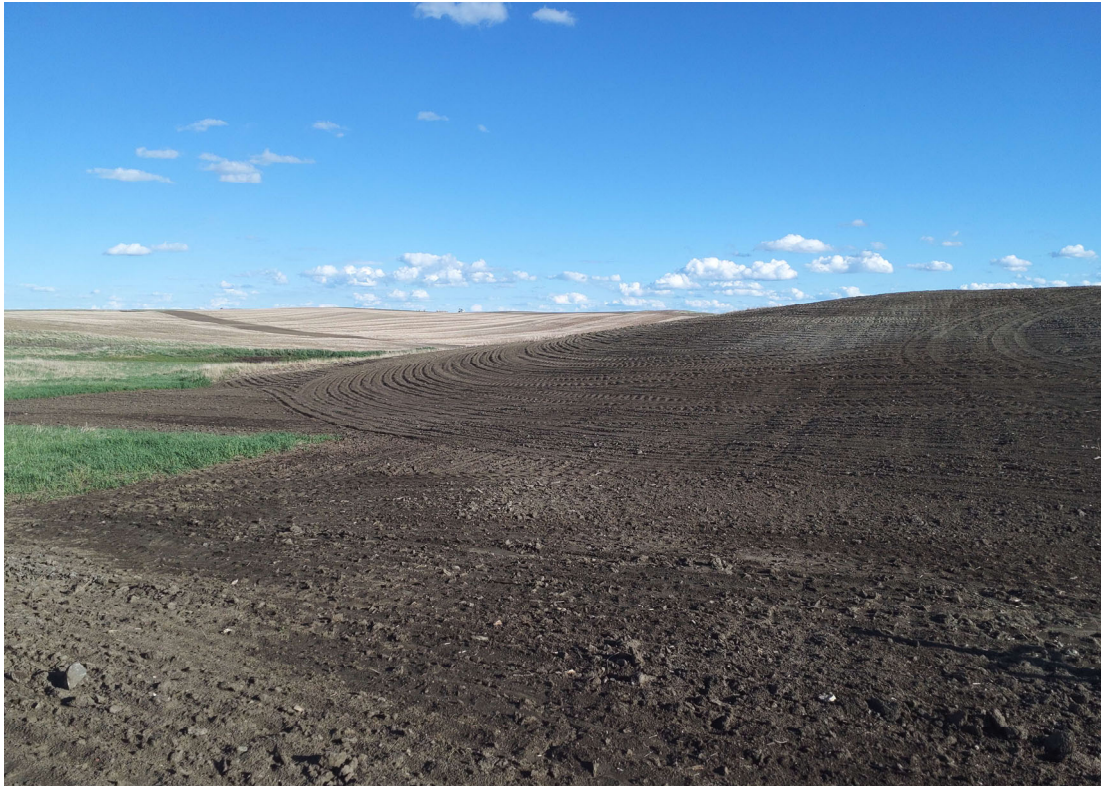


PU-19-085
ONEOK Bakken Pipeline, L.L.C.
Little Missouri Lateral, 12-inch NGL
Pipeline



Prepared for:
**North Dakota
Public Service Commission**

600 E. Boulevard Avenue
Bismarck, ND 58505-0480



Prepared by:

WENCK Associates, Inc.
3303 Fiechtner Drive Ste 100
Fargo, ND 58103
Phone: 701-297-9600
Fax: 701-297-9601

Table of Contents

1.0 EXECUTIVE SUMMARY	1-1
2.0 BACKGROUND AND SCOPE.....	2-1
2.1 Introduction	2-1
2.2 Purpose	2-1
2.3 Methods and Scope of Inspection.....	2-1
2.3.1 Project Compliance Identification	2-1
2.3.2 Document Review.....	2-2
2.3.3 On-Site Inspection.....	2-2
3.0 FINDINGS OF FACT	3-1
3.1 North Dakota Authorized Business	3-1
3.2 Size, Type, and Preferred Location.....	3-1
3.2.1 Size and Type	3-1
3.2.2 Preferred Location	3-1
3.3 Study of Preferred Location.....	3-2
3.3.1 Cultural Resources.....	3-2
3.3.2 Environmental Resources.....	3-2
3.3.3 Interagency Compliance, Notification, and Correspondence	3-5
3.4 Siting Criteria	3-6
3.4.1 Exclusion Areas.....	3-6
3.4.2 Avoidance Areas.....	3-8
3.4.3 Selection Criteria	3-11
3.4.4 Policy Criteria	3-12
3.5 Additional Mitigative Measures	3-13
3.5.1 Environmental Resources.....	3-13
3.5.2 Safety.....	3-15
4.0 COMMISSION ORDERS.....	4-1
4.1 Findings of Fact.....	4-1
4.2 Certificate of Site Compatibility	4-1
4.3 Route Permit	4-1
4.4 Certification Relating to Order Provisions	4-1
4.5 Certification Provision Supremacy	4-2
4.6 Un-Surveyed Environmental Resources.....	4-2
4.7 Un-Surveyed Cultrual Resources.....	4-2
4.8 Licenses and Permits	4-2
4.9 Alternative Uses	4-2
5.0 CERTIFICATION RELATING TO ORDER PROVISIONS	5-1
5.1 Regulatory Compliance	5-1
5.1.1 Public Service Commission.....	5-1
5.1.2 Interagency Compliance	5-2
5.2 Construction	5-4
5.2.1 Pre-Construction Conference	5-4
5.2.2 Cultural Resources.....	5-5

5.2.3	Topsoil Segregation Commencement Oversight.....	5-5
5.2.4	Notice of Intent to Start Construction	5-5
5.2.5	Pipeline Depth.....	5-5
5.2.6	Soil Management.....	5-6
5.2.7	Road Crossings	5-7
5.2.8	Staging Areas	5-7
5.2.9	Unanticipated Discoveries	5-7
5.2.10	Weather Conditions	5-7
5.2.11	Stop Work Authority	5-8
5.3	Restoration and maintenance	5-8
5.3.1	Restoration.....	5-8
5.3.2	Roads	5-8
5.3.3	NRCS Recommendations	5-9
5.3.4	Continuing Commitment.....	5-9
5.3.5	Fences and Gates	5-9
5.3.6	Drain Tile	5-9
5.3.7	Tree and Shrub Mitigation.....	5-9
5.3.8	Waste Disposal	5-10
5.3.9	Traffic Control	5-10
5.4	Communication with Landowners and psc	5-10
5.4.1	Right-of-Way Liaison Notifications.....	5-10
5.4.2	Engineering Design Drawings	5-10
5.4.3	Extraordinary Event Notification	5-11
5.4.4	Significant Biological Discoveries.....	5-11
5.4.5	Modification	5-11
5.4.6	As-Built Documentation	5-11
5.4.7	Underground Facilities.....	5-12
5.4.8	Route Adjustments Before or During Construction	5-12
6.0	ISSUES TO RESOLVE AND RECOMMENDATIONS.....	6-1
6.1	Documentation	6-1
6.2	As-built Conditions	6-1
7.0	REFERENCES.....	7-1
8.0	SIGNATURES	8-1

TABLES

- 1 Cross Reference Matrix
- 2 Summary of Agency Correspondence, Permits, and Approvals

FIGURES

- 1-6 Observation Point Map

APPENDICES

- A Field Observation Coordinates
- B Observation Point Photolog

Table 1: Cross Reference Matrix

Source of Project Specification	Description of Project Specification	Written Verification	3 rd Party Verification
GENERAL			
FINDINGS OF FACT 1.	ONEOK Bakken Pipeline, L.L.C. is a Delaware limited liability company. ONEOK Bakken Pipeline, L.L.C. has been authorized to do business in the State of North Dakota, as evidenced by the corporate papers filed with the Commission on February 7, 2019, in Case No. PU-13-739.	PU-13-739 - Docket 2: Corporate Papers	Section 3.1
SIZE, TYPE & LOCATION			
FINDINGS OF FACT 2-3.	The Project consists of approximately 10.8 miles of 12-inch diameter steel pipeline in McKenzie County, North Dakota. The Project will originate at the Targa Badlands, L.L.C. Little Missouri Natural Gas Processing Plant (Targa Gas Plant) (PU-14-853) in McKenzie County and terminate at an interconnection with ONEOK's planned Demicks Lake NGL Pipeline (PU-18-399) and with the existing Garden Creek to Riverview NGL Pipeline (PU-11-66). The Project includes a pig launcher facility at the Targa Gas Plant and a pig receiver facility at the Project terminus. The Project will transport approximately 20,000 barrels of NGLs per day. 3. The Project utilizes 12-inch diameter steel pipe with a 0.25-inch to 0.281-inch wall thickness. The pipeline will have a maximum operating pressure of 1,480 pounds per square inch.	Docket 1: Application Docket 87: As-Built Centerline Maps	Section 3.2.1
FINDINGS OF FACT 4.	The proposed facility corridor and pipeline route are identified in Hearing Exhibit 6.	Docket 44: Exhibit 6, Avoidance and Exclusion Maps	Section 3.2.2
FINDINGS OF FACT 5-6.	5. The estimated cost of the Project is \$15 million dollars. 6. ONEOK anticipates a third quarter 2019 in-service date for the facility.	Docket 1: Application Docket 86: Final monthly construction report	Section 3.2.1
STUDY OF PREFERED LOCATION			
FINDINGS OF FACT 7.	ONEOK conducted a Class I cultural resource literature review and a desktop analysis for wetlands, waterbodies, woodlands, and other sensitive environmental resources across a one-mile wide area centered on the pipeline route (Study Area).	Docket 1: Application; Docket 24: Agency correspondence - NDSHPO and USFWS	Section 3.3.1

		Concurrence Letters; Docket 41: Exhibit 5 - Letter from North Dakota SHPO Dated February 22, 2019	
FINDINGS OF FACT 8.	ONEOK conducted field surveys and a habitat assessment across an approximately 300-foot-wide area generally centered on the pipeline route (Survey Area). Areas where the Survey Area extends greater than 300 feet and areas where surveys have not yet been completed are identified on Hearing Exhibit 6.	Docket 1: Application; Docket 24: Agency correspondence - NDSHPO and USFWS Concurrence Letters; Docket 42: Exhibit 4 - Letter from US Fish and Wildlife Service dated March 15, 2019	<i>Section 3.3.2</i>
FINDINGS OF FACT 9.	ONEOK conducted a Class III cultural resource inventory across the Survey Area. The Class III reports were submitted to the North Dakota State Historic Preservation Office. Areas where surveys have not been completed are identified in Hearing Exhibit 6.	Docket 1: Application Docket 24: Agency correspondence Docket 37: Exhibit List	<i>Section 3.3.1</i>
FINDINGS OF FACT 10.	Section 49-22.1-13(4) of the North Dakota Century Code provides that a site shall not be designated that violates the rules of any state agency, and that compliance with an agency's rules shall be presumed if the agency fails to present at the public hearing its position with respect to the proposed facility.	Docket 1: Application; Docket 44: Exhibit 6 - Avoidance and Exclusion maps	<i>Section 3.3.3.1</i>

		Docket 45: Exhibit 7 - Exclusion Areas	
FINDINGS OF FACT 11.	ONEOK initiated correspondence with the following federal, state and local departments, agencies and entities: a. Federal: (i) U.S. Army Corps of Engineers; (ii) U.S. Department of Agriculture; (iii) U.S. Department of Defense; (iv) U.S. Fish and Wildlife Service; b. State: (i) North Dakota Department of Trust Lands; (ii) North Dakota Department of Health; (iii) North Dakota Game and Fish Department; (iv) North Dakota Geological Survey; (v) North Dakota Parks and Recreation Department; (vi) North Dakota State Historic Preservation Office (NDSHPO); and (vii) North Dakota State Water Commission; c. Local: (i) McKenzie County Board of Commissioners; (ii) McKenzie County Water Resource District; (iii) McKenzie County Weed Control Board; and (iv) Western Area Water Supply Authority	Docket 1: Application; Docket 24: Agency correspondence - NDSHPO and USFWS Concurrence Letters; Docket 28: Agency Correspondence	Section 3.3.3.2
SITING CRITERIA			
FINDINGS OF FACT 12.	The Commission has developed criteria pursuant to North Dakota Century Code section 49-22.1-03 to guide the site, corridor, and route suitability evaluation and designation process. The criteria, as set forth in North Dakota Administrative Code 69-06-08-02 are classified as Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria.	Docket 1: Application Docket 44: Exhibit 6 - Avoidance and Exclusion maps Docket 45: Exhibit 7 - Exclusion Areas	Section 3.4
FINDINGS OF FACT 13.	ONEOK evaluated the Survey Area and route regarding the Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria	Docket 1: Application, Sec. 7	Section 3.4
FINDINGS OF FACT 14.	An Exclusion Area is a geographic area that must be excluded in the consideration of a route for a transmission facility. An Exclusion Area may be located within a corridor, but at no given point may such an area or areas encompass more than fifty percent of the corridor unless there is no reasonable alternative. A transmission facility route must not be sited within an Exclusion Area.	Docket 1: Application, Sec. 7	3.4.1
FINDINGS OF FACT 15.	ONEOK's studies and surveys did not identify any Exclusion Areas within the Survey Area.	Docket 1: Application, Sec. 7.1	3.4.1

FINDINGS OF FACT 16.	An Avoidance Area is a geographical area that may not be considered in the routing of a transmission facility unless the applicant demonstrates that under the circumstances, there is no reasonable alternative. In determining whether an Avoidance Area should be designated for a facility, the Commission may consider, among other things, the proposed management of adverse impacts, the orderly siting of facilities, system reliability and integrity, the efficient use of resources, and alternative routes. Economic considerations alone will not justify approval of these areas.	Docket 1: Application, Sec. 7	Section 3.4.2
FINDINGS OF FACT 17.	Areas that are geologically unstable or potentially unstable are an Avoidance Area. Based on North Dakota Geological Survey data, three areas having potential for future slope instability that are located within the Survey Area and along the proposed pipeline route; specifically, the Spring Creek crossing (approximate milepost 0.2), the Cherry Creek Crossing (approximate milepost 7.0), and an unnamed creek crossing (approximate milepost 7.6). ONEOK testified it will bore or use the horizontal directional drill (HOD) method at these three locations to avoid impacts to these creeks.	Docket 1: Application; Docket 70	Section 3.4.2.4
FINDINGS OF FACT 18.	Areas within five hundred feet of a residence, school, or place of business are an Avoidance Area. ONEOK identified two occupied structures within five hundred feet of the proposed pipeline route. ONEOK has obtained waivers from the owner of both structures and submitted copies as Exhibit E to Hearing Exhibit 1.	Docket 1: Application	Section 3.4.2.5
FINDINGS OF FACT 19.	Areas containing historical resources not specifically designated as Exclusion or Avoidance Areas are an Avoidance Area. ONEOK's Class III Cultural Resource Survey identified eleven areas containing historical resources within the Survey Area. Ten of the eleven sites were determined to be ineligible for inclusion on the National Register of Historic Places. One site remains unevaluated and ONEOK testified the Project has been routed to avoid impacts to this site. On February 22, 2019, the NDSHPO issued a letter finding ONEOK's Class III Cultural Resource Survey acceptable and concurring with a "No Significant Sites Affected" determination for the Project provided site 32MZ3249 is avoided by the Project, and provided the project remains as mapped and described in the Class III report.	Docket 1: Application; Docket 24; Docket 41;	Section 3.4.2.3
FINDINGS OF FACT 20.	ONEOK's surveys did not identify any other Avoidance Areas within the Survey Area.	Docket 1: Application, Sec. 7	Section 3.4.2
FINDINGS OF FACT 21.	The Commission's Selection Criteria is set forth in North Dakota Administrative Code section 69-06-08-02(3). A corridor or route shall be approved only if it is determined that any significant adverse effects that will result from the location, construction and operation of the facility as they relate to the selection criteria will be at an acceptable minimum, or will be managed and maintained at an acceptable minimum. ONEOK analyzed the effects that may result from the location, construction, and operation of the Project and testified that the Project will not result in significant adverse effects to the Commission's Selection Criteria.	Docket 1: Application; Docket 34: Electronic Record of May 17, 2019 Formal Hearing	Section 3.4.3

