

June 22, 2016

0025-16 CUP

NST Express, LLC  
10077 Grogans Mill Rd. Suite 530  
The Woodlands, TX 77380  
Attn: Paul Forsting

RE: Conditional Use Permit request to install approximately 3.6 mile oil pipeline

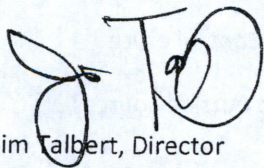
This is to inform you that at the June 21, 2016 meeting, the McKenzie County Board of Commissioners approved the request for a conditional use permit to install a 3.6 mile oil pipeline. The pipeline is between Section 32, Township 152 N, Range 101W, and Section 24, Township 152 N, range 102W.

The following conditions were placed on this permit:

1. Any modifications to the project need to come back to the County Planning Department.
2. The applicant shall not deposit any snow or water onto neighboring properties and dispose of storm water onsite through an approved engineering method. Additionally, the applicant shall design the storm water and culvert system to convey a 25 year event.
3. The applicant shall follow weed control plan as submitted to the County Weed Control office.
4. The applicant shall maintain a site free of garbage, from within the site, or from outside sources, during construction.
5. The applicant shall provide County GIS coordinator with shape files and as- built locations of all above or below ground equipment, pipelines and facilities when project is completed.
6. The applicant shall provide the County Planning Department with all State and Federal approvals, along with any violations relating to the pipeline.
7. All lighting on site during construction shall be downward facing and shall not glare on adjacent property owners or the public travel ways.
8. The applicant shall reseed the corridor as directed by State agencies.
9. An approved emergency plan shall be submitted and updated with the county Emergency Manager and Zoning Enforcement Officer (annually) for this pipeline.

10. All above-ground facilities, such as pipe valve stations or electrical and communication buildings shall be painted earth tone colors.
11. This conditional use permit shall remain in force, but can be terminated if there are violations of the approved conditions. Any violation can cause this to be placed before the County Commission for revocation.
12. If any easements are obtained through eminent domain, the applicant shall appear before the Planning and Zoning board, and County Commission for re-approval of those easements obtained through eminent domain.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Talbert', written in a cursive style.

Jim Talbert, Director  
McKenzie County Planning



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June 6, 2016

Cole Wandler  
Arcadis, US, Inc.  
189 North Cedar Street  
Buffalo, WY 82834

**NDSHPO REF.: 16-1146a** PSC NST Express WTT Pipeline Project, McKenzie County, North Dakota: "Unanticipated Discovery Plan for Cultural Resources and Human Remains"

Dear Cole:

We have received and reviewed project correspondence and documentation for **16-1146a**: Unanticipated Discovery Plan for Cultural Resources and Human Remains as an "An Addendum to A Class I and Class III Cultural Resource Inventory of the NST Express WTT Pipeline, McKenzie County, North Dakota," by Cole Wandler (Arcadis, May 2016) and find it acceptable.

Thank you for the opportunity to review the project. If you have questions please contact either Paul Picha at [ppicha@nd.gov](mailto:ppicha@nd.gov) or (701) 328-3574 or Susan Quinnell at [squinnell@nd.gov](mailto:squinnell@nd.gov) or (701) 328-3576.

Sincerely,

Claudia J. Berg  
Director, State Historical Society of North Dakota  
and  
State Historic Preservation Officer (North Dakota)