

CONSTRUCTION INSPECTION REPORT

Vantage Pipeline US LP
8-inch HWP Pipeline – West Spur Pipeline Project
Williams and Divide Counties, North Dakota
Case No. PU-15-142

Prepared for:

North Dakota Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505

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600 S. 2nd Street, Suite 105
Bismarck, ND 58504
Tel 701-255-1475
Fax 701-255-1477
www.carlsonmccain.com

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EXECUTIVE SUMMARY

The North Dakota Public Service Commission (Commission) has granted an order allowing construction of Vantage Pipeline U.S. LP's – West Spur Pipeline Project in Williams and Divide Counties. The project consists of approximately 47.3 miles of 8-inch diameter steel high vapor pressure ethane pipeline and associated facilities.

The Commission issued its Finding of Fact, Conclusion of Law and Order of the Commission in Case No. PU-15-142 dated September 2, 2015 granting Route Permit No. 183 and a Certificate of Corridor Compatibility Number 172. The Project construction was reported as complete on July 1, 2016.

The Commission retained Carlson McCain, Inc. (Carlson McCain) to complete construction inspections applying engineering and science principles for the purpose of ensuring that the Project has been constructed in compliance with the siting laws (N.D.C.C. 49-22), rules (N.D. Administrative Code Article 69-06) and applicable Commission orders. A construction inspection was completed on October 18, 2017

Overall, the Project appears to be constructed as designed with minimal impacts to the surrounding natural and human environment. Reclamation reseeding was completed at approximately the end of June, 2016 and new growth was documented during the inspection. Carlson McCain has identified the following issues to be resolved and recommends that the Commission request the following documentation:

- File necessary permits with the PSC
- Monitor grassland revegetation efforts to ensure adequate ground cover for erosion control.
- Monitor tree planting. Replace unsuccessful plantings.
- Control noxious weeds.

The Commission will need to decide whether these recommendations are necessary to fulfill Project obligations.

After review of the Commission case docket and multiple site inspections, Carlson McCain has found the West Spur Pipeline Project (Case No. PU-15-142) has been constructed in compliance with the siting laws (N.D.C.C. 49-22) and rules (N.D. Administrative Code Article 69-06-08) and applicable Commission orders.

BACKGROUND

1.1 Introduction

The North Dakota Public Service Commission (Commission) has granted an order allowing construction of a Vantage Pipeline U.S. LP – West Spur Pipeline Project. The approximately 47.3 mile, 8-inch diameter steel pipeline would transport ethane from the ONEOK Partners' Stateline II Plant to the existing Vantage Pipeline. In addition to the pipeline, two new above-ground mainline block valves would be constructed at either end of the pipeline. The Project is located in Sections 4, 9, 16, and 21 of Township (T) 155 North (N), Range (R) 103 West (W); Sections 3, 9, 10, 16, 21, 28, and 33 of T156N, R103W; Sections 3, 4, 5, 6, 7, 17, 18, 19, 30, and 31 of T157N, R102W; Sections 2, 11, 14, 15, 22, 27, and 34 of T158N, R102W; Sections 5, 6, 7, 18, 19, and 30 of T159N, R101W; Sections 1, 12, 25, 35, and 36 of T159N, R102; Sections 2, 11, 14, 15, 21, 22, 28, 29, 31, and 32 of T160N, R101W; and Sections 28, 32, and 33 of T161N, R100W. The Project begins approximately 16 miles northwest of Williston, ND in Williams County and ends approximately 12 south of Fortuna, ND in Divide County.

The Commission issued its Finding of Fact, Conclusion of Law, and Order of the Commission in Case No. PU-15-142 dated September 2, 2015, granting a Route Permit #183 and Certification of Corridor Compatibility #172. The Project construction was reported as complete at the beginning of July, 2016

1.2 Purpose and Scope of Inspection

The North Dakota Energy Conversion and Transmission Facility Act (North Dakota Century Code Chapter 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 the welfare of citizens of North Dakota. Construction inspections ensure the project is constructed in compliance with the siting laws and rules and the applicable Commission Findings of Fact, Conclusions of Law, and Order (Order).

The Commission retained Carlson McCain to complete a construction inspection of the Project. The inspection process included a review of the Siting Plan, 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, documentation of 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.