FINDINGS OF FACT 22.	The Commission's Policy Criteria is set forth in North Dakota Administrative Code section 69-06-08-02(4). The Commission may give preference to an applicant demonstrating certain benefits from the proposed transmission facility.	NA	<i>Section 3.4.4</i>
FINDINGS OF FACT 23.	ONEOK testified it has maximized the benefits set forward by the Policy Criteria set forth in Section 69-06-08-02(4) of the North Dakota Administrative Code.	Docket 34: Electronic Record of May 17, 2019 Formal Hearing	<i>Section 3.4.4</i>
ADDITIONAL MITIGATIVE MEASURES			
FINDINGS OF FACT 24.	ONEOK has agreed to a number of measures to mitigate potential Project impacts, as indicated by the attached Certification Relating to Order Provisions - Transmission Facility Siting along with the attached Tree and Shrub Mitigation Specifications.	Docket 1: Application; Docket 39: Exhibit 2, Executed Certification with Tree and Shrub Mitigation	<i>Section 3.5.1</i>
FINDINGS OF FACT 25.	ONEOK is developing several documents that will be used to minimize and mitigate impacts to environmental resources. These draft documents are included in Exhibit G to Hearing Exhibit No. 1, Hearing Exhibit No. 3. The documents will be finalized and filed with the Commission prior to construction.	Docket 1: Application; Docket 60	<i>Section 3.5.1</i>
FINDINGS OF FACT 26.	No designated Dakota Skipper critical habitat exists within the Survey Area, however, ONEOK's habitat surveys identified potentially suitable habitat for the Dakota Skipper within the Survey Area. ONEOK testified it has routed the Project to avoid impacts to suitable Dakota Skipper habitat.	Docket 1: Application; Docket 34	<i>Section 3.5.1.6</i>
FINDINGS OF FACT 27.	ONEOK has executed a Weed Management Plan with McKenzie County for controlling noxious weeds.	Docket 25: McKenzie County Weed Control Approval; Docket 43: Exhibit 5 - Letter with Noxious Weed Containment Plan	<i>Section 3.5.1.5</i>

		Docket 66: Weed Management Plan	
FINDINGS OF FACT 28.	ONEOK is reducing the Project's environmental disturbance by co-locating approximately 89 percent of the Project with an existing pipeline corridor and other linear infrastructure.	Docket 1: Application	<i>Section 3.5.1.7</i>
FINDINGS OF FACT 29.	The Project will have a leak detection system comprised of transmitters that monitor temperature, pressure, and density, among other things. A Supervisory Control and Data Acquisition system will allow ONEOK to monitor this data and the Project 24 hours a day, 7 days a week, and 365 days a year by trained controls personnel. The system will allow ONEOK to identify and respond to situations outside normal operating conditions.	Docket 1: Application	<i>Section 3.5.2.2</i>
FINDINGS OF FACT 30.	ONEOK will participate in the North Dakota One-Call Excavation Notice System.	Docket 23; Docket 58	<i>Section 3.5.2.1</i>
FINDINGS OF FACT 31.	ONEOK testified that they will comply with all applicable safety laws and standards.	Docket 34: Electronic Record of May 17, 2019 Formal Hearing	<i>Section 3.5.2</i>
COMMISSION ORDERS			
Commission Order 1	ONEOK shall construct, operate, and maintain the Project in accordance with the Commission's Findings of Fact.	Docket 50: Finding of Fact, Conclusion of Law and Order	<i>Section 4.1</i>
Commission Order 2	Certificate of Site Compatibility No. 211 is issued to ONEOK Bakken Pipeline, L.L.C., designating a corridor for the construction, operation, and maintenance of approximately 10.8 miles of 12-inch diameter natural gas liquids pipeline and associated facilities in McKenzie County, North Dakota. For purposes of this Certificate, the designated corridor generally consists of a 300-foot wide area centered on the designated route.	Docket 50: Finding of Fact, Conclusion of Law and Order	<i>Section 4.2</i>
Commission Order 3	Route Permit No. 221 is issued to ONEOK Bakken Pipeline, L.L.C., designating a route for the construction, operation, and maintenance of approximately 10.8 miles of 12-inch diameter natural gas liquids pipeline and associated facilities in McKenzie County, North Dakota. For purposes of this Permit, the designated route is the route of the Project as depicted in Hearing Exhibit No. 6.	Docket 50: Finding of Fact, Conclusion of Law and Order	<i>Section 4.3</i>

Commission Order 4	The Certification Relating to Order Provisions - Transmission Facility Siting with accompanying Tree and Shrub Mitigation Specifications executed May 6, 2019 is incorporated by reference and attached to this Order.	Exhibit 39: Executed Certification with Tree and Shrub Mitigation	Section 4.4
Commission Order 5	To the extent there are any conflicts or inconsistencies between ONEOK's Application and the Certification, the Certification provisions control.	Docket 50: Finding of Fact, Conclusion of Law and Order	Section 4.5
Commission Order 6	ONEOK shall complete field surveys for the un-surveyed areas within the designated corridor as identified in Hearing Exhibit 6. ONEOK shall file copies of all environmental field surveys with the Commission prior to beginning construction in those areas.	Docket 50: Finding of Fact, Conclusion of Law and Order	Section 4.6
Commission Order 7	ONEOK shall complete a Class III Cultural Resource Survey for un-surveyed areas within the Project Corridor as identified in Hearing Exhibit 6. ONEOK shall submit cultural resources finds to NDSHPO for review and file a copy of NDSHPO's concurrence with the Commission prior to beginning construction in those areas.	Docket 50: Finding of Fact, Conclusion of Law and Order	Section 4.7
Commission Order 8	ONEOK shall obtain all other necessary licenses and permits prior to commencing construction on such portion of the Project for which the license and/or permit is required, and shall provide copies to the Commission prior to construction.	Docket 50: Finding of Fact, Conclusion of Law and Order	Section 4.8
Commission Order 9	ONEOK is required to comply with all applicable laws, rules, and regulations in the event it desires to construct another or a different transmission pipeline facility than was specified in the Application within the corridor designated in this proceeding.	Docket 50: Finding of Fact, Conclusion of Law and Order	Section 4.9

CERTIFICATION RELATING TO ORDER PROVISIONS

TRANSMISSION FACILITY SITING

CERTIFICATION RELATING TO ORDER PROVISIONS 1.	Company understands and agrees that any Certificate of Corridor Compatibility or Route Permit issued by the Commission will be subject to the conditions and criteria set forth in Chapter 49-22.1 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.	NA	Section 5.1
CERTIFICATION RELATING TO ORDER PROVISIONS 2.	Company agrees to comply with the rules and regulations of all other agencies having jurisdiction over any phase of the transmission facility including all city, township, and county zoning regulations.	NA	Section 5.1.2

CERTIFICATION RELATING TO ORDER PROVISIONS 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 transmission facility that requires said license or permit.		Section 5.1.2
CERTIFICATION RELATING TO ORDER PROVISIONS 4.	Company understands and agrees that any Certificate of Corridor 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.	NA	Section 5.1.1.1
CERTIFICATION RELATING TO ORDER PROVISIONS 5.	Company agrees to maintain records that will demonstrate that it has complied with the requirements of the Commission 's order issuing a Certificate of Corridor Compatibility or Route Permit, and that it will preserve these records for Commission inspection at any reasonable time upon reasonable notice.	NA	Section 5.1.1.2
CERTIFICATION RELATING TO ORDER PROVISIONS 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 protect further the public or the environment.	NA	Section 5.1.1.3
CONSTRUCTION			
CERTIFICATION RELATING TO ORDER PROVISIONS 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 58: Preconstruction Conference Call Minutes and Notice of Intent to Commence Construction	Section 5.2.1
CERTIFICATION RELATING TO ORDER PROVISIONS 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.	Docket 24: Agency correspondence - NDSHPO and USFWS Concurrence Letters	Section 5.2.2

CERTIFICATION RELATING TO ORDER PROVISIONS 9	Company understands and agrees that topsoil removal will begin when the Commission's third-party construction inspector is present at the Project site to observe that topsoil is properly removed and kept segregated from subsoil until replacement occurs. Company shall establish the date and time for the Commission's third-party construction inspector's topsoil removal oversight in the preconstruction conference.	Docket 71: Topsoil Removal Inspection Report	Section 5.2.3
CERTIFICATION RELATING TO ORDER PROVISIONS 10.	Company agrees to inform the Commission and the Commission's third-party construction inspector of its intent to start construction on the transmission facility prior to the commencement of construction. Once construction has started, Company shall keep the Commission and the Commission's third-party construction inspector updated on construction activities on a monthly basis.	Docket 73 Docket 79 Docket 82 Docket 84 Docket 85 Docket 86	Section 5.2.4
CERTIFICATION RELATING TO ORDER PROVISIONS 11.	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 81: Construction Inspection Report	Section 5.2.5
CERTIFICATION RELATING TO ORDER PROVISIONS 12.	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 carefully stripped and segregated from the subsoil. Any area on which excavated subsoil will be placed must also be stripped of topsoil. The stripped topsoil must not be stockpiled in natural drainages, and must be protected from water erosion. Care must be taken to prated topsoil from unnecessary compaction by heavy machinery. Unless otherwise approved by the Commission, topsoil must be removed before topsoil freezes in the late fall/ early winter to the point that frost inhibits proper soil segregation. After backfilling with subsoil 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 71: Topsoil Removal Inspection Report Docket 81: Construction Inspection Report	Section 5.2.6
CERTIFICATION RELATING TO ORDER PROVISIONS 13.	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 1: Application	Section 5.2.7
CERTIFICATION RELATING TO ORDER PROVISIONS 14.	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 1: Application	Section 5.2.8

CERTIFICATION RELATING TO ORDER PROVISIONS 15.	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.	Docket 1: Application	Section 5.2.9
CERTIFICATION RELATING TO ORDER PROVISIONS 16.	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 1: Application	Section 5.2.10
CERTIFICATION RELATING TO ORDER PROVISIONS 17.	Company understands and agrees that the Commission has authority to stop Project construction activities in the event of a probable violation of the siting laws, siting rules, or applicable Commission Orders if, in the opinion of the Commission, construction activities are likely to result in irreparable or significant harm.	NA	Section 5.2.11
RESTORATION AND MAINTENANCE			
CERTIFICATION RELATING TO ORDER PROVISIONS 18.	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 1: Application; Docket 61: CMRP	Section 5.3.1
CERTIFICATION RELATING TO ORDER PROVISIONS 19.	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. Compliance with this order and conditions and criteria set forth in the applicable laws and rules	Docket 1: Application; Docket 61: CMRP	Section 5.3.2
CERTIFICATION RELATING TO ORDER PROVISIONS 20.	Company understands and 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 1: Application; Docket 61: CMRP; Docket 68: Revegetation Plan	Section 5.3.3

CERTIFICATION RELATING TO ORDER PROVISIONS 21.	Company will fulfill its obligation for reclamation and maintenance of the approved transmission facility right-of-way, transmission facility, and associated facilities continuing throughout the life of the transmission facility.	Docket 1: Application; Docket 61: CMRP	Section 5.3.4
CERTIFICATION RELATING TO ORDER PROVISIONS 22.	Company will repair all fences and gates removed or damaged during all phases of construction and operation of the transmission facility.	Docket 1: Application; Docket 61: CMRP	Section 5.3.5
CERTIFICATION RELATING TO ORDER PROVISIONS 23.	Company will repair or replace all drainage tile broken or damaged as a result of construction and operation of the transmission facility.	Docket 1: Application, Sec. 2.18, 9.5; Docket 61: CMRP	Section 5.3.6
CERTIFICATION RELATING TO ORDER PROVISIONS 24.	Company agrees to comply with the Tree and Shrub Mitigation Specifications, attached.	Docket 1: Application, Sec. 9.4	Section 5.3.7
CERTIFICATION RELATING TO ORDER PROVISIONS 25.	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.	Docket 1: Application Sec. 9.1	Section 5.3.8
CERTIFICATION RELATING TO ORDER PROVISIONS 26.	Company understands and agrees that it shall provide any necessary safety measures for traffic control or to restrict public access to the transmission facility.	Docket 1: Application Sec. 9.1	Section 5.3.9
COMMUNICATION WITH LANDOWNERS AND PSC			
CERTIFICATION RELATING TO ORDER PROVISIONS 27.	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.	NA	Section 5.4.1

CERTIFICATION RELATING TO ORDER PROVISIONS 28.	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.	Docket 58: Preconstruction Conference Call and NOI	Section 5.4.1
CERTIFICATION RELATING TO ORDER PROVISIONS 29.	Upon request, Company agrees to provide the Commission with engineering design drawings of the transmission facility prior to construction.	Docket 1: Application, Exhibit A, Engineering Documents	Section 5.4.2
CERTIFICATION RELATING TO ORDER PROVISIONS 30.	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.	NA	Section 5.4.3
CERTIFICATION RELATING TO ORDER PROVISIONS 31.	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 becomes aware and which were not previously reported to the Commission	NA	Section 5.4.4
CERTIFICATION RELATING TO ORDER PROVISIONS 32.	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.	NA	Section 5.4.5
CERTIFICATION RELATING TO ORDER PROVISIONS 33.	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 referenced to the North Dakota coordinate system of 1983, North and/or South zones US Survey feet (NAO 83) UTM Zone 13N or 14N feet (NAO 83), or geographic coordinate system (YVGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed.	Docket 85: Final Monthly Construction Report and As-Built Centerline Maps	Section 5.4.6

CERTIFICATION RELATING TO ORDER PROVISIONS 34.	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-Calf Excavation Notice System requirements under North Dakota Century Code Chapter 49-23 has been determined.	NA	Section 5.4.7
ROUTE ADJUSTMENTS BEFORE OR DURING CONSTRUCTION			
CERTIFICATION RELATING TO ORDER PROVISIONS 35.	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. § 49-22.1-15.	NA	Section 5.4.8
CERTIFICATION RELATING TO ORDER PROVISIONS 36.	Company will specifically identify which subsection of NDCC 49-22.1-15 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.	NA	Section 5.4.8
CERTIFICATION RELATING TO ORDER PROVISIONS 37.	ROUTE ADJUSTMENT WITHIN DESIGNATED CORRIDOR, NO AVOIDANCE AREA AFFECTED: NDCC 49-22.1-15(2)	Dockets: 75 and 76	Section 5.4.8
CERTIFICATION RELATING TO ORDER PROVISIONS 38.	ROUTE ADJUSTMENT WITHIN DESIGNATED CORRIDOR, AVOIDANCE AREA AFFECTED: NDCC 49-22.1-15(2)	NA	Section 5.4.8
CERTIFICATION RELATING TO ORDER PROVISIONS 39.	ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, NO AVOIDANCE AREA AFFECTED: NDCC 49-22.1-15(3)	Docket 70	Section 5.4.8
CERTIFICATION RELATING TO ORDER PROVISIONS 40.	ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, AVOIDANCE AREA AFFECTED: NDCC 49-22.1-15(4)	NA	Section 5.4.8

CERTIFICATION RELATING TO ORDER PROVISIONS 41.	When applicable, Company may submit the field studies from the original application for the corridor and route provided they cover the adjustment area.	NA	Section 5.4.8
--	---	----	---------------

