	Prime Farmlands^a (acres within workspace)	Irrigated Lands (acres within workspace)	Geologically Unstable Areas^b	Wetlands (acres within workspace)	Woodlands (acres within workspace)	Workspace within 100 year Floodplain^c	Historic Resources or Landmarks (sites within workspace)	National, State, or County Exclusion Areas (sites within workspace)	T&E/Rare Species Critical Habitat (acres within workspace)	City Limits or Military Installation (sites within workspace)
Reroute Location 133										
May 2016*	8.17	0	Moderate	0.38	0	N/A	0	0	0	0
May 2017	7.58	0	Moderate	0.22	0	N/A	0	0	0	0
<i>Net Difference</i>	-0.59	0	--	-0.16	0	--	0	0	0	0
Reroute Location 134										
May 2016*	1.54	0	Moderate	0	0	No	0	0	0	0
May 2017	1.18	0	Moderate	0	0	No	0	0	0	0
<i>Net Difference</i>	-0.36	0	--	0	0	--	0	0	0	0
Reroute Location 135										
May 2016*	0	0	Moderate	0.52	0	No	0	0	0	0
May 2017	0	0	Moderate	0.73	0.01	No	0	0	0	0
<i>Net Difference</i>	--	0	--	+0.21	+0.01	--	0	0	0	0
TOTAL NET DIFFERENCE	-0.95	0	--	+0.05	+0.01	--	0	0	0	0

^a All impacts associated with pipeline construction would be temporary, no permanent surface impacts would occur on prime farmlands.

^b Geologically unstable area data from: U.S. Geological Survey Landslide Susceptibility, Low: Low landslide incidence (less than 1.5% of the area is involved), Moderate (i): Moderate landslide incidence (1.5% - 15% of the area is involved), Moderate: Moderate susceptibility to landsliding and low incidence.

^c 100 year Floodplain data from: Federal Emergency Management Agency 100 Year Flood Zones, N/A: data not available for area.

*Reroute area was previously submitted to the PSC for approval on 5/25/16

EXHIBIT E

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

**Dakota Access, LLC
Dakota Access Pipeline Project
Siting Application**

CASE NO. PU-14-842

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that true and correct copies of the following documents:

- Letter filing Notification of Route Adjustments under N.D.C.C. § 49-22-16.3(3);
- Certification of Joey Mahmoud;
 - Exhibit A: Dakota Access Reroute Location Maps;
 - Exhibit B: Summary of the Environmental/Exclusion and Avoidance Areas Analysis Completed for Reroute Locations;
 - Exhibit C: Environmental Crossing Analysis for Reroute Location;
 - Exhibit D: Summary of the Cultural Resources Analysis Completed for Reroute Locations; and
 - Exhibit E: Exclusion and Avoidance Criteria Analysis for Reroute Locations

were on the 22nd day of May, 2017 served by placing the same in the United States mail, postage prepaid, properly addressed to the following:

Zachary E. Pelham
Pearce & Durick
314 E. Thayer Ave.
P.O. Box 400
Bismarck, ND 58502-0400

Derrick Braaten
Baumstark Braaten Law Partners
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Bismarck, ND 58501-4003

Matt J. Kelly
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McGee, Hankla & Backes
2400 E. Burdick Expy., Ste. 100
Minot, ND 58702-0998

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Brian Bjella
Blaine Johnson
Crowley Fleck, PLLP
100 West Broadway, Suite 250
Bismarck, ND 58501

The original and ten (10) copies of the foregoing document were also hand delivered to the North Dakota Public Service Commission on said date.

By: 

LAWRENCE BENDER, ND Bar #03908
DANIELLE M. KRAUSE, ND Bar #06874
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Bismarck, North Dakota 58501
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Attorneys for Dakota Access, LLC