

November 3, 2017

Morton County Soil Conservation District
2540 Overlook Lane
Mandan, ND 58554-1593

RE: Offer of Dakota Access, LLC to Plant 20,000 trees in North Dakota

Dear Board Members:

As you know, on September 20, 2017, Dakota Access Pipeline, LLC (“Dakota Access”) entered into a Settlement Agreement with the North Dakota Public Service Commission (“PSC”) to settle certain disputes between Dakota Access and the PSC relative to construction of the Dakota Access Pipeline Project (“Project”) in North Dakota. One part of the Settlement Agreement (Paragraph 11 (b)) provides that Dakota Access will “plant, or pay for planting, of twenty thousand (20,000) trees in consultation with various county soil conservation districts (“SCDs”) traversed by the pipeline by December 21, 2018. The twenty thousand (20,000) trees to be provided by Dakota Access shall be at least two-year saplings...” . In accordance with the Settlement Agreement (Paragraph 11(b) and (c)), Dakota Access has been in contact with each of the seven county SCDs at issue. As a result of those contacts, a tentative determination has been made as to how many trees will be planted in each county. The number of trees Dakota Access plans to provide funding for planting in Morton County is set at 3,000.

The attached list of tree species were outlined in Paragraph 11 (b) of the Settlement Agreement and provided to each county SCD during the contacts made by Dakota Access. Based on the discussions during the contacts by Dakota Access, it is understood that the Morton County Soil Conservation District (“MCSCD”) will contact landowners affected by the Project to determine if they are interested in any of the additional trees. If trees are still available after contacting affected landowners, the MCSCD will determine planting locations within the County per their discretion. The MCSCD will develop the planting plans using species from the attached list of tree species, order the trees and complete the plantings in the spring of 2018. It is understood that MCSCD may not be able to fit some of these additional plantings in their spring 2018 plantings; therefore, they will be completed no later than spring 2019. Dakota Access needs to receive the planting plans, including estimated costs for land owner coordination, tree acquisition, site preparation, required planting materials, and tree installation, no later than March 2, 2018, to allow sufficient time for review and approval.

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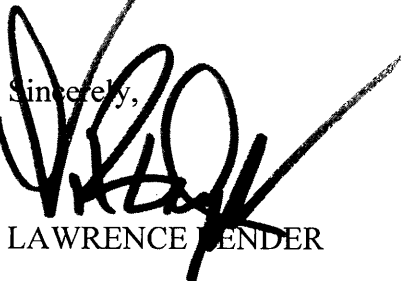
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Copy of letter re Soil Conservation District trees
Dakota Access, LLC
Lawrence Bender, Fredrikson&Byron, P.A.

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After the MCSCD plants the trees, planting information including the date, location, species, number of trees planted and an invoice for the same will be provided to Dakota Access, Dakota Access will make payment to the MCSCD for the costs incurred by the MCSCD for planting the trees.

Should you have any questions, please do not hesitate to contact Jonathan Minton at (713) 989-2127 or jonathan.minton@energytransfer.com or Ashley Thompson at (713) 462-7121 or athompson@perennialenv.com.

Sincerely,

LAWRENCE JENDER

LB/bh

cc: Adam Pachl
Illona A. Jeffcoat-Sacco
Pat Fahn

62632996.2

List of Tree Species

- i. Amur maple
- ii. Black Hills Spruce
- iii. Boxelder
- iv. Bur oak
- v. Colorado blue spruce
- vi. Eastern red cedar
- vii. Hackberry
- viii. Green Ash
- ix. Native Cottonwood
- x. Paper birch
- xi. Peachleaf willow
- xii. Ponderosa Pine
- xiii. Quaking aspen
- xiv. Rocky Mountain juniper
- xv. Sharpleaf Willow