PROJECT REVIEW

2.1 Methods

Carlson McCain reviewed North Dakota siting laws and rules, the Applications for the Certificate of Corridor Compatibility and Route Permit (Application), and the Order for the Project to identify what Project-specific documentation was required for compliance. Carlson McCain then reviewed Project documents in the Commission Online Case Search to identify those siting laws and rules and Application and Order assertions that had written verification, those that still required documentation, and those that required physical site verification.

Carlson McCain Inspector, Sean Garry, and David Goodspeed, Pembina Safety Manager, conducted the topsoil inspection on November 23, 2015. The construction inspections were performed by Chad Tucker and Michael Fettes, Carlson McCain Inspectors, along with David Goodspeed on January 21, 2016 and May 13, 2016. The final as-built construction inspection was performed on October 18, 2017 by Chad Tucker.

2.2 Orders

The following section includes discussion of the list of components of the Project that were asserted in the Application and Order which could be documented during the post-construction inspection to verify compliance with siting laws, rules and the Order for the Project, by either written documentation or physical site verification.

The Commission ordered:

1. Vantage's application for a waiver of procedures and time schedules is granted.
2. Certificate of Corridor Compatibility No. 171 is issued to Vantage Pipeline U.S. LP, designating a corridor for the construction, operation, and maintenance of approximately 47 miles of 8-inch diameter high vapor pressure ethane pipeline and associated facilities in Divide and Williams Counties, North Dakota. The Corridor will consist of a 500-foot-wide area centered on the route.
3. Route Permit No. 183 is issued to Vantage Pipeline U.S. LP, designating a route for the construction, operation, and maintenance of approximately 47 miles of 8-inch diameter high vapor pressure ethane pipeline and associated facilities in Divide and Williams Counties, North Dakota. The designated route for this purpose is depicted as "Preferred Route" on Page 1 of Part 9 of Hearing Exhibit 1.
4. The August 6, 2015, Certification Relating to Order Provisions – Transmission Facility Siting (Certification), with accompanying Tree and Shrub Mitigation Specifications, is incorporated by reference and attached to this Order.

5. To the extent that there are any conflicts or inconsistencies between Vantage’s applications in this proceeding and the Certification, the Certification provisions control.
6. Vantage is required to comply with all applicable laws, rules, and/or regulations in the event it desires to construct another or a different transmission facility than was specified in the application within the corridor granted in this proceeding.

2.3 Certification Relating to Order Provisions

The Commission issued the Certificate of Site Compatibility for Vantage Pipeline U.S. LP’s West Spur Pipeline Project – Williams and Divide Counties, Route Permit Number 183 and Certificate of Corridor Compatibility Number 171 of on September 2, 2015. Mr. Jason Wiun, a representative of Lindahl Vantage Pipeline U.S. LP (Company) with authority to bind Company to requirements to be set forth by the Commission in its Order and certified the following:

1. **Company understands and agrees that the Certificate of Site Compatibility will be 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.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees upon the criteria set forth by the Certificate of Site Compatibility.

Order #1 is considered satisfied.

2. **Company agrees to comply with the rules and regulations of all other agencies having jurisdiction over any phase of the proposed energy conversion facility including all city, township, and county zoning regulations.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations of all other jurisdictional agencies.

Docket Item #1 – Certificate of Corridor Compatibility (Section B) outlines consultation with other agencies with interests in the Project.

Order #2 is considered satisfied.

- 3. Company 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 energy conversion facility that require said license or permit.**

Docket Item #43 contains the Dewatering/Hydrostatic Testing Permit.

Docket Item #32 contains the Certificate of Corridor Compatibility Number 171 and Route Permit Number 183.

No other permits appear to be filed with the PSC.

- 4. Company understands and agrees that the Certificate of Site 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 or federal agencies.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees upon the criteria set forth by the Certificate of Site Compatibility and Route Permit.

Order #4 considered satisfied.

- 5. Company agrees to maintain records that will demonstrate that it has complied with the requirements of the Commission's order and the Certificate of Site Compatibility, and that it will preserve these records for Commission inspection at any reasonable time upon reasonable notice.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with the Commission on records keeping.

Order #5 considered satisfied.

- 6. Company 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 further protect the public or the environment.**

Company signed Docket #20, under Certification Relating to Order Provisions – Transmission Conversion Facility Siting acknowledging terms of the Certificate of Site Compatibility and the Route Permit.

Order #6 considered satisfied.