TREE AND SHRUB MITIGATION SPECIFICATIONS

Inventory

Tree and Shrub Mitigation Inventory	Prior to cutting or clearing trees or shrubs for construction: Prior to cutting or clearing trees or shrubs for construction: •All trees one-inch or greater in diameter at breast height must be inventoried to record the location, number, and species. •All shrubs and all coniferous trees of any diameter must be inventoried to record the location, number, and species.	Docket 39: Executed Tree and Shrub Mitigation	Section 3.5.1.2
-------------------------------------	--	---	-----------------

Clearing

TREE AND SHRUB MITIGATION CLEARING	The maximum width of tree and shrub removal is 50 feet, unless otherwise approved by the Commission.	Docket 39: Executed Tree and Shrub Mitigation	Section 3.5.1.3
------------------------------------	--	---	-----------------

Replacement

Tree and Shrub Mitigation Replacement 1-6	1. Landowners must be given the option to have trees and shrubs that are removed from their property replaced on their property. The landowner may waive this option in writing. If the landowner waives this option, the company shall plant replacement trees and shrubs in an alternate location in the same region, if practical. 2. Trees and shrubs must be replaced on a minimum two-to-one basis. The company shall develop a Tree and Shrub Mitigation Plan (Plan) in consultation with landowners who are seeking replacement trees and shrubs and in accordance with USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management. The guidelines outlined in the Technical Guide shall be followed until filing of the Plan summary outlined in number 5 below. 3. The purpose of the company's Tree and Shrub Mitigation Plan is to create sustainable plantings, appropriate for the local soil and growing conditions that will provide long-term benefit to landowners, farmers and ranchers, the community, wildlife and the environment. 4. The Plan, including the proposed number, variety, type, location, and approximate date for plantings, shall be filed with and approved by the Commission. 5. Two years after completion of the plan, the company must file a summary documenting how the plan achieved the purpose outlined in number 3 above. The summary must also report the number of surviving replacement trees and shrubs. 6. The Commission will consider, on a limited basis as conditions warrant, mitigation plans that provide long-term wildlife habitat and conservation benefits but do not involve the replanting of trees and shrubs.		Section 3.5.1.4
---	--	--	-----------------

***Note: Green shaded boxes represent potential non-compliance issues.**

****Note: Table does not include Conclusions of Law, as Conclusions of Law are held to be self evident.**

1.0 Executive Summary

The North Dakota Public Service Commission (PSC) retained Wenck Associates, Inc. (Wenck) to complete site inspections for the construction of the Little Missouri Lateral 12-inch Natural Gas Liquids (NGL) Pipeline (Project) in McKenzie County, North Dakota (ND), constructed by ONEOK Bakken Pipeline, LLC (ONEOK). The Project was constructed by Jomax Construction Company Inc. (Jomax) as a single segment. The purpose of the inspections was to ensure the project was constructed in compliance with the siting laws and rules and the applicable PSC Orders for the Project.

A pre-construction conference call was held for the Project 6 June 2019; Wenck attended the call. Wenck reviewed Project documents and plans to become familiar with applicable PSC Orders. Construction was finished in November 2019. Wenck conducted an as-built inspection of the Project area 26 May, 2020.

At the time of the as-built inspection, the pipeline trench had been backfilled, soils had been recontoured, topsoil replaced, cropland had been planted, and reseeding had been completed in non-cropland areas. As-built conditions in various settings along the route were generally acceptable. However, vegetation was not growing well in almost all grassland areas inspected, and croplands had just been recently planted. In general, no excessive erosion was observed, however a few areas of minor erosion were noted as well as the need for additional or repaired BMPs. Soil appeared to be restored to original contours, and topsoil replacement was adequate, except in a few areas as noted within this report. A revegetation and reclamation inspection is to follow, planned for late summer 2020 or early 2021.

The Project was well-maintained and appeared to have been constructed as planned with efforts to minimize impacts. A few issues need to be resolved for the Project to be considered complete and in full compliance, including 1) obtaining written documentation of several items, 2) a few areas potentially needing erosion control repair, and 3) revegetation establishment throughout the project area. Wenck recommends the PSC take the following steps to resolve these issues.

Recommended Action Steps

→ Request Now

- USACE Permit (Section 3.3.2.1)
- USFWS required construction MBTA and BGEPA surveys (Sec. 3.3.2.5 and 3.3.2.6)
- USFWS concurrence on wetland and grassland easements within the Project corridor (Section 3.4.2.1)
- Dakota skipper additional surveys and USFWS concurrence (Section 3.4.1.4, 3.5.1.6)
- WAWSA concurrence on rural water supplies (Section 3.4.2.7)
- Tree and Shrub Mitigation Plan (Section 3.5.1.2)
- Correspondance Verification (Section 5.1.2)
- Permit Verification (Section 5.1.2): USACE, Section 404 Permit; DOT, FHA, Permit to Cross; NDDEQ, SWPPP Permit & NOI; McKenzie County, CUP

→ Future Verification

- Final soil reclamation and grading of areas not yet completed
- Successful re-seeding and revegetation within the next year year.

2.0 Background and Scope

2.1 INTRODUCTION

The Little Missouri Lateral 12-inch mixed natural gas liquids (NGLs) will be a single pipeline segment located in McKenzie County and will transport NGLs, or Y-Grade product, approximately 10.8 miles originating from the Little Missouri Gas Processing Plant at the southeast quarter of T149N, R98W, Section 30 and terminate at an interconnection with ONEOK's Demicks Lake Pipeline (PU-18-399) at the southwest quarter of T149N R100W Section 1.

The pipe for the Little Missouri Lateral Pipeline is a 12.75-inch outside diameter steel pipe with 0.25 inches wall thickness for line pipe and 0.281-inches for road crossings. The maximum operating pressure will be 1,480 pounds per square inch and the maximum flow rate of each pipe will be 20,000 barrels per day. The Project is under the jurisdiction of the North Dakota Public Service Commission (PSC), which issued its Findings of Fact, Conclusions of Law, and Order in Case No. PU-19-85 on 31 May 2019, granting Certificates of Corridor Compatibility No. 211 and Route Permits No. 221 for the Project.

2.2 PURPOSE

The North Dakota Energy Conversion and Transmission Facility Act (North Dakota Century Code Chapter 49-22) authorizes the Public Service 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. Post-construction inspections ensure that such projects are constructed in compliance with the siting laws (North Dakota Century Code Chapter 49-22) and rules (North Dakota Administrative Code Article 69-06) and the applicable PSC Findings of Fact, Conclusions of Law, and Order (Order). The PSC retained Wenck Associates, Inc. (Wenck) to complete an as-built, post-construction inspection of the Project.

2.3 METHODS AND SCOPE OF INSPECTION

2.3.1 Project Compliance Identification

Wenck's intent was to ensure the Projects obligations of compliance with specifications found in the Findings of Fact, Conclusions of Law and Order, Certifications Relating to Order Provisions, and Tree and Shrub Mitigation. These "Project Specifications" are listed in Table 1, column 1 (Source of Project Specification). Project Specifications originate from 1) siting laws and rules, 2) Project activities or specifications proposed in the Consolidated Application for a Certificate of Corridor Compatibility and Route Permit (Application), 3) Project plans described in the Findings of Fact, Conclusions of Law, and Order 4) Certification Relating to Order Provisions, and 5) regulations or recommendations from other agencies. A description of the Project Specification as it was written in the submitted docket is provided in Table 1, column 2 (Description of Project Specification).

2.3.2 Document Review

Wenck staff reviewed publicly available Project documents in the PSC Online Case Search (ND PSC 2020) to find written verification of compliance for the Project Specifications listed in Table 1. If written verification was filed, the source and name of the documentation is listed in Table 1, column 3 (Written Verification). The findings of written verification are further elaborated upon in the section of this document as stated in Table 1, column 4 (3rd Party Verification). Project Specifications that require on-site inspection verification are elaborated upon in the associated sections of this document identified in Table 1, column 4 (3rd Party Verification). Green shaded boxes in the table represent Project specifications that are potentially non-compliant because they have no written verification, or there is an issue with the findings in 3rd Party Verification.

2.3.3 On-Site Inspection

Joseph Sander, Wenck environmental scientist, inspected the Project route on May 26, 2020. A representative from ONEOK was not available to accompany the site visit; however, Blake Holland of ONEOK did make himself available via phone or email should any questions arise during the site visit.

The site was inspected by driving to access points and visually inspecting the route within the Project area from those points. Geographic coordinates were recorded at observation points and potential problem areas using ESRI ArcGIS Collector and Survey123 software applications on a tablet utilizing internal satellite triangulation software or paired with a Trimble Global Positioning System (GPS) (**Appendix A**). Digital photographs were taken with the tablet utilizing the Survey123 application to geotag photo locations and associate all collected data from each Observation Point (Figure 1-6). Photographs were taken showing representative portions of the route, aboveground Project infrastructure, and problem areas (**Appendix B**).

If on-site inspection of a Project Specification was completed, the findings are described in the referenced section in Table 1, column 4 (3rd Party Verification). Green shaded boxes in the table represent Project specifications that are potentially non-compliant or may require additional documentation to be filed with the Commission.

3.0 Findings of Fact

3.1 NORTH DAKOTA AUTHORIZED BUSINESS

ONEOK is a Delaware limited liability company. ONEOK has been authorized to do business in the State of North Dakota, as evidenced by the Certificate of Good Standing filed with the Commission on February 7, 2019, as Docket No. 6 in Case No. PU-13-739. (Finding of Fact 1).

Corporate papers filed on February 7, 2019, in Case No. PU-13-739 exist in the docket and are evidence of the above stated fact.

3.2 SIZE, TYPE, AND PREFERRED LOCATION OF FACILITY

The following subsections address Findings of Fact 2 through 6.

3.2.1 Size and Type

The Project consists of approximately 10.8 miles of 12-inch diameter steel pipeline in McKenzie County, North Dakota. The Project will originate at the Targa Badlands, L.L.C. Little Missouri Natural Gas Processing Plant (Targa Gas Plant) (PU-14-853) in McKenzie County and terminate at an interconnection with ONEOK's planned Demicks Lake NGL Pipeline (PU-18-399) and with the existing Garden Creek to Riverview NGL Pipeline (PU-11-66). The Project includes a pig launcher facility at the Targa Gas Plant and a pig receiver facility at the Project terminus. The Project will transport approximately 20,000 barrels of NGLs per day. (Finding of Fact 2). The Project utilizes 12-inch diameter steel pipe with a 0.25-inch to 0.281-inch wall thickness. The pipeline will have a maximum operating pressure of 1,480 pounds per square inch (Finding of Fact 3). The estimated cost of the Project is approximately \$15 million dollars (Finding of Fact 5). ONEOK anticipates a third quarter 2019 in-service date for the Project (Finding of Fact 6).

Multiple points along the as-built corridor of the pipeline were observed. The site inspection observations coincided well with the as-built shapefiles (**Figures 1-6; Appendix A, Field Observation Coordinates**). Construction Inspections confirmed pipe diameter. A Pig launcher and receiver aboveground facilities were observed (**Photo Observation Points 1 and 27**). Observed aboveground structures were constructed upon engineered and graded aggregate pads with access roads constructed through roadway Right-of-Way (ROW) and chain link fences exist around the aboveground structures restricting access to authorized personnel only. Aboveground structures were found to be in good condition.

3.2.2 Preferred Location

The proposed Project corridor and route are identified in Hearing Exhibit No. 6 (Finding of Fact 4).

The Project was observed to originate at the Targa Gas Plant and terminate at the interconnection with ONEOK's Demicks Lake NGL Pipeline, both in McKenzie County. The original proposed pipeline route and corridor identified in the Application and at the hearing is matched closely by the as-built alignment with minor adjustments, as indicated in Section 5.4.8.

3.3 STUDY OF PREFERRED LOCATION

The following subsections address Findings of Fact 7 through 11.

3.3.1 Cultural Resources

ONEOK conducted a Class I cultural resource literature review and a desktop analysis for wetlands, waterbodies, woodlands, and other sensitive environmental resources across a one-mile wide area centered on the proposed pipeline route (Study Area). (Finding of Fact 7). ONEOK conducted a Class III cultural resource inventory across the Survey Area. The Class III reports were submitted to the North Dakota State Historic Preservation Office. Areas where surveys have not been completed are identified in Hearing Exhibit 6. (Finding of Fact 9).

ONEOK submitted Docket 24: NDSHPO and USFWS Concurrence Letters; documenting NDSHPO concurrence with currently surveyed areas. According to Finding of Fact 9, at the time of application submittal, surveys have not been completed in areas so identified in Hearing Exhibit 6 (see Section 4.7 Un-Surveyed Cultural Resources, related to Commission Order 7; for additional information and regulatory compliance).

3.3.2 Environmental Resources

ONEOK conducted field surveys and a habitat assessment across an approximately 300-foot-wide area generally centered on the pipeline route (Survey Area). Areas where the Survey Area extends greater than 300 feet and areas where surveys have not yet been completed are identified on Hearing Exhibit 6. (Finding of Fact 8).

According to Finding of Fact 8, at the time of application submittal, surveys have not been completed in areas so identified in Hearing Exhibit 6 (see Section 4.6 Un-Surveyed Environmental Resources, related to Commission Order 6 for additional information and regulatory compliance).

The following sub-sections outline the findings of environmental resource surveys mentioned above and the Project Specifications and plans to avoid and mitigate impacts to stated environmental resources, and the results of inspections to confirm adherence to Project specifications and plans.

3.3.2.1 Wetlands and Waterbodies

Field surveys identified and recorded 12 wetlands and 6 waterbodies within the Survey Area, (Docket 1: Application, Section 5.2, Table 5.2-1). ONEOK will implement appropriate minimization and mitigation measures at these features, which may include avoidance (e.g., workspace modification or HDD) or use of construction mats and other best management practices (BMPs) to minimize impacts when working in or around wetlands. Refer to the Project maps in Exhibit B.4 for the location of each feature and Section 9 for information regarding additional minimization measures (Docket 1: Application, Section 5.2).

ONEOK submitted Docket 61: Construction Mitigation and Restoration Plan and Docket 69: Storm Water Pollution Plan on 6/20/2019, 2 days after commencement of construction. These plans elaborate upon waterbody crossings and protections. Wenck cannot locate a USACE permit or final concurrence within the dockets. Therefore, Wenck cannot confirm if USACE regulatory guidance was followed with respect to specific waterbody crossings.

During inspections, multiple locations were observed where the pipeline was horizontally bored underneath stream channels, open cut, or temporary bridges were constructed (Docket 81: Construction Inspection Report). In general, these inspections found the methods and controls utilized to be adequate. During as-built inspections, waterbody crossing S6 was inspected and found to be in good condition (**Photo Observation Point 21**).

3.3.2.2 Noxious Weeds

Field surveys conducted in the summer of 2018 documented 42 areas of noxious weeds with in the planned Project Corridor with a total area of approximately 53.6 acres. Of the 42 Occurrences, 40 were Canada thistle and two were common burdock. Within the Route/works pace, there are 17 areas of noxious weeds totaling 15.9 acres, all consisting of Canadian thistle. (Docket 1: Application, Section 5.5). ONEOK will minimize the potential for the establishment of undesirable species by minimizing the time duration between final grading and permanent seeding. ONEOK will also require that construction equipment be cleaned before arriving on the construction spread to prevent the introduction of undesirable species to the Project area, as described in the Project's Weed Management Plan and Revegetation Plan, which addresses weed control. The McKenzie County Weed Board requires a Weed Management Plan be prepared and submitted for approval. ONEOK has developed a draft of this plan, which will be finalized and submitted to McKenzie County for review and approval prior to construction (Docket 1: Application, Section 5.5).

ONEOK submitted Docket 25: McKenzie County Weed Control Approval on 5/14/2019, and Docket 66: Weed Management Plan, prior to construction. Wenck was unable to observe or confirm if all specific protocols outlined in the plans were followed during inspections due to the nature and timing of inspections and construction schedules.

Noxious weeds were marked appropriately during the 2019 construction inspection at X-16 location (Docket 81). Wenck was unable to observe or confirm if other specific protocols outlined in the plans were followed during inspections due to the nature and timing of inspections and construction schedules. No noxious weeds were observed at Observation Points during the as-built inspection; however, annual weeds dominated the ROW in some areas of the corridor (**Photo Observation Points 2, 4, 6, and 19**). Noxious weeds will continue to be monitored next year during revegetation inspections.

3.3.2.3 Trees and Shrubs

During the natural resource surveys described above, crews noted general areas where trees and shrubs are present, and also conducted a formal tree and shrub inventory based on NDPSC-issued orders. A tree and shrub inventory report is being finalized in a separate report and will record the pre-construction status of these resources, which would form the baseline for restoration and mitigation reconciliation. Prior to construction, ONEOK will conduct an additional tree and shrub inventory for the portion of the route that was not surveyed as part of the 2018 field season (between mileposts 0.15 and 0.35) and file this report with the Commission upon completion (Docket 1: Application, Section 5.4).

Wenck cannot locate a final tree and shrub inventory, neither the Tree and Shrub Mitigation Plan, which was to be filed with the Commission within the Dockets. It is suggested to follow up with ONEOK upon the status and timing of the inventory.

3.3.2.4 Threatened and Endangered Species and Habitats

Wildlife surveys were conducted within the Project Corridor in conjunction with the wetland and waterbody delineations in summer and fall 2018. Details regarding the wildlife observed during field surveys are included in the Natural Resources Survey Report included in Exhibit C. Suitable habitat for one federally listed species (Dakota skipper) was found within the Project Corridor (see Section 5.3.1). No additional unique habitat was identified in the 2014 natural resource surveys for the portion of the Route between mileposts 0.15 and 0.35. (Docket 1: Application, Section 5.3). ONEOK has designed its workspace to completely avoid all areas of potentially suitable habitat as delineated during 2018 surveys. If suitable Dakota skipper habitat is found during habitat surveys in 2019 between mileposts 0.15 and 0.35, ONEOK would avoid these areas utilizing bore or horizontal directional drill construction methods. ONEOK will also install fencing and signage along the construction right-of-way to prevent accidental incursion into delineated suitable habitat (Docket 1: Application, Section 5.3.1).

ONEOK submitted Docket 42: Letter from USFWS Dated March 15, 2019 on 5/30/2019. The letter details USFWS concurrence with no objections based on ONEOK commitment to conservation measures (see Section 3.5.1.6 for additional information on Dakota skipper mitigation, relating to Finding of Fact 26).

3.3.2.5 Migratory Birds and Habitats

Surveys of the Project Corridor were conducted in the summer of 2018, which confirmed that suitable nesting habitat for migratory birds is present within the Project Corridor or within line-of-site of the Project Corridor. ONEOK has developed a Migratory Bird Plan to outline measures it will implement to avoid, minimize, and reduce possible impacts on migratory birds (see Section 9 and Exhibit G for more information). Conservation measures will be developed in consideration of statutory authority, regulatory guidance, and through experience with state and federal agencies on past projects in the region. Prior to initiating pre-clearing activities and construction, ONEOK will also conduct environmental training for company and contractor supervisory personnel. Where constructing the Project outside of the peak nesting season for migratory birds is not feasible, ONEOK will conduct ground surveys to identify migratory bird nests that prior to construction activities. Varying activity restriction buffers around active nests will be utilized as conservation measures for the plan. A summary of ONEOK's consultation with USFWS with respect to MBTA is included in Section 6.1 and in Exhibit D (Docket 1: Application, Section 5.3.2).

ONEOK submitted Docket 62: Migratory Bird Plan on 6/20/2019, 2 days after the start of construction. Wenck cannot locate any submittals in the Dockets for documentation of any migratory bird presence/absence surveys of active nests or proof of environmental training, nor were these activities observed by Wenck during any inspection throughout the construction process.

Additionally, no documentation of extra consultation with the USFWS with regard to the MBTA was filed for the Project. According to Docket 1: Application, Section 5.3.2 (above), a summary of USFWS consultation on MBTA is included in Section 6.1 and in Exhibit D; however, this section or Exhibit D, does not include a final decision.

3.3.2.6 Bald and Golden Eagles and Habitats

No eagle nests were identified during the natural resource surveys conducted in 2018 and to date, no nests have been identified by the agencies ONEOK has consulted with (see Section 6). If a nest is identified prior to construction, ONEOK would conduct additional surveys to determine if the nest is active. If any nests are active, ONEOK would work with the USFWS to determine the appropriate buffer distance buffer and/or timing restriction to prevent disruption to the individuals. A summary of ONEOK's consultation with USFWS with respect to BGEPA is included in Section 6.1 and in Exhibit D. (Docket 1: Application, Section 5.3.3 Bald and Golden Eagle Protection Act).

ONEOK submitted Docket 62: Migratory Bird Plan on 6/20/2019, 2 days after the start of construction. This plan covers Bald and Golden Eagles. Wenck cannot locate any submittals in the Dockets for documentation of any eagle presence/absence surveys of active nests, coordination with the USFWS on BGEPA, nor were these activities observed by Wenck during any inspection throughout the construction process.

Additionally, no documentation of extra consultation with the USFWS with regard to the BGEPA was filed for the Project. According to Docket 1: Application, Section 5.3.3 (above), a summary of USFWS consultation on BGEPA is included in Section 6.1 and in Exhibit D; however, this section or Exhibit D, does not include a final decision.

3.3.2.7 Sensitive Species and Habitats Survey

No sensitive species and habitats surveys were completed for the Project as it does not cross Federally administered lands.

3.3.3 Interagency Compliance, Notification, and Correspondence

See Section 5.1.3 Licenses and Permits; for information pertaining to procured licenses and permits.

3.3.3.1 Presumption of State Agency Compliance

Section 49-22.1-13(4) of the North Dakota Century Code provides that a site shall not be designated that violates the rules of any state agency, and that compliance with an agency's rules shall be presumed if the agency fails to present at the public hearing its position with respect to the proposed facility. (Finding of Fact 10).

No State agency presented a position of non-compliance at the public hearing; therefore, it is presumed the facility complies with all State agency rules (see Section 5.1.3).

3.3.3.2 Agency Correspondence

ONEOK initiated correspondence with the following federal, state and local departments, agencies and entities: a. Federal: (i) U.S. Army Corps of Engineers; (ii) U.S. Department of Agriculture; (iii) U.S. Department of Defense; (iv) U.S. Fish and Wildlife Service; b. State: (i) North Dakota Department of Trust Lands; (ii) North Dakota Department of Health; (iii) North Dakota Game and Fish Department; (iv) North Dakota Geological Survey; (v) North Dakota Parks and Recreation Department; (vi) North Dakota State Historic Preservation Office (NDSHPO); and (vii) North Dakota State Water Commission; c. Local: (i) McKenzie County Board of Commissioners; (ii) McKenzie County Water Resource District; (iii)

McKenzie County Weed Control Board ; and (iv) Western Area Water Supply Authority (Finding of Fact 11).

ONEOK initiated correspondence with all agencies stated in Finding of Fact 11, as evidenced by Docket 1: Application, Section 6.0 and Exhibit D.

3.4 SITING CRITERIA

The Commission has developed criteria pursuant to North Dakota Century Code section 49-22.1-03 to guide the site, corridor, and route suitability evaluation and designation process. The criteria, as set forth in North Dakota Administrative Code 69-06-08-02 are classified as Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria (Finding of Fact 12). ONEOK evaluated the Survey Area and route regarding the Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria (Finding of Fact 13).

Siting criteria (exclusion, avoidance, selection, and policy criteria) were analyzed in detail in the Application (Docket 1: Application) for the Project. The following subsections address Findings of Fact 12 through 23.

3.4.1 Exclusion Areas

The following geographical areas must be excluded in the consideration of a route for a transmission facility. A buffer zone of a reasonable width to protect the integrity of the area must be included. Natural screening may be considered in determining the width of the buffer zone [NDAA 69-06-08-02(1)].

An Exclusion Area is a geographic area that must be excluded in the consideration of a route for a transmission facility. An Exclusion Area may be located within a corridor, but at no given point may such an area or areas encompass more than fifty percent of the corridor unless there is no reasonable alternative. A transmission facility route must not be sited within an Exclusion Area. (Finding of Fact 14). ONEOK's studies and surveys did not identify any known Exclusion Areas within the Survey Area. (Finding of Fact 15).

Wenck is of the opinion, Finding of Fact 15, is to be considered erroneous, as ONEOK did indicate the Survey Area and Project Corridor to occupy an "Area Critical to the Life Stages of Threatened or Endangered Animal or Plant Species" (Docket 1: Application, Section 7.1). However, we assume that any such areas within the project construction corridor did not encompass more than fifty percent of the corridor. For more information, refer to Section 3.4.1.4 of this document. Wenck did not observe the corridor to occupy any other Exclusion Areas during on-site inspections.

3.4.1.1 Designated or Registered National Assets

Designated or registered national parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas [NDAA 69-06-08-02(1)a].

The route does not cross any designated or registered national parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas (Docket 1: Application). Wenck did not observe the corridor to occupy any designated or registered national assets during on-site inspections.

3.4.1.2 Designated or Registered State Assets

Designated or registered State Parks, historic sites, monuments, historical monuments, archaeological sites, and nature preserves [NDAA 69-06-08-02(1)b].

ONEOK submitted Docket 24: NDSHPO and USFWS Concurrence Letters; documenting NDSHPO concurrence with currently surveyed areas (see Section 4.7 Un-Surveyed Cultural Resources, related to Commission Order 7; for additional information and regulatory compliance).

The route does not cross any other designated or registered State Parks, historic sites, monuments, historical monuments, archaeological sites, and nature preserves (Docket 1: Application). Wenck did not observe the corridor to occupy any other designated or registered state assets during on-site inspections.

3.4.1.3 Local Governmental Assets

County parks and recreational areas; municipal parks; and parks owned or administered by other governmental subdivisions [NDAA 69-06-08-02(1)c].

The route does not cross county parks and recreational areas; municipal parks; and parks owned or administered by other governmental subdivisions (Docket 1: Application). Wenck did not observe the corridor to occupy any local governmental assets during on-site inspections.

3.4.1.4 Threatened and Endangered

Areas critical to the life stages of threatened or endangered animal or plant species (NDAA 69-06-08-02(1)d) or areas where animal or plant species that are unique or rare to this state would be irreversibly damaged [NDAA 69-06-08-02(1)e].

ONEOK indicated Dakota Skipper habitat is located within the Survey Area and Project Corridor; however, it would not be crossed by the route (Docket 1: Application, Section 7.1). ONEOK also indicated it had designed its workspace to completely avoid all areas of potentially suitable habitat (Docket 1: Application, Section 5.3.1). ONEOK submitted Docket 42: Letter from USFWS Dated March 15, 2019 on 5/30/2019. The letter details USFWS concurrence with no objections based on ONEOK's commitment to conservation measures.

The PSC did not issue a Conclusion of Law regarding its acceptance of deviation from Siting Criteria; however, Wenck is of the opinion, USFWS concurrence under stated conservation conditions should suffice in its stead.

The route does not cross any other areas critical to the life stages of threatened or endangered animal or plant species or areas where animal or plant species that are unique or rare to this state would be irreversibly damaged (Docket 1: Application). Wenck did not observe the corridor to occupy any previously unidentified areas important to Federal or State listed species of importance during on-site inspections. No reports of observations of threatened or endangered species were filed during construction.

3.4.1.5 Intercontinental Ballistic Missile Facility

Areas within one thousand two hundred feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility. [NDAA 69-06-08-02(1)f]. Areas within thirty feet on either side of a direct line between intercontinental ballistic missile (ICBM) launch or launch control facilities to avoid microwave interference [NDAA 69-06-08-02(1)g].

ONEOK has confirmed the absence of ICBM launch or launch control facilities located within 1,200 feet of the Route. This was confirmed through consultation with the USDOD as described in Section 6.5 (Docket 1: Application, Section 7.1.6). Wenck cannot independently confirm the proposed corridor or potential re-routes do not occupy an area violating the buffers referenced above during on-site inspections or docket searches due to the sensitive nature of military installments.

3.4.2 Avoidance Areas

The following geographical areas may not be considered in the routing of a transmission facility unless the applicant shows that under the circumstances there is no reasonable alternative. In determining whether an avoidance area should be designated for a facility, the commission may consider, among other things, the proposed management of adverse impacts; the orderly siting of facilities; system reliability and integrity; the efficient use of resources; and alternative routes. Economic considerations alone will not justify approval of these areas. A buffer zone of a reasonable width to protect the integrity of the area will be included unless a distance is specified in the criteria. Natural screening may be considered in determining the width of the buffer zone [NDAA 69-06-08-02(2)].

An Avoidance Area is a geographical area that may not be considered in the routing of a transmission facility unless the applicant demonstrates that under the circumstances, there is no reasonable alternative. In determining whether an Avoidance Area should be designated for a transmission facility, the Commission may consider, among other things, the proposed management of adverse impacts, the orderly siting of facilities, system reliability and integrity, the efficient use of resources, and alternative routes. Economic considerations alone will not justify approval of these areas. (Finding of Fact 16). ONEOK's surveys did not identify any other Avoidance Areas within the Survey Area (Finding of Fact 20).

The route encounters three types of avoidance areas (Historical Resources not specifically designated as Exclusion or Avoidance Areas, Geologically Unstable Areas, and Within 500-feet of a Residence, School, or Place of Business). Justification for the route is given below in the appropriate subsections. Wenck did not observe the corridor to occupy any other Avoidance Areas during on-site inspections.

3.4.2.1 Designated or Registered National Assets

Designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands [NDAA 69-06-08-02(2)a].

ONEOK indicated it had been in consultations with the USFWS concerning wetland and grassland easements; however, it had not received a response (Docket 1: Application, Section 6.2). Wenck cannot locate a concurrence as to the status of easements within the

corridor. Wenck recommends the PSC inquire with ONEOK about USFWS wetland and grassland easements within the corridor.

The route does not cross any designated or registered national: historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands (Docket 1: Application). Wenck did not observe the corridor to occupy any previously unidentified designated or registered national assets during on-site inspections.

3.4.2.2 Designated or Registered State Assets

Designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands [NDAA 69-06-08-02(2)b].

The route does not cross any designated or registered state: wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands (Docket 1: Application). Wenck did not observe the corridor to occupy any previously unidentified designated or registered state assets during on-site inspections.

3.4.2.3 Historical Resources

Historical resources which are not specifically designated as exclusion or avoidance areas [NDAA 69-06-08-02(2)c].

Areas containing historical resources not specifically designated as Exclusion or Avoidance Areas are an Avoidance Area. ONEOK's Class III Cultural Resource Survey identified eleven areas containing historical resources within the Survey Area. Ten of the eleven sites were determined to be ineligible for inclusion on the National Register of Historic Places. One site remains unevaluated and ONEOK testified the Project has been routed to avoid impacts to this site. On February 22, 2019, the NDSHPO issued a letter finding ONEOK's Class III Cultural Resource Survey acceptable and concurring with a "No Significant Sites Affected" determination for the Project provided site 32MZ3249 is avoided by the Project, and provided the project remains as mapped and described in the Class III report. (Finding of Fact 19).

ONEOK submitted 3 requests for certification of route adjustment, 2 of which were within the corridor and 1 without, all categorized as "no avoidance area affected." Wenck confirmed the re-routes were not located within avoidance areas as documented in Docket 44: Exhibit 6 – Avoidance and Exclusion Maps. ONEOK submitted Docket 70: Certification and documentation for route adjustment under section NDCC 49-22.1-15(3) on 7/3/2019, prior to construction in that area; NDSHPO concurrence is attached. For further discussions on route adjustments, refer to Section 5.4.8.

The route does not cross any other historical resources which are not specifically designated as exclusion or avoidance areas (Docket 1: Application). Wenck did not observe the corridor to occupy any other historical resources during on-site inspections.

3.4.2.4 Geologically Unstable

Areas which are geologically unstable [NDAA 69-06-08-02(2)d].

Areas that are geologically unstable or potentially unstable are an Avoidance Area. Based on North Dakota Geological Survey data, three areas having potential for future slope instability that are located within the Survey Area and along the proposed pipeline route; specifically, the Spring Creek crossing (approximate milepost 0.2), the Cherry Creek Crossing (approximate milepost 7.0), and an unnamed creek crossing (approximate milepost 7.6). ONEOK testified it will bore or use the horizontal directional drill (HDD) method at these three locations to avoid impacts to these creeks (Finding of Fact 17).

ONEOK submitted Docket 70: Certification and documentation for route adjustment under section NDCC 49-22.1-15(3) on 7/3/2019, prior to construction in the Spring Creek area. Wenck is of the opinion, the purpose for the re-route outside of the original proposed corridor was to create additional workspace for HDD methods, and an advantageous approach to geologically unstable areas.

Wenck submitted Docket 81: Construction Inspection Report, detailing the use of HDD methods at all identified areas. Wenck did not observe the corridor to occupy any other recognized geologically unstable areas during on-site inspections.

3.4.2.5 Occupied Structures

Within five hundred feet [152.4 meters] of a residence, school, or place of business. This criterion shall not apply to a water pipeline transmission facility [NDAA 69-06-08-02(2)e].

Areas within five hundred feet of a residence, school, or place of business are an Avoidance Area. ONEOK identified two occupied structures within five hundred feet of the proposed pipeline route. ONEOK has obtained waivers from the owner of both structures and submitted copies as Exhibit E to Hearing Exhibit 1 (Finding of Fact 18).

Wenck can confirm the Finding of Fact 18 to be accurate. Additionally, Wenck compared the as-built alignment with the proposed location of the pipeline to ensure certifications for re-routes do not deviate in a significant way from the proposed corridor to allow for any re-routes to encroach upon the buffer around occupied structures. Wenck did not observe the corridor to encroach any other occupied structure buffers during on-site inspections.

3.4.2.6 Water Supplies

Reservoirs and municipal water supplies [NDAA 69-06-08-02(2)f].

ONEOK has confirmed the absence of reservoirs or municipal source water protection areas for community water supply sources within the Project Corridor (Docket 1: Application, Section 7.2.6).

Wenck did not observe the corridor to occupy any recognized reservoirs or municipal water supplies during on-site inspections.

3.4.2.7 Rural Water Districts

Water sources for organized rural water districts [NDAA 69-06-08-02(2)g].

Based on a review of publicly available data, ONEOK is not aware of any water sources for organized rural water districts within the Project Corridor. As discussed in Section 6.14, ONEOK submitted a consultation request to WAWSA and a response is pending. (Docket 1: Application, Section 7.2.7).

Wenck cannot locate in the dockets a response from WAWSA. Wenck did not observe the corridor to occupy any water sources for organized rural water districts during on-site inspections.

3.4.2.8 Irrigated Land

This criterion shall not apply to an underground transmission facility [NDAA 69-06-08-02(2)h].

3.4.2.9 Areas of Recreational Significance

Areas of recreational significance which are not designated as exclusion areas [NDAA 69-06-08-02(2)i].

ONEOK has confirmed the absence of areas of recreational significance within the Project Corridor (Docket 1: Application, Section 7.2.9)

Wenck did not observe the corridor to occupy any areas of recreational significance during on-site inspections.

3.4.3 Selection Criteria

A corridor or route shall be designated only when it is demonstrated to the commission by the applicant that any significant adverse effects which will result from the location, construction, and maintenance of the facility as they relate to the following, will be at an acceptable minimum, or that those effects will be managed and maintained at an acceptable minimum. The effects to be considered include [NDAA 69-06-08-02(3)]:

The Commission's Selection Criteria is set forth in North Dakota Administrative Code section 69-06-08-02(3). A corridor or route shall be approved only if it is determined that any significant adverse effects that will result from the location, construction and operation of the facility as they relate to the selection criteria will be at an acceptable minimum, or will be managed and maintained at an acceptable minimum. ONEOK analyzed the effects that may result from the location, construction, and operation of the Project and testified that the Project will not result in significant adverse effects to the Commission's Selection Criteria (Finding of Fact 21).

3.4.3.1 Agricultural Impacts

Agricultural production, Family farms and ranches, Land economically suitable for irrigation, Surface drainage patterns and ground water flow patterns [NDAA 69-06-08-02(3)a].

The proposed alignment impacted a total of approximately 118 acres of land, of which 61 acres were privately owned cropland. The land use of properties crossed by the as-built alignment of the Project was primarily cropland or rangeland as proposed. ONEOK negotiated easements with affected landowners and would not be expected to have permanent impacts to farm/ranch operations (Docket 1: Application, Section 7.3.1).

At the time of the inspection, the land had been restored to its pre-construction contours. Generally, areas impacted by pipeline construction (except aboveground facilities) were returned to previous land use, including cropland, hayland/CRP, and rangeland (**Appendix B**). Existing surface drainage patterns were not observed to have been affected.

3.4.3.2 Other Impacts

Sound-sensitive land uses, Visual effect on the adjacent area, Extractive and storage resources, Wetlands, woodlands, and wooded areas, Radio and television reception, and other communication or electronic control facilities, Human health and safety, Animal health and safety, Plant life [NDAA 69-06-08-02(3)b].

ONEOK submitted Docket 31: Late Filed Exhibit 8 on 5/24/2019; which details correspondence with the Abandoned Mine Lands Division concurring the Project will not have an effect on extractive and storage resources. Wenck finds all other impacts of Selective Criteria to be sufficiently protected and addressed from Docket 1: Application, and other mitigative documentation throughout, as well as the results of inspections.

3.4.4 Policy Criteria

Location and design, Training and utilization of available labor in this state for the general and specialized skills required, Economies of construction and operation, Use of citizen coordinating committees, A commitment of a portion of the transmitted product for use in this state, Labor relations, The coordination of facilities, Monitoring of impacts, Utilization of existing and proposed rights of way and corridors, Other existing or proposed transmission facilities [NDAA 69-06-08-02(3)c].

The Commission's Policy Criteria is set forth in North Dakota Administrative Code section 69-06-08-02(4). The Commission may give preference to an applicant demonstrating certain benefits from the proposed transmission facility (Finding of Fact 22). ONEOK testified it has maximized the benefits set forward by the Policy Criteria set forth in Section 69-06-08-02(4) of the North Dakota Administrative Code. (Finding of Fact 23).

Wenck is of the opinion, Policy Criteria non-compliances are out of the scope of as-built construction inspections.

3.5 ADDITIONAL MITIGATIVE MEASURES

The following subsections address Findings of Fact 24 through 31.

3.5.1 Environmental Resources

ONEOK has agreed to a number of measures to mitigate potential Project impacts, as indicated by the attached Certification Relating to Order Provisions — Transmission Facility Siting along with the attached Tree and Shrub Mitigation Specifications. (Finding of Fact 24). ONEOK is developing several documents that will be used to minimize and mitigate impacts to environmental resources. These draft documents are included in Exhibit G to Hearing Exhibit No. 1, Hearing Exhibit No. 3. The documents will be finalized and filed with the Commission prior to construction (Finding of Fact 25).

ONEOK submitted the Dockets 61-69: Construction Mitigation and Restoration Plan, Migratory Bird Lan, SPCC Plan, HDD Inadvertent Release Control Plan, Unanticipated Discoveries Plan, Weed Management Plan, Dust Control Plan, Revegetation Plan, and SWPPP; respectively, on 6/20/2019, two days after Project initiation. ONEOK Submitted Docket 40: Emergency Official Agency Response Information Book on 5/30/2019; and, Docket 23: Certification Relating to Order Provisions, signed, with Attached Tree and Shrub Mitigation Specifications on 5/8/2019, both prior to construction.

3.5.1.1 Tree and Shrub Mitigation

3.5.1.2 Inventory

Prior to cutting or clearing trees or shrubs for construction, all trees one-inch or greater in diameter at breast height must be inventoried to record the location, number, and species and, all shrubs and all coniferous trees of any diameter must be inventoried to record the location, number, and species (Tree and Shrub Mitigation Specifications, PSC).

Wenck cannot locate a final tree and shrub inventory (not required to be filed with the PSC), neither the Tree and Shrub Mitigation Plan, which was to be filed with and approved by the Commission within the Dockets. It is suggested to follow up with ONEOK upon the status and timing of the inventory and the Tree and Shrub Mitigation Plan.

3.5.1.3 Clearing

The maximum width of tree and shrub removal is 50 feet, unless otherwise approved by the Commission (Tree and Shrub Mitigation Specifications, PSC).

ONEOK refined or necked down the construction ROW through woody areas so that tree and shrub loss was mitigated during construction. During inspections, Wenck observed this to be accurate in multiple areas. In general, major woody areas or planted shelterbelts were cleared in 50-foot construction ROWs.

3.5.1.4 Replacement

ONEOK has not filed a tree and shrub replacement plan with the PSC.

3.5.1.4.1 Landowner Option

ONEOK has not provided information on providing landowner options or waivers.

3.5.1.4.2 Replacement Ratio 2:1

ONEOK has indicated replacement will be performed at the 2:1 ratio (Docket 1: Application, Section 9.4)

3.5.1.5 Noxious Weed Control

ONEOK has executed a Weed Management Plan with McKenzie County for controlling noxious weeds. (Finding of Fact 27).

ONEOK submitted Docket 25: McKenzie County Weed Control Approval on 5/14/2019, and Docket 66: Weed Management Plan, prior to construction. Wenck was unable to observe or confirm if specific protocols outlined in the plans were followed during any inspection type due to the nature and timing of inspections and construction schedules.

3.5.1.6 Dakota Skipper Habitat Mitigation

No designated Dakota skipper critical habitat exists within the Project Corridor; however, ONEOK's habitat surveys identified potentially suitable habitat for the Dakota skipper within the Project Corridor. ONEOK testified it has routed the Project to avoid impacts to suitable Dakota skipper habitat. (Finding of Fact 26).

ONEOK submitted Docket 42: Letter from USFWS Dated March 15, 2019 on 5/30/2019. The letter details USFWS concurrence with no objections based on ONEOK commitment to conservation measures.

ONEOK has designed its workspace to completely avoid all areas of potentially suitable habitat as delineated during 2018 surveys. If suitable Dakota skipper habitat is found during habitat surveys in 2019 between mileposts 0.15 and 0.35, ONEOK would avoid these areas utilizing bore or horizontal directional drill construction methods. ONEOK will also install fencing and signage along the construction right-of-way to prevent accidental incursion into delineated suitable habitat (Docket 1: Application, Section 5.3.1).

Wenck cannot locate additional Dakota skipper habitat surveys in dockets regarding statements made in the Application and correspondences with USFWS.

3.5.1.7 Disturbance Minimization

ONEOK has minimized the Project's environmental disturbance by co-locating approximately 89 percent of the Project with an existing pipeline corridor and/or other linear infrastructure. (PSC Finding of Fact 28).

Wenck cannot confirm collocation percentage of proposed or as-built conditions without prior knowledge of the as-built alignment of the other pipeline.

3.5.2 Safety

ONEOK testified that they will comply with all applicable safety laws and standards (Finding of Fact 31).

During inspections, it appeared that ONEOK had implemented examples of operational safety measures during construction, including the use of equipment spotters, personal protective equipment, pipeline construction warning signs, overhead electric powerline marking, evidence of one-call flags and paint markings for underground utilities, aboveground pipeline markers along the pipeline route, cathodic protections, and fences with locked gates and warning signs were in place around all observed aboveground structures to prevent access by the public.

3.5.2.1 North Dakota One-Call Excavation Notice

ONEOK will participate in the North Dakota One-Call Excavation Notice System. (Finding of Fact 30).

ONEOK committed to participate in North Dakota One-Call utility locates according to the Certification of Order Provisions (Docket 23) per verbal review of those provisions during the pre-construction conference call (Docket 58). ONEOK filed no notices with the PSC of broken utility lines during construction procedures.

3.5.2.2 Supervisory Control and Data Acquisition

The Project will have a leak detection system comprised of transmitters that monitor temperature, pressure, and density, among other things. A Supervisory Control and Data Acquisition (SCADA) system will allow ONEOK to monitor this data and the Project 24 hours a day, 7 days a week, and 365 days a year by trained controls personnel. The system will allow ONEOK to identify and respond to situations outside normal operating conditions. (Finding of Fact 29).

Wenck cannot independently verify SCADA system components or operational status based on the scope of inspections provided to and agreed upon by the PSC.

4.0 Commission Orders

4.1 FINDINGS OF FACT

ONEOK shall construct, operate, and maintain the Project in accordance with the Commission's Findings of Fact (Commission Order 1).

Wenck has outlined the Findings of Fact and the Project's compliance as it pertains to each statement in Section 3.0, to the best of Wenck's ability given readily available information submitted to the PSC in docket review, site inspections, and communications with Project representatives. Any implied potential issues, discrepancies, or deviations from original application submittal is not intended to be interpreted as an absolute non-compliance with the Findings of Fact, but is included to inform the PSC of potential discrepancies before project closeout. Wenck provided information to the PSC through inspection reports and communications during the course of construction of potential discrepancies; however, Wenck is unaware of any non-compliances issued by the PSC.

4.2 CERTIFICATE OF SITE COMPATIBILITY

Certificate of Site Compatibility No. 211 is issued to ONEOK Bakken Pipeline, L.L.C., designating a corridor for the construction, operation, and maintenance of approximately 10.8 miles of 12-inch diameter natural gas liquids pipeline and associated facilities in McKenzie County, North Dakota. For purposes of this Certificate, the designated corridor generally consists of a 300-foot wide area centered on the designated route. (Commission Order 2).

Wenck observed this to be accurate.

4.3 ROUTE PERMIT

Route Permit No. 221 is issued to ONEOK Bakken Pipeline, L.L.C., designating a route for the construction, operation, and maintenance of approximately 10.8 miles of 12-inch diameter natural gas liquids pipeline and associated facilities in McKenzie County, North Dakota. For purposes of this Permit, the designated route is the route of the Project as depicted in Hearing Exhibit 6. (Commission Order 3).

Wenck observed this to be accurate.

4.4 CERTIFICATION RELATING TO ORDER PROVISIONS

The Certification Relating to Order Provisions — Transmission Facility Siting with accompanying Tree and Shrub Mitigation Specifications executed May 6, 2019 is incorporated by reference and attached to this Order. (Commission Order 4).

Docket 23: Certification Relating to Order Provisions with accompanying Tree and Shrub Mitigation Specifications was submitted on 5/8/2019 and is attached to Docket 50: Findings of Fact, Conclusions of Law and Order submitted on 5/31/2019.

4.5 CERTIFICATION PROVISION SUPREMACY

To the extent there are any conflicts or inconsistencies between ONEOK's Application and the Certification, the Certification provisions control (Commission Order 5).

Concerns of inconsistencies between the Application and the Certification were not raised at the public hearing or formally submitted to the case files at any time thereafter.

4.6 UN-SURVEYED ENVIRONMENTAL RESOURCES

ONEOK shall complete field surveys for the un-surveyed areas within the designated corridor as identified in Hearing Exhibit 6. ONEOK shall file copies of all environmental field surveys with the Commission prior to beginning construction in those areas. (Commission Order 6).

ONEOK submitted Docket 70: Certification and documentation relating to NDCC Section 49-22.1-15(3) on 7/3/2019, prior to construction in that area. Wenck finds the docket details environmental surveys performed on all unsurveyed areas according to the attached Natural Resources Report – May 2019 Addendum.

4.7 UN-SURVEYED CULTURAL RESOURCES

ONEOK shall complete a Class III Cultural Resource Survey for un-surveyed areas within the Project Corridor as identified in Hearing Exhibit 6. ONEOK shall submit cultural resources finds to NDSHPO for review and file a copy of NDSHPO's concurrence with the Commission prior to beginning construction in those areas. (Commission Order 7).

ONEOK submitted Docket 70: Certification and documentation relating to NDCC Section 49-22.1-15(3) on 7/3/2019, prior to construction in that area. Wenck finds the docket details cultural resource surveys performed on all unsurveyed areas and NDSHPO concurrence attached.

4.8 LICENSES AND PERMITS

ONEOK shall obtain all other necessary licenses and permits prior to commencing construction on such portion of the Project for which the license and/or permit is required, and shall provide copies to the Commission prior to construction (Commission Order 8).

See Section 5.1.3 Licenses and Permits; for information pertaining to regulatory compliance with Commission Order 8.

4.9 ALTERNATIVE USES

ONEOK is required to comply with all applicable laws, rules, and regulations in the event it desires to construct another or a different transmission pipeline facility than was specified in the Application within the corridor designated in this proceeding (Commission Order 9).

At the time of the As-built inspection ONEOK constructed a single transmission pipeline of the size and type and within the specified corridor as indicated within the Siting Application for Case Number PU-19-085.

5.0 Certification Relating to Order Provisions

5.1 REGULATORY COMPLIANCE

The following subsections address compliance with Certification Statements 1 through 6.

5.1.1 Public Service Commission

Any Certificate of Corridor Compatibility or Route Permit issued by the Commission will be subject to the conditions and criteria set forth in Chapter 49-22.1 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 (Certification Statement 1).

Project compliance with NDCC 69-06-08 is elaborated upon in Section 3.4, Siting Criteria. Project compliance with NDAA 49-22.1 is elaborated upon throughout the document. Refer to appropriate sections for compliance with Certification Statement 1.

5.1.1.1 Suspension or Revocation

Any Certificate of Corridor 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 (Certification Statement 4).

Wenck is unaware of any PSC initiated suspensions or revocations to the Certificate of Corridor Compatibility or Route Permit.

5.1.1.2 Records

Maintain records that will demonstrate that it has complied with the requirements of the Commission's order issuing a Certificate of Corridor Compatibility or Route Permit, and that it will preserve these records for Commission inspection at any reasonable time upon reasonable notice (Certification Statement 5).

Wenck is of the opinion, several records and documents which correlate to the ability to demonstrate compliance with several PSC and other inter-agency rules and regulations are not required to be submitted to the PSC case files, and therefore, Wenck cannot independently verify complete compliance. Potential gaps in knowledge are explained throughout the document, with suggested PSC follow up, should it be deemed appropriate. Wenck also cannot verify company record maintenance.

Wenck has performed a review of the case file in comparison to statements made throughout the Application and the Findings of Fact, Conclusions of Law and Order and has made statements throughout this document regarding potential non-compliances or suggested PSC follow up, should it be deemed appropriate.

5.1.1.3 Modification

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 protect further the public or the environment (Certification Statement 6).

Wenck is unaware of any PSC initiated modifications to the Certificate of Corridor Compatibility or Route Permit.

5.1.2 Interagency Compliance

Comply with the rules and regulations of all other agencies having jurisdiction over any phase of the transmission facility including all city, township, and county zoning regulations (Certification Statement 2). 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 transmission facility that requires said license or permit (Certification Statement 3).

A summation of applicable agencies with jurisdiction over the Project is presented in the table below, as referenced from Docket 1: Application, Section 6, Table 6.0-1. The summary includes the known responses received at the time of application submittal and those correspondances or permits submitted to the case files thereafter. It should be noted, some agency responses had not been received by the original Application submittal. It should also be noted, as evidenced within the table, several agencies with multiple requests for correspondence due to several potential regulatory programs, had commented only partially. The table also includes information as to whether the response exists within the case files, which includes the Application. Wenck is of the opinion, if official correspondence after the PSC issuance of the Finding of Fact, Conclusion of Law and Order is not required to be submitted to the case files, specific permit requirement compliance cannot be known.

Table 2: Summary of Agency Correspondence, Permits, and Approvals

Agency	Applicable Resource/Program	Response Received		Discovered in Case Files	
		Yes	No	Yes	No
USFWS North Dakota Field Office	Federally listed threatened and endangered species, USFWS-managed lands, MBTA consultation, and BGEPA consultation	X		X	
USACE, Regulatory Office	Crossings of Section 408 Civil Works projects or other USACE-owned or managed lands; any special requirements, restrictions, or specifications regarding constructing pipelines across or under USACE-regulated features; and any permits issued through USACE which may be applicable to the Project to include anticipated permitting timeframes		X		X
U.S. Department of Agriculture (USDA) Natural Resources Conservation Service-McKenzie County	Identification of impacts to NRCS-administered lands and programs	X		X	
USDA Farm Services Agency (FSA)	Identification of impacts to FSA-administered lands and programs	X		X	

U.S. Department of Defense (USDOD) - Cable Affairs	Identification of intercontinental ballistic missiles and launch facilities locations relative to the route	X		X	
NDGFD	State Conservation Priority Species, Game Refuges, Game Management Areas and Private Land Open to Sportsmen	X			X
North Dakota Parks and Recreation Department	North Dakota Natural Heritage Inventory system, State Parks, Recreation areas, Natural areas, and Land and Water Conservation Fund projects		X		X
North Dakota SHPO	Natural Register of Historic Places, Cultural Resources Consultation	X		X	
North Dakota Geological Survey (NDGS)	Identification of impacts to NDGS-administered lands and programs	X		X	
North Dakota Department of Health (NDDH)	Identification of impacts to NDDH-administered programs	X			
North Dakota State Water Commission (NDSWC)	Identification of impacts to rural water supply systems and NDSWC-administered projects		X		X
North Dakota Department of Trust Lands (NDDTL) - School Trust	Identification of impacts to NDDTL-administered School Trust lands.	X			X
NDDTL - Mineral Trust	Identification of impacts to NDDTL-administered Mineral Trust lands	X			X
Western Area Water Supply Authority (WAWSA)	Identification of impacts to rural water supply systems and WAWSA-administered projects		X		X
McKenzie County Board of Commissioners	Confirmation of any local ordinances or other resources under McKenzie County jurisdiction applicable to the Project; any permits issued through the Board of Commissioners office which may be applicable to the Project; and a summary of any applicable permit process and anticipated timeframes		X		X
McKenzie County Water Resource Board	Locations of any county- regulated drains, ditches, and/or other drainage features; relevant special requirements, restrictions, or specifications; relevant local ordinances and/or permits; and a summary of permit process and anticipated timeframes		X		X
McKenzie County Weed Control Board	Confirmation of current listing of noxious weeds; known locations of noxious and/or invasive weed species along the proposed route; and guidance and/or recommendations for weed control, pesticide use, and non-chemical treatment options	X			X

Wenck recommends those agencies for which correspondence or follow up communications have not been recorded in the case files be submitted to the PSC for verification of satisfactory conditions.

Those agencies for which ONEOK filed permits within the case files:

- Docket 74: NDDEQ Temporary Discharge Permit and Road Crossing Permits
 - Includes NDDOT road and utility permits
 - Includes McKenzie County road and utility permits
- Docket 80: NDDEQ Dewatering/Hydrostatic Test Permit

Wenck is of the opinion, it has identified potentially required permits for which ONEOK has not provided copies to the case file. Those agencies and permits include:

- USACE, Section 404 Permit
- Department of Transportation, Federal Highway Administration, Permit to Cross
- NDDEQ, SWPPP Permit & NOI
- McKenzie County, Conditional Use Permit

Wenck recommends the PSC request verification of these permits to enter into the file.

Those agencies which indicated additional guidance are outlined below:

- North Dakota Game and Fish Department (NDGFD) recommended the following:
 - Native prairie and wooded draws should be avoided to the extent possible.
 - Additional precautions be implemented into the designs of pipes crossing state waterways.
 - Wetlands should be avoided, but if they cannot be, no alterations should be made to existing drainage patterns.
 - Unavoidable destruction or degradation of wetland acres should be mitigated in kind.
- NDDH
 - Disturbance over 1-acre requires a permit
 - Recommended to protect against: compaction, vegetation loss, unnecessary damage to wetlands, riparian zones, and other sensitive areas
 - Avoid spills over sensitive aquifers of Tobacco Garden
 - Protect source waters and develop Spill Plan
 - List of construction and environmental disturbance requirements

5.2 CONSTRUCTION

The following subsections address compliance with Certification Statements 7 through 17.

5.2.1 Pre-Construction Conference

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 (Certification Statement 7).

ONEOK submitted Docket 58: Preconstruction Conference Call Minutes and NOI to Commence Construction on 6/12/2019. A pre-construction conference call was held on 6/5/2019. Meeting minutes were taken, as well as a list of attendees. Appropriate representatives were found to be in attendance and contact information for ONEOK representatives was provided during the meeting.

5.2.2 Cultural Resources

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 (Certification Statement 8).

ONEOK submitted Docket 24: NDSHPO and USFWS Concurrence Letters on 5/10/2019, prior to construction. The NDSHPO Concurrence letter dated 2/22/2019, provides concurrence for the Project and approval of ONEOK's Unanticipated Discoveries Plan.

5.2.3 Topsoil Segregation Commencement Oversight

Topsoil removal will begin when the Commission's third-party construction inspector is present at the Project site to observe that topsoil is properly removed and kept segregated from subsoil until replacement occurs. Company shall establish the date and time for the Commission's third-party construction inspector's topsoil removal oversight in the preconstruction conference (Certification Statement 9).

ONEOK submitted Docket 58: Preconstruction Conference Call Minutes and NOI to Commence Construction on 6/12/2019. ONEOK provided the date and time for initiation of topsoil removal to Wenck. Wenck submitted Docket 71: Topsoil Removal Inspection Report on 7/5/2019, within which details adherence to the date and time of topsoil removal initiation and on-going compliance inspections. Wenck submitted Docket 81: Construction Inspection Report on 9/12/2019, which details on-going observations of topsoil segregation and management. As-built inspections regarding soil management are discussed in Section 5.2.6.

5.2.4 Notice of Intent to Start Construction

Inform the Commission and the Commission's third-party construction inspector of its intent to start construction on the transmission facility prior to the commencement of construction. Once construction has started, Company shall keep the Commission and the Commission's third-party construction inspector updated on construction activities on a monthly basis (Certification Statement 10).

ONEOK submitted Docket 58: Preconstruction Conference Call Minutes and NOI to Commence Construction on 6/12/2019. ONEOK submitted Dockets 73, 79, 82, 84, and 86: Monthly Construction reports, corresponding to the months of July, August, September, October, and November 2019; respectively. The timeframe of the start of construction and construction inspections was discussed during the pre-construction call.

5.2.5 Pipeline Depth

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 (Certification Statement 11).

Wenck visually confirmed pipeline depth at multiple locations during construction inspections and pipe depth appeared to be buried to at least the specified depth (Docket 81: Construction Inspection).

5.2.6 Soil Management

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 carefully stripped and segregated from the subsoil. Any area on which excavated subsoil will be placed must also be stripped of topsoil. The stripped topsoil must not be stockpiled in natural drainages, and must be protected from water erosion. Care must be taken to protect topsoil from unnecessary compaction by heavy machinery. Unless otherwise approved by the Commission, topsoil must be removed before topsoil freezes in the late fall/early winter to the point that frost inhibits proper soil segregation. After backfilling with subsoil 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. Topsoil must be segregated from subsoil (Certification Statement 12).

Wenck confirmed soil management conditions indicated that topsoil was removed, stored, and replaced properly for the majority of the length of the ROW at multiple locations during topsoil, construction, and as-built inspections. Soil management conditions appeared to be properly conducted with a few minor discrepancies (Dockets 71 and 81: Topsoil Removal Inspection Report and Construction Inspection Report; respectively). The main concerns identified in the Construction Inspection Report were occurrences of minor mixing of subsoil with topsoil. Wenck visually confirmed in general, proper subsoil and topsoil replacement and topographical grading during as-built inspections (**Appendix B**). Observations during the as-built inspection indicated that most minor issues were resolved upon backfilling of trenches, and that topsoil replacement was adequate to support establishment of crops in cropland and grasses seeded in rangeland. However, some areas of topsoil mixing present at the surface (**Photo Observation Points 4, 5, 17, and 22**) and un-reclaimed access point (**Photo Observation Point 17**) were noted during as-built inspections to be less than adequate and may require additional reclamation efforts for the project to be deemed constructed in compliance with this provision.

5.2.6.1 Erosion and Sedimentation

The Project Application states throughout many sections, BMPs would be used during and after construction to minimize soil erosion and protect surface water (Docket 1: Application), as well as several mitigation documents such as Dockets 61, 67, and 69: Construction Mitigation and Restoration Plan, Dust Control Plan, and SWPPP; respectively. Additionally, multiple Federal, State, and local regulatory agencies provided statements in correspondences to protect against erosion and sedimentation. Specifically, the NDDEQ provided guidance (Docket 28: Agency Correspondence, NDDEQ Construction and Environmental Disturbance Requirements).

Topsoil and construction inspections did not note any locations where erosion controls were improperly installed; however, the construction report (Docket 81) did note that after a heavy rain, a topsoil stockpile had not been properly protected and had experienced erosion. This deficiency was addressed by speaking with a site representative whom promptly corrected the issue.

As-built inspections noted a number of deficiencies in erosion and sediment BMPs. Many BMPs were found to be in disrepair after the winter season. Large portions of the ROW had evidence of crimped straw placement; however, at the time of inspection, most had blown away, evidence of a lack of proper placement. Straw wattles, erosion control blankets, and silt fences were also found to be in disrepair, and sometimes improperly installed, or

deficient for their intended use. Other areas were lacking BMPs where they should have been implemented, such as slopes or conveyances. As such conditions have allowed, erosion is present along the ROW (**Photo Observation Points 3, 6, 23, and 24**). Wenck recommends repair of deficient erosion BMPs and monitoring of revegetation success along the ROW to assure further topsoil erosion is minimized.

5.2.7 Road Crossings

All buried facility crossings of graded roads must be bored unless the responsible governing agency specifically permits Company to open cut the road (Certification Statement 13).

ONEOK stated gravel roads would be open cut or trenched (Docket 1: Application, Section 9.1). ONEOK submitted Docket 74: Letter Enclosing Permits; Road Crossing Permits, attached, on 7/18/2019, detailing road permits and specifications issued by McKenzie County on a multitude of approval dates. Wenck visually confirmed boring operations across several roads during construction inspections (Docket 81: Construction Inspection) and verified several additional crossings during the as-built inspections.

5.2.8 Staging Areas

Staging areas or equipment shall not be located on land owned by a person other than the Company unless otherwise negotiated with landowners (Certification Statement 14).

Staging areas and equipment were located along the pipeline temporary construction ROW, within survey limits, typically adjacent to road crossings, and upon areas that had been stripped of topsoil prior to staging of equipment or materials. Wenck did not observe any staging areas outside of the pipeline temporary construction ROW. Details of negotiations with landowners are not submitted to the PSC case files and cannot be independently verified.

5.2.9 Unanticipated Discoveries

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 (Certification Statement 15).

ONEOK did not file any notification or work stoppage as a result of an unanticipated discovery; therefore, there are no dockets detailing further professional examinations. Wenck is unaware of any unanticipated discoveries occurring throughout construction.

5.2.10 Weather Conditions

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 (Certification Statement 16).

Wenck did not observe the need for construction operations to be suspended due to weather conditions.

5.2.11 Stop Work Authority

The Commission has authority to stop Project construction activities in the event of a probable violation of the siting laws, siting rules, or applicable Commission Orders if, in the opinion of the Commission, construction activities are likely to result in irreparable or significant harm (Certification Statement 17).

Wenck is unaware of PSC initiated Stop Work Authority being implemented.

5.3 RESTORATION AND MAINTENANCE

The following subsections address compliance with Certification Statements 18 through 26.

5.3.1 Restoration

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 (Certification Statement 18).

At the time of the site inspection, the pipeline trench had been backfilled, soils had been recontoured, topsoil replaced, cropland had been recently planted, and reseeding had been completed in non-cropland areas. Vegetative growth of desired species at most seeded areas was not observed; however, annual weeds had begun to establish in some areas. Wenck recommends actions in the weed management plan be implemented from now and throughout the reclamation phase. Wenck described some topsoil and erosion issues as well as an un-reclaimed access point were noted in Section 5.2.6. At the time of as-built inspections, no tree and shrub replacement was evident. Wenck suggests the PSC should follow up with the timing of woody vegetation replacement and coincide potential reclamation efforts.

A revegetation inspection contracted by the PSC is planned one year from the last date of seeding to document establishment of vegetation and ultimate compliance with this Certification Statement.

5.3.2 Roads

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 (Certification Statement 19).

ONEOK submitted Docket 61: Construction Mitigation and Restoration Plan. This Docket outlines the procedure and standards to reclaim damaged roads. At the time of the as-built inspection, roads appeared to be in good condition. Vegetation growth within the ROW adjacent to roads was sparse in most areas and lacked appropriate erosion controls (**Photo Observation Points 7, 12, 13, 20, 28**). Contouring in the ROW near roads generally matched adjacent topography; however, there were a few discrepancies (**Photo Observation Point 7**).

5.3.3 NRCS Recommendations

Company understands and agrees that reclamation, fertilization, and reseeding is to be done according to the NRCS recommendations, unless otherwise specified by the landowner and approved by the Commission. (Certification Statement 20).

ONEOK submitted Docket 68: Revegetation Plan. This Docket outlines compliance with NRCS recommendations. It does not appear that ONEOK has filed any deviation from recommendations as negotiated with landowners, and no PSC approvals for such deviations exist within the case files. Wenck recommends the PSC to inquire ONEOK about landowner negotiations if warranted.

5.3.4 Continuing Commitment

Company will fulfill its obligation for reclamation and maintenance of the approved transmission facility right-of-way, transmission facility, and associated facilities continuing throughout the life of the transmission facility (Certification Statement 21).

A reclamation and revegetation inspection is to be conducted one year from date of final seeding.

5.3.5 Fences and Gates

Repair all fences and gates removed or damaged during all phases of construction and operation of the transmission facility (Certification Statement 22).

ONEOK committed to repairing and replacing all fences and gates (Docket 1: Application, Sections 2.18, 9.5). Existing fences or gates that were impacted by pipeline construction appeared to be replaced or repaired as needed (**Photo Observation Points 12, 13, 14, 17 and 18**).

5.3.6 Drain Tile

Repair or replace all drainage tile broken or damaged as a result of construction and operation of the transmission facility (Certification Statement 23).

ONEOK committed to repair or replace all damaged drainage tile (Docket 1: Consolidated Application, Sec. 9.5). ONEOK submitted Docket 61: Construction Mitigation and Restoration Plan; which outlines specific protocols. Wenck did not observe any broken or damaged drainage tile during inspections. Currently there are no PSC protocols to report damaged drainage tiles to the case file, and Wenck is unaware of any landowner complaints regarding damaged drainage tiles.

5.3.7 Tree and Shrub Mitigation

Comply with the Tree and Shrub Mitigation Specifications (Certification Statement 24).

Refer to Section 3.5.1.1 of this document for compliance with Tree and Shrub Mitigation Specifications.

5.3.8 Waste Disposal

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 (Certification Statement 25).

ONEOK indicated that waste would be removed and disposed of properly before construction is completed (Docket 1: Application, Section 9.1). At the time of the as-built inspection, there was no waste, debris, or abandoned equipment observed. Equipment and staging areas in the vicinity of the as-built inspection points had been appropriately cleaned up post-construction.

5.3.9 Traffic Control

Provide any necessary safety measures for traffic control or to restrict public access to the transmission facility (Certification Statement 26).

ONEOK submitted Docket 61: Construction Mitigation and Restoration. Traffic control measures are outlined within the document. Wenck observed traffic control measures during all inspections, near appropriate points during all phases of construction.

5.4 COMMUNICATION WITH LANDOWNERS AND PSC

The following subsections address compliance with Certification Statements 27 through 41.

5.4.1 Right-of-Way Liaison Notifications

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 (Certification Statement 27). 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 (Certification Statement 28).

Contact information for a company representative was provided during the pre-construction conference call (Docket 58, Preconstruction Conference Call Minutes and NOI). Wenck cannot independently verify if ONEOK sent landowner notifications of company representatives as no such information exists in the case files. Wenck is unaware of any landowner or community concerns filed with the PSC to date.

5.4.2 Engineering Design Drawings

Provide the Commission with engineering design drawings of the transmission facility prior to construction (Certification Statement 29).

Engineering design drawings were provided in the Application materials (Docket 1: Application, Exhibit A, Engineering Drawings).

5.4.3 Extraordinary Event Notification

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 (Certification Statement 30).

ONEOK did not submit any extraordinary event notifications to the case files. Wenck is unaware of any reports of extraordinary events communicated to date with the PSC.

5.4.4 Significant Biological Discoveries

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 becomes aware and which were not previously reported to the Commission (Certification Statement 31).

It appears ONEOK did not submit any reports to the PSC which describe previously unidentified critical habitat or threatened or endangered species. Wenck did not observe any significant biological discoveries during any inspections.

5.4.5 Modification

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 (Certification Statement 32).

Wenck is of the opinion, modification, does not include re-routes, which are discussed in Certification Statements 35 & 36, addressed in Section 5.4.8 of this document. Therefore, Wenck does not believe from a docket review and on-site inspections, that ONEOK performed modifications to the transmission facility.

5.4.6 As-Built Documentation

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 referenced to the North Dakota coordinate system of 1983, North and/or South zones US Survey feet (NAO 83) UTM Zone 13N or 14N feet (NAO 83), or geographic coordinate system (WGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed (Certification Statement 33).

ONEOK submitted Docket 85: Final Monthly Construction Report and As-Built centerline Maps on 12/11/2019, within 3 months of construction completion. Wenck finds this docket to include paper maps and a reference to a thumb drive with GIS files containing as-built conditions.

5.4.7 Underground Facilities

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 (Certification Statement 34).

There currently does not exist a rule, in which notifications of this manner are required to be included in case files. Therefore, Wenck cannot independently verify if ONEOK notified the PSC of such an event.

5.4.8 Route Adjustments Before or During Construction

Utilize the following procedures if Company seeks a route adjustment before or during construction of the pipeline, pursuant under NDCC §49-22.1-15 (Certification Statement 35). Specifically identify which subsection of NDCC 49-22.1-15 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 (Certification Statement 36).

ONEOK filed for 3 certifications of route adjustments under NDCC 49-22.1 (Dockets 70, 75, and 76), totaling 5 adjustments, 4 within the corridor no avoidance area affected (NDCC 49-22.1-15(1) and 1 outside the corridor no avoidance area affected (NDCC 49-22.1-15(3)). Wenck compared the as-built pipeline alignment with the proposed alignment and matched re-routes approved by the PSC to confirm regulatory compliance. Wenck found that the as-built alignment matched the majority of the proposed route with the exception of the approved re-routes.

6.0 Issues to Resolve and Recommendations

6.1 DOCUMENTATION

Wenck recommends that ONEOK submits the following documentation to the PSC:

- USACE Permit (Section 3.3.2.1)
- USFWS required construction MBTA and BGEPA surveys (Section 3.3.2.5 and 3.3.2.6)
- USFWS concurrence on wetland and grassland easements within the Project corridor (Section 3.4.2.1)
- Dakota skipper additional surveys and USFWS concurrence (Section 3.4.1.4, 3.5.1.6)
- WAWSA concurrence on rural water supplies (Section 3.4.2.7)
- Tree and Shrub Mitigation Plan (Section 3.5.1.2)
- Correspondance Verification (Section 5.1.2)
- Permit Verification (Section 5.1.2)
 - USACE, Section 404 Permit
 - Department of Transportation, Federal Highway Administration, Permit to Cross
 - NDDEQ, SWPPP Permit & NOI
 - McKenzie County, Conditional Use Permit

6.2 AS-BUILT CONDITIONS

Wenck recommends the PSC follow up with ONEOK during or prior to the reclamation phase of inspections:

- Areas of topsoil replacement or subsoil mixing in-adequacy; primarily:
 - Observation Points 3, 5, 7, 17
- Removed temporary approaches or access points where minor scoria is present
- Repair/Replacement of non-functioning BMPs
- Placement of BMPs in areas prone to erosion as indicated in the SWPPP
- Management of annual weeds

7.0 References

North Dakota Public Service Commission (ND PSC). 2020. Online Case Search. Available from: http://www.psc.nd.gov/database/company_case_list.php. Accessed June 2020.

8.0 Signatures

The services performed by Wenck staff for this project have been conducted in a manner consistent with the degree of care and technical skill appropriately exercised by professionals currently practicing in this area under similar time and budget constraints. Recommendations and findings contained in this report represent our professional judgment and are based upon available information and technically accepted practices at the present time and location. Other than this, no warranty is implied or expressed.

Lead Project Manager and Environmental Scientist, Matt Retka, and Environmental Scientist, Joseph Sander, prepared the report.



Matt Retka
Project Manager
Environmental Scientist

June 19, 2020
Date



Joseph Sander
Environmental Scientist

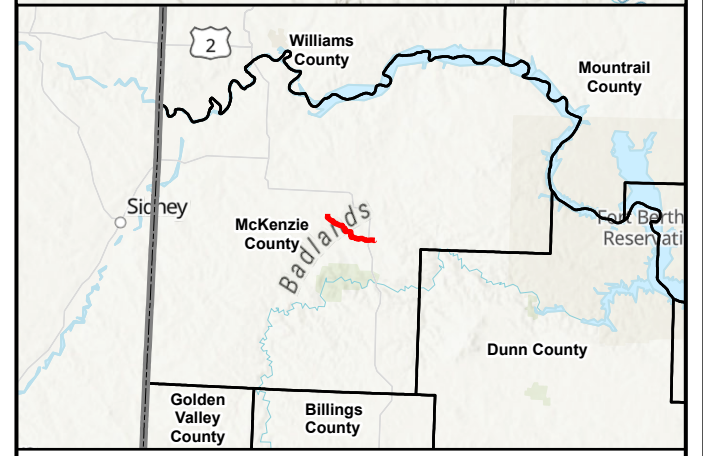
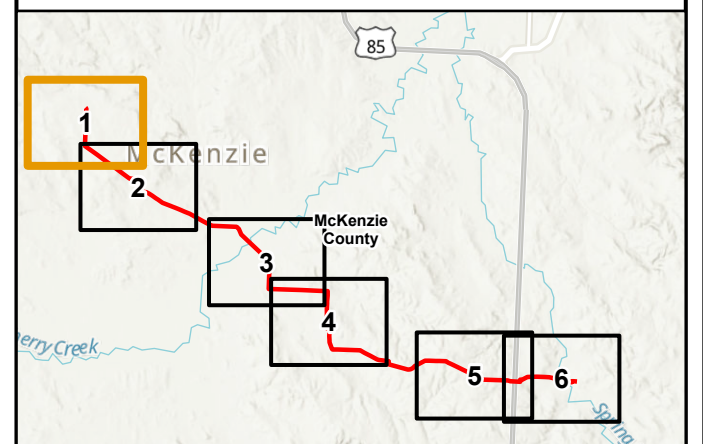
June 19, 2020
Date

Figures

**North Dakota
Public Service Commission**

**Little Missouri Lateral
Figure 1**

- As-Built Observation Point Location
- Little Missouri Lateral As-Built Centerline (PU-19-85)
- Little Missouri Lateral Original Proposed Centerline (PU-19-85)



2018 Aerial Photograph (Source: NAIP)
 Path: U:\GIS\2579\0036\pro\ONEOK_Little_Missouri_Lateral\ONEOK_Little_Missouri_Lateral.aprx
 Date: 6/17/2020 Time: 10:23 AM User: MueKJ0907



PU-19-85 LITTLE MISSOURI LATERAL CONSTRUCTION INSPECTION

Observation Point Map



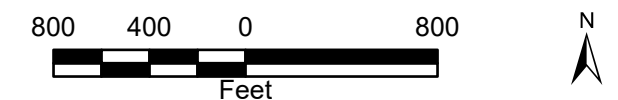
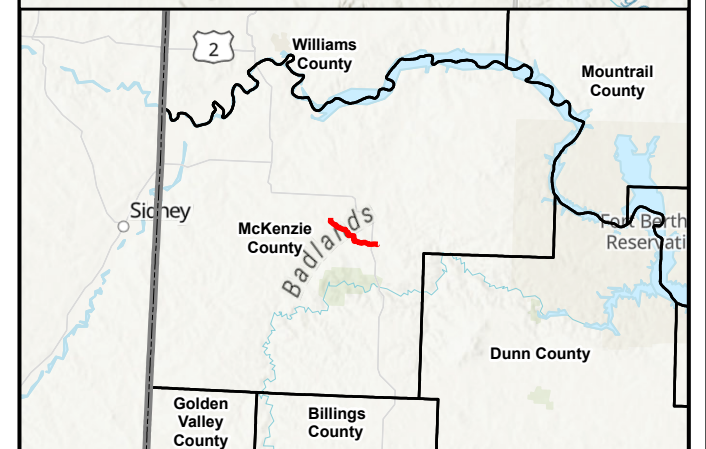
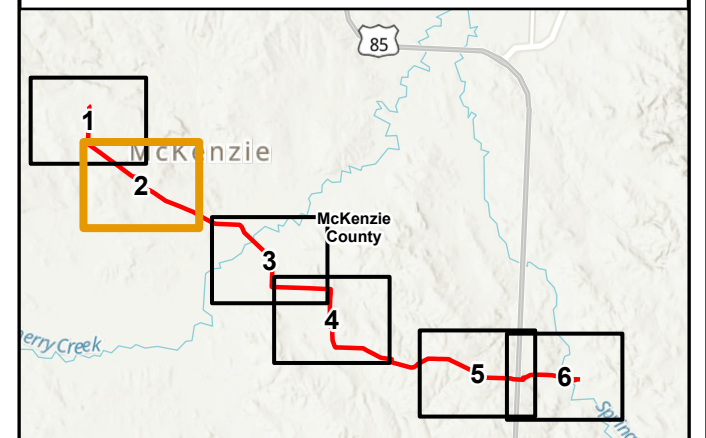
JUNE 2020

Map 1 of 6

North Dakota Public Service Commission

Little Missouri Lateral Figure 2

- As-Built Observation Point Location
- Little Missouri Lateral As-Built Centerline (PU-19-85)
- Little Missouri Lateral Original Proposed Centerline (PU-19-85)



2018 Aerial Photograph (Source: NAIP)

Path: U:\GIS\2579\0036\pro\ONEOK_Little_Missouri_Lateral\ONEOK_Little_Missouri_Lateral.aprx
Date: 6/17/2020 Time: 10:23 AM User: MueKJ0907



PU-19-85 LITTLE MISSOURI LATERAL CONSTRUCTION INSPECTION

Observation Point Map






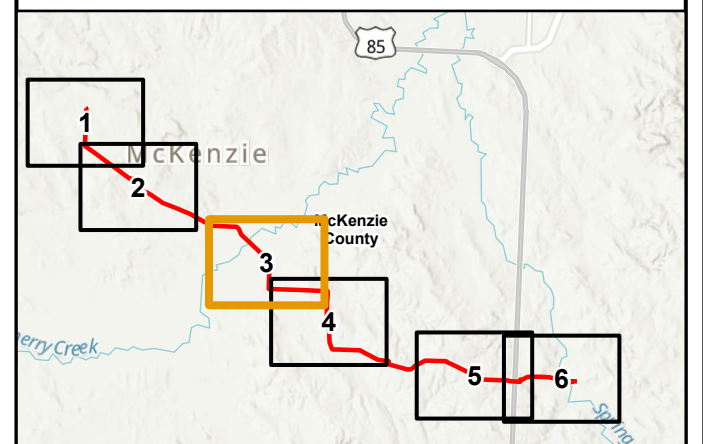
Responsive partner. Exceptional outcomes.

JUNE 2020

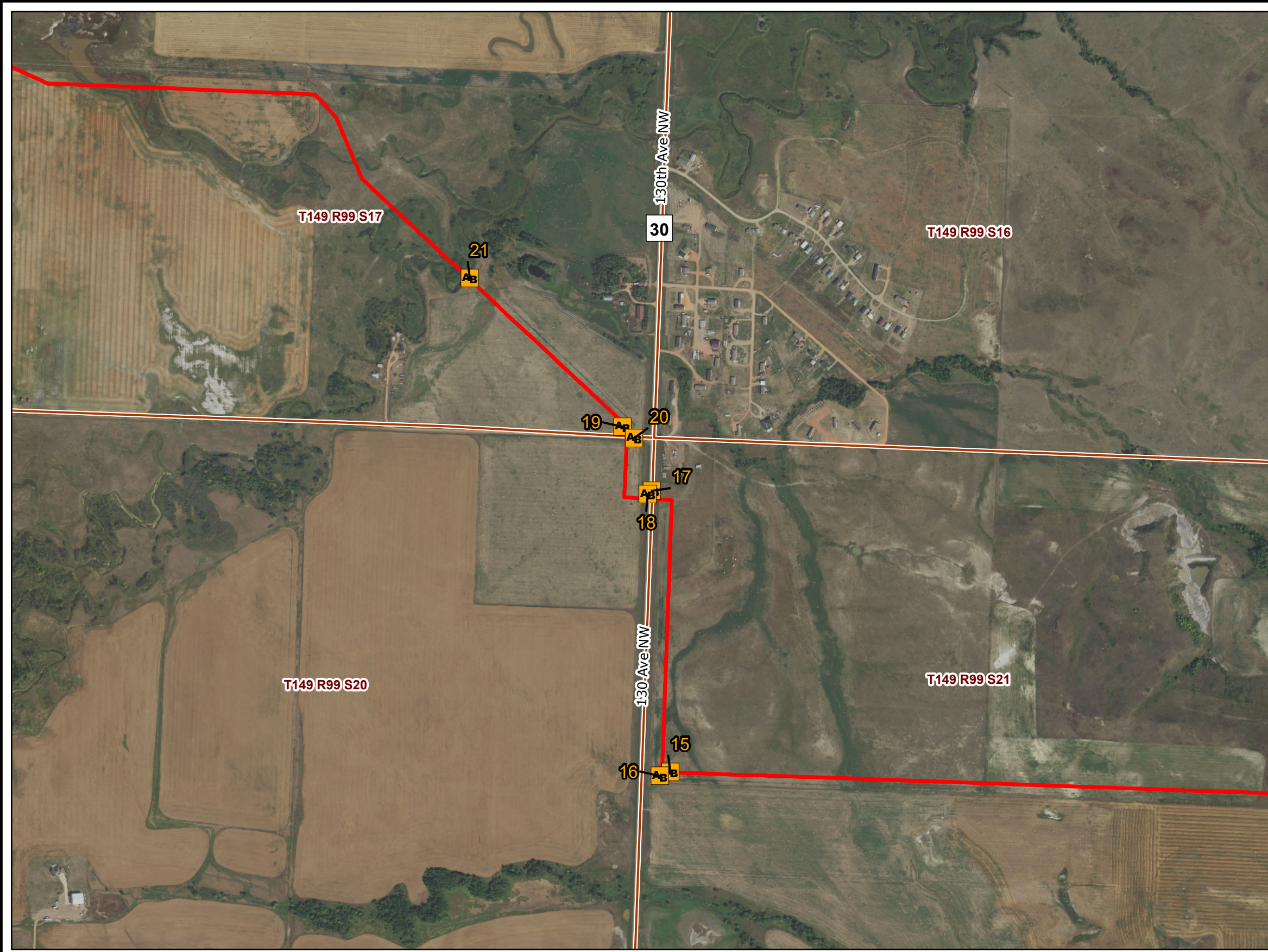
Map 2 of 6

**Little Missouri Lateral
Figure 3**

-  As-Built Observation Point Location
-  Little Missouri Lateral As-Built Centerline (PU-19-85)
-  Little Missouri Lateral Original Proposed Centerline (PU-19-85)



2018 Aerial Photograph (Source: NAIP)
 Path: U:\GIS\2579\0036\pro\ONEOK_Little_Missouri_Lateral\ONEOK_Little_Missouri_Lateral.aprx
 Date: 6/17/2020 Time: 10:23 AM User: MueKJ0907



PU-19-85 LITTLE MISSOURI LATERAL CONSTRUCTION INSPECTION

Observation Point Map



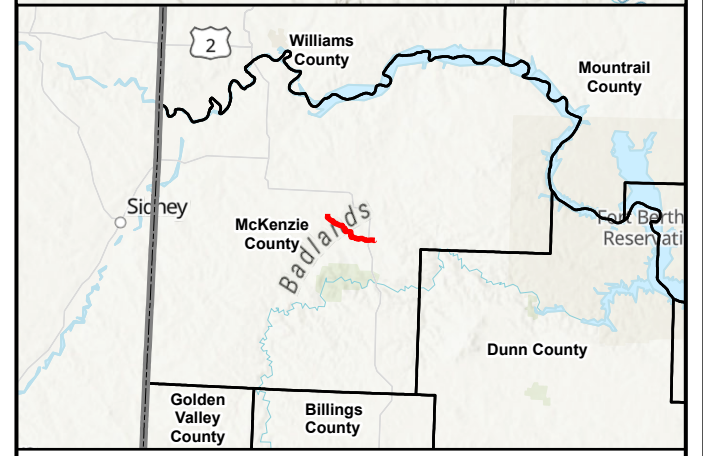
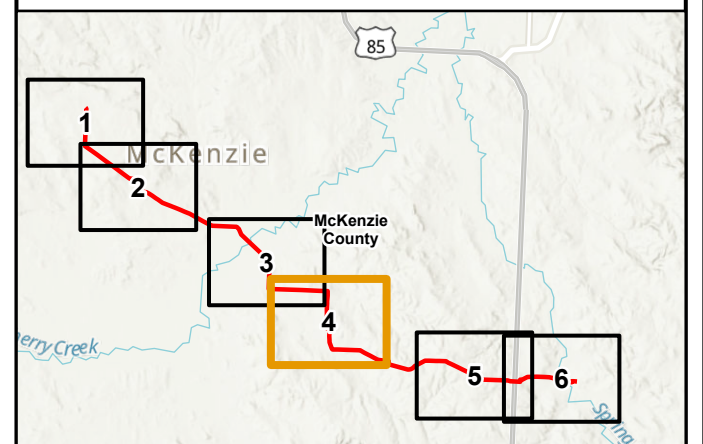
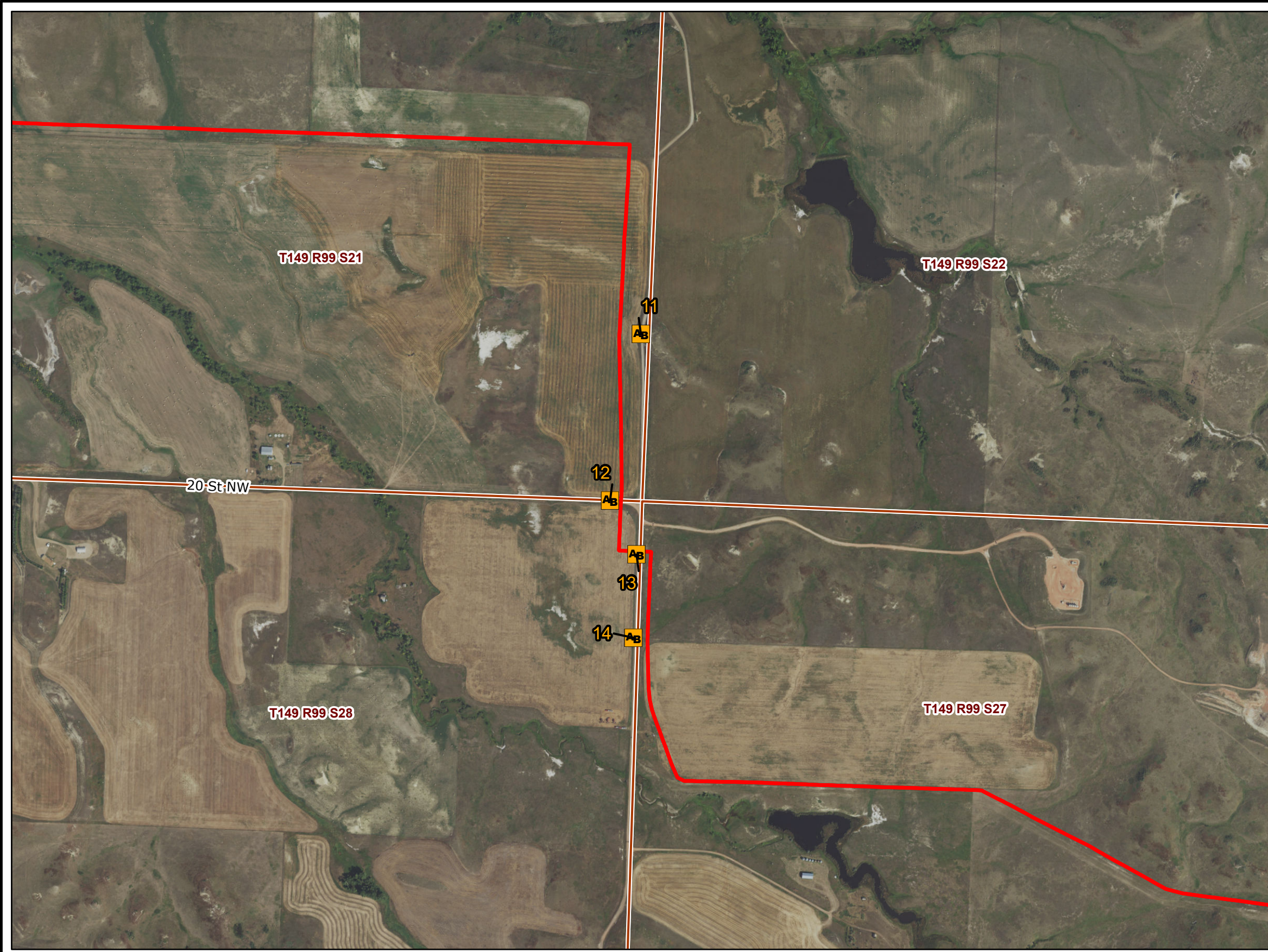
JUNE 2020

Map 3 of 6

**North Dakota
Public Service Commission**

**Little Missouri Lateral
Figure 4**

- As-Built Observation Point Location
- Little Missouri Lateral As-Built Centerline (PU-19-85)
- Little Missouri Lateral Original Proposed Centerline (PU-19-85)



2018 Aerial Photograph (Source: NAIP)
Path: U:\GIS\2579\0036\pro\ONEOK_Little_Missouri_Lateral\ONEOK_Little_Missouri_Lateral.aprx
Date: 6/17/2020 Time: 10:23 AM User: MueKJ0907

PU-19-85 LITTLE MISSOURI LATERAL CONSTRUCTION INSPECTION

Observation Point Map

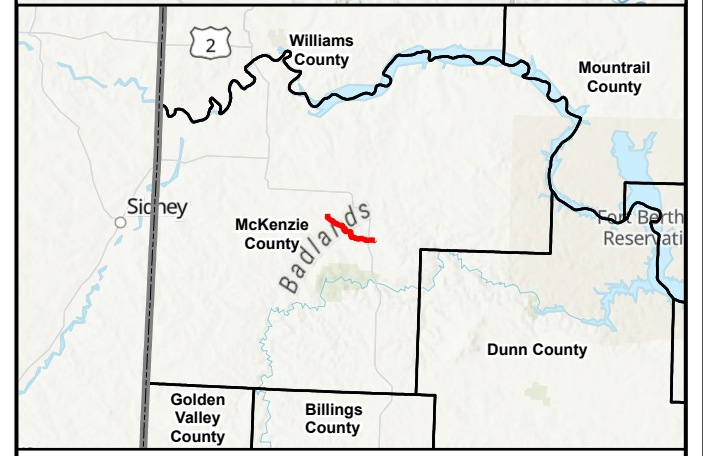
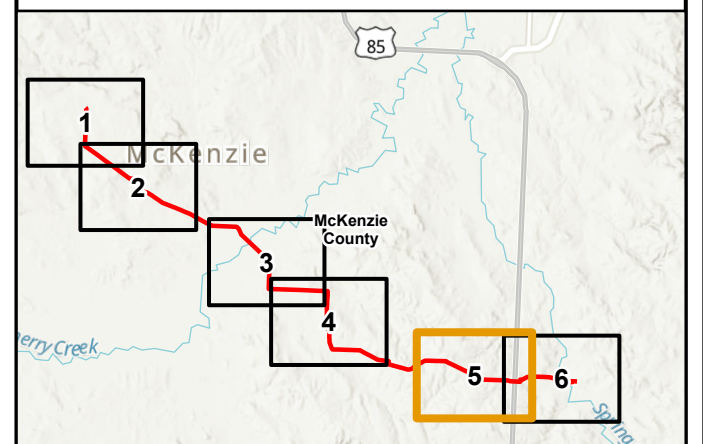


JUNE 2020

Map 4 of 6

**Little Missouri Lateral
Figure 5**

- As-Built Observation Point Location
- Little Missouri Lateral As-Built Centerline (PU-19-85)
- Little Missouri Lateral Original Proposed Centerline (PU-19-85)



2018 Aerial Photograph (Source: NAIP)
 Path: U:\GIS\2579\0036\pro\ONEOK_Little_Missouri_Lateral\ONEOK_Little_Missouri_Lateral.aprx
 Date: 6/17/2020 Time: 10:24 AM User: MueKJ0907

PU-19-85 LITTLE MISSOURI LATERAL CONSTRUCTION INSPECTION

Observation Point Map



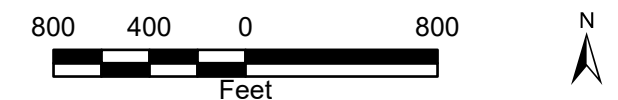