Construction:

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

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to hold a preconstruction conference prior to commencement of any construction.

Minutes from formal hearing are included in Docket Item #21.

Order #7 considered satisfied upon filing of record with the PSC.

- 8. Company 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.**

Section B.1.2 “Cultural Resource Laws, Codes and Guidelines” of the Application for Certificate of Corridor Compatibility outlines Company’s cultural resource mitigation plans and their compliance with the North Dakota State Historic Preservation Office.

Order #8 considered satisfied.

- 9. Company agrees to inform the Commission and the Commission’s third-party construction inspector of its intent to start construction on the energy conversion facility prior to the commencement of construction. Once construction has started, Company shall deep the Commission and the Commission’s third-party construction inspector updated of construction activities on a monthly basis.**

Docket Item #39 contains the executed contract designating Carlson McCain as third-party inspector.

Inspection reports are in Docket Items #42, #45, and #53.

Order #9 considered satisfied.

- 10. Company 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.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations concerning buried pipeline depths.

Docket Item #1, Section B.10 Construction, of the Application for Route Permit outlines the details of the Construction.

Order #10 considered satisfied.

- 11. Company 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. 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 is replaced.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations concerning topsoil.

Docket Item #1, Section B.10 Topsoil Stripping, of the Application for Route Permit outlines the details of topsoil stripping.

Order #11 considered satisfied.

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

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that

the Company understands and agrees to comply with rules and regulations concerning buried pipeline depths.

Docket Item #1, Section B.10 Construction, of the Application for Route Permit outlines the details of the Construction.

Order #12 considered satisfied.

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

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations concerning staging areas and equipment.

The third-party inspection reports did not indicate any equipment locations issues.

Order #13 considered satisfied.

- 14. Company understands and agrees that if any cultural resource, paleontological site, archeological site, historical site, or grave site is 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.**

Company's Discovery Plan is listed in Docket Item #1, Application for Certificate of Corridor Compatibility. Company signed Docket #20, under Certification Relating to Order Provisions – Energy Conversion Facility Siting acknowledging terms of the Certificate of Site Compatibility.

No discoveries were noted during construction.

Order #14 considered satisfied

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

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that

the Company understands and agrees to comply with rules and regulations concerning construction activities.

Docket Item #1, Section B.10 Construction, of the Application for Route Permit outlines the details of construction activities.

Third party inspection reports do not indicate any irreparable damage. Inspection reports are in Docket Items #42, #45, and #53.

Order #15 considered satisfied

Restoration and Maintenance:

- 16. Company 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.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations concerning staging areas and equipment.

Docket Item #1, Section B.11 Reclamation, of the Application for Route Permit outlines the details of the Construction.

The third-party inspection reports did not indicate that restoration was successful and performed in a timely manner.

Order #16 considered satisfied

- 17. Company 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.**

All pre-existing township and county roads were bored and restored.

Order #17 considered satisfied.

- 18. Company agrees that reclamation, fertilization, and reseeding is to be done according to the Natural Resources Conservation Service recommendations,**

unless otherwise specified by the landowner and approved by the Commission.

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with reclamation, fertilization, and reseeding recommendations from the NRCS.

Order #18 considered satisfied.

- 19. Company understands and agrees that its obligation for reclamation and maintenance of the transmission facility right-of-way, transmission facility, associated facilities, fences and gates, drainage tile, and roadways will continue throughout the life of the transmission facility.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations concerning Company's obligation towards the project for the duration of pipeline life.

Inspections did not find any non-compliance issues. Order #20 satisfied.

- 20. Company agrees to comply with the Tree and Shrub Mitigation Specifications, attached.**

Tree and Shrub Reclamation Plan and count is included in Docket Item #16

Order #20 considered satisfied.

- 21. Company 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.**

The third-party inspections indicate that waster was disposed of properly and construction was orderly

Order #21 considered satisfied.

- 22. Company understands and agrees that it shall provide any necessary safety measures for traffic control or to restrict public access to the transmission facility.**

Third party inspections confirmed structures have fencing to restrict access to facilities.

Order #22 considered satisfied.

Communication with Landowners and PSC:

- 23. Company understands and agrees that, prior to beginning construction of the transmission facility at a location, it shall send a letter to each landowner with whom an easement was executed for that location specifying the name and phone number of the company representative who is responsible for receiving and resolving landowner issues for the life of the easement.**

Exhibit “O” of docket item #1 contains letter sent to landowners.

Order #23 considered satisfied.

- 24. Company understands and agrees that it will file with the commission the name and phone number of the current company representative who is responsible for receiving and resolving landowner issues for the transmission facility. The company will update this information whenever there is a change to the current company representative for the life of all easements for the transmission facility.**

Exhibit “O” of docket item #1 contains letter sent to landowners.

Order #24 considered satisfied

- 25. Upon request, Company agrees to provide the Commission with engineering design and drawings of the transmission facility prior to construction.**

Drawings were included in the Application for Certificate of Corridor Compatibility and Route Permit, Docket Item #17.

Order #25 considered satisfied.

- 26. Company understands and agrees that it shall advise the Commission as soon as reasonably possible of any extraordinary events which take place at the site of the transmission facility, including injuries to any person.**

No events were reported.

Order #26 considered satisfied.

- 27. Company agrees to report to the Commission, as soon as reasonably possible, the presence in the permit area of any critical habitat or threatened or endangered species of which Company become aware and which were not previously reported to the Commission.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations concerning Company’s obligation towards critical habitat and T&E species.

No encounters occurred during construction of facilities.

Order #27 considered satisfied.

- 28. Company 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.**

One route adjustment was filed with the PSC in Docket Item #40

Order #28 is considered satisfied.

- 29. Company 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. Company also agrees to provide an electronic version 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 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) feet. UTM Zone 13N or 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 sued. All submissions must specify the datum in which that data was developed.**

As-Built drawing are included in Docket Item #51

Order #29 considered satisfied.

- 30. Company shall notify the Commission as soon as reasonably possible if any damage, as defined by 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, Company shall suspend construction in the vicinity of the damage until compliance with One-Call Excavation Notice System requirements under North Dakota Century Code Chapter 49-23 has been determined.**

Docket #20 – Certification Relating to Order Provisions Transmission Facility Siting – Mr. Jason Wiun, representative of Vantage Pipeline, signed document stating that the Company understands and agrees to comply with rules and regulations concerning Company’s obligation towards report damage to underground utilities.

No reports of damage were filed with the PSC.

Order #31 considered satisfied.

Route Adjustments Before or During Construction:

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

One route adjustment was filed with the PSC in Docket Item #40. A letter from the PSC acknowledging to adjustment was filed in Docket Item #41.

Order #31 considered satisfied.

- 32. Company will specifically identify which subsection of NDCC 49-22-16.3 it is requesting the adjustment under. Company will file the name and contact information for a key contact person for the purposes of notice and communication during the adjustment application.**

One route adjustment was filed with the PSC in Docket Item #40. A letter from the PSC acknowledging to adjustment was filed in Docket Item #41. Charles Vincett was named as key contact.

Order #32 considered satisfied.

- 33. ROUTE ADJUSTMENT WITHIN DESIGNATED DORRIDOR, NO AVOIDANCE AREA AFFECTED: Before conducting any construction activities for any adjustment to the designated route within the designated corridor un NDCC 49-22-16.3(1), the Company will file:**

- a. Certification and supporting documentation affirming that construction activities will be within the designated corridor, will not affect any know exclusion or avoidance areas within the designated corridor;
- b. Certification and supporting documentation, including a map meeting the requirements of N.D. Admin. Code 69-06-04-01(2)(n) identifying the designated corridor, route and the route adjustment;
- c. Certification that Company will comply with the Commission’s order, law and rules designating the corridor and route.

One route adjustment was filed with the PSC in Docket Item #40. A letter from the PSC acknowledging to adjustment was filed in Docket Item #41.

Order #33 considered satisfied.

34. ROUTE ADJUSTMENT WITHIN DESIGNATED CORRIDOR, AVOIDANCE AREA AFFECTED: Before adjusting the route of a gas or liquid transmission line under NDCC 49-22-16.3(2), within the designated corridor that may affect an avoidance area, and before conducting any construction activities for any adjustment to the designated route within the designated corridor, the Company will file:

- a. A specific description of the avoidance area expected to be impacted, including a map meeting the requirements of N.D. Admin. Code 69-06-04-01(2)(n) identifying:
 - i. The designated corridor, route and the route adjustment;
 - ii. all exclusion and avoidance areas within the portion of the designated corridor containing the route adjustments
- b. Certification and supporting documentation affirming:
 - i. That construction activities will be within the designated corridor
- c. All field studies performed on the portion of the designated corridor containing the route adjustment;
- d. Specific information about any mitigation measures Company will take within the adjustment area;
- e. Certification that each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment;
- f. Certification that unless the Commission previously authorized the impact to the same avoidance area, that the utility has good cause and a specific reason to impact the avoidance area and a reasonable alternative does not exist;
- g. Certification that Company will comply with the Commission's order, law and rules designating the corridor and route.

Company acknowledges and agrees that:

1. Written authorization from the Commission for impacting the avoidance area is necessary prior to Commencement of construction activity unless the Commission fails to act within ten working days of receipt of filing a complete adjustment application, in which case the adjustment is deemed approved.
2. The initiation of the ten working days begins upon receipt of a complete filing, to include Company's certifications, supporting documentation and maps. However, Commission may extend the ten-working day provision if Company, in the person of the key contact referenced

above, is informed of the reason additional time is necessary for extension and has no objection to an extension.

No route adjustments were made with avoidance areas.

Order #34 considered satisfied.

35. ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, NO AVOIDANCE AREA AFFECTED: Before adjusting the route of a gas or liquid transmission line under NDCC 49-22-16.3(3), outside the designated corridor and not affecting any exclusion and avoidance area, before conducting any construction activities for any adjustment to the designated route outside the designated corridor, the Company will file:

- a. Certification and supporting documentation affirming that construction activities will not affect any known exclusion or avoidance areas,**
- b. Certification and supporting documents stating the length of the proposed route outside of the corridor and a map meeting the requirements of N.D. Admin. Code 69-06-04-01(2)(n) identifying the designated corridor, corridor adjustment, designated route and the route adjustment;**
- c. Certification that each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment; and**
- d. Detailed field studies indicating exclusion and avoidance areas for the proposed adjustment area; and**
- e. Certification that Company will comply with the Commission's order, law and rules designating the corridor and route**

No route adjustments were made outside the designated corridor.

Order #35 considered satisfied.

36. ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, AVOIDANCE AREA AFFECTED: Before adjusting the route of a gas or liquid transmission line under NDCC 49-22-16.3(4), outside the designated corridor that may affect an avoidance area, and before conducting any construction activities for any adjustment to the designated route outside the designated corridor, the Company will file:

- a. A specific description of the avoidance area expected to be impacted, including a map meeting the requirements of N.D. Admin. Code 69-06-04-01(2)(n) identifying:**
 - i. The designated corridor, corridor adjustment, route and the route adjustment;**

- ii. All exclusion and avoidance areas within the adjustment area**
- b. Certification that construction activities will not affect any known exclusion area;**
- c. Certification that the utility has good cause and a specific reason to impact the avoidance area and a reasonable alternative does not exist within the designated corridor and route;**
- d. Certification that each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment;**
- e. Provide specific information about any mitigation measures Company will take within the adjustment area;**
- f. Detailed field studies indicating exclusion and avoidance areas for the proposed adjustment area; and**
- g. Certification that Company will comply with the Commission's order, law and rules designating the corridor and route.**

Company acknowledges and agrees that:

- 1. Written authorization from the Commission for impacting the avoidance area is necessary prior to commencement of construction activity unless the Commission fails to act within ten working days of receipt of filing a complete adjustment application, in which case the adjustment is deemed approved.**
- 2. The initiation of the ten working days begins upon receipt of a complete filing, to include Company's certification, supporting documentation and maps. However, Commission may extend the ten-working day provision if Company, is the person of the key contact referenced above, is informed of the reason additional time is necessary for the extension and has no objection to an extension.**

No route adjustments were made outside the designated corridor.

Order #36 considered satisfied.

- 37. When applicable, Company may submit the field studies from the original application for the corridor and route provided they cover the adjustment area.**

No route adjustments were made outside the designated corridor.

Order #37 considered satisfied.

CONCLUSION

Overall, the Project appears to be constructed as designed with minimal impacts to the surrounding natural and human environment. Carlson McCain has identified the following issues to be resolved and recommends that the Commission request the following documentation:

- File permits that were obtained with the PSC.
- Monitor grassland revegetation efforts to ensure adequate ground cover for erosion control.
- Monitor tree planting. Replace unsuccessful plantings.
- Submit electronic and paper copies of the “As-Built” facility design and specifications.

The Commission will need to decide whether these recommendations are necessary to fulfill Project obligations.

Pending results of the reclamation and revegetation inspection, Carlson McCain has found the West Spur Pipeline Project (Case No. PU-15-142) has been constructed in compliance with the siting laws (N.D.C.C. 49-22) and rules (N.D. Administrative Code Article 69-06-08) and applicable Commission orders.

*Construction Inspection Report
Vantage Pipeline U.S. LP
8-inch HVP Pipeline – West Spur Pipeline Project – Williams and Divide Counties, North Dakota
Case No. PU-15-142*

APPENDIX A

FIGURES

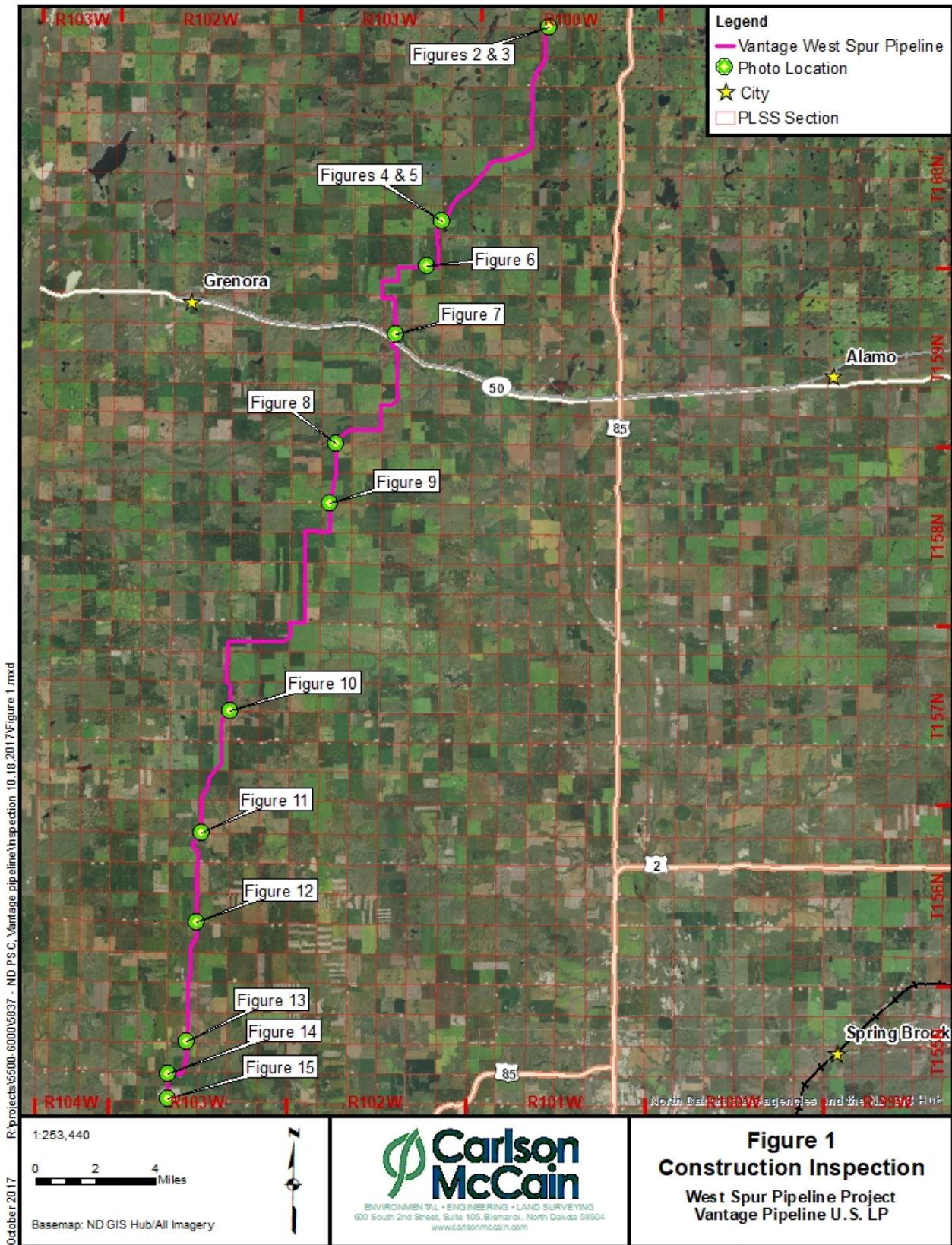




Figure 2. View looking north at the main-line block valve in Section 21, T161N, R100W.



Figure 3. View looking south along the Pipeline corridor from 92nd Street. Vegetation here is well established.



Figure 4. View of the corridor looking west from 142nd Avenue. The ROW has been cultivated through this area.



Figure 5. View of the corridor looking east from 142nd Avenue.



Figure 5. View looking west at the wetland crossing in Section 5, T159N, R101W.



Figure 7. View of the corridor looking south from 82nd Street, just east of Hanks, ND.



Figure 8. View looking south from 78th Street. Canada thistle was noted in the road ditch at this location.



Figure 9. View looking north at the above ground valve station ins Section 11, T158N, R102W. Canada thistle was noted at this location.



Figure 10. View of pipeline corridor in Section 20, T157N, R102W. Photo was taken looking south from 69th Street.

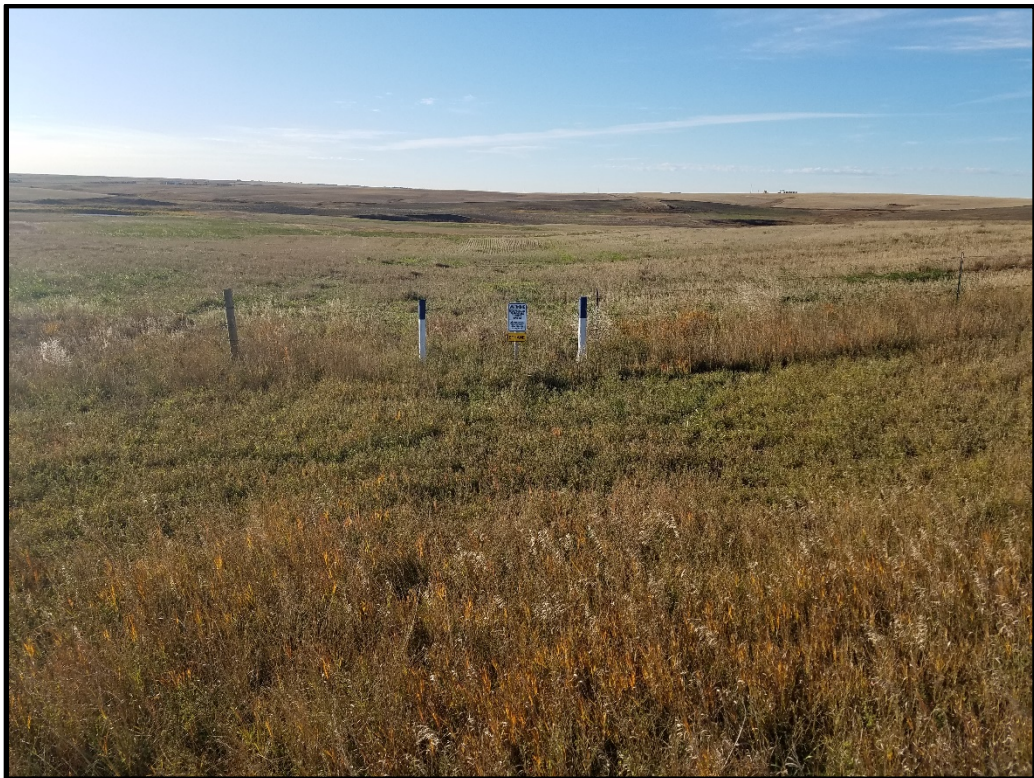


Figure 11. View looking south at the pipeline corridor in Section 10, T156, R103W. Photo taken looking south from 65th Street.



Figure 12. Photo of pipeline corridor in Section 21, T156N, R103N. Photo taken facing north from 62nd Street.



Figure 13. Photo of pipeline corridor in Section 16, T155N, R103W. Photo taken facing south from 58th Street.



Figure 14. Photo of pipeline corridor in Section 21, T155N, R103W. Photo taken facing south, where the pipeline turns to the south in the NW1/4 of Section 21.



Figure 15. Photo of pipeline corridor and above ground main line valve at the south end of the pipeline in Section 21, T155N, R103W. Kochia is common in this area. Photo taken facing east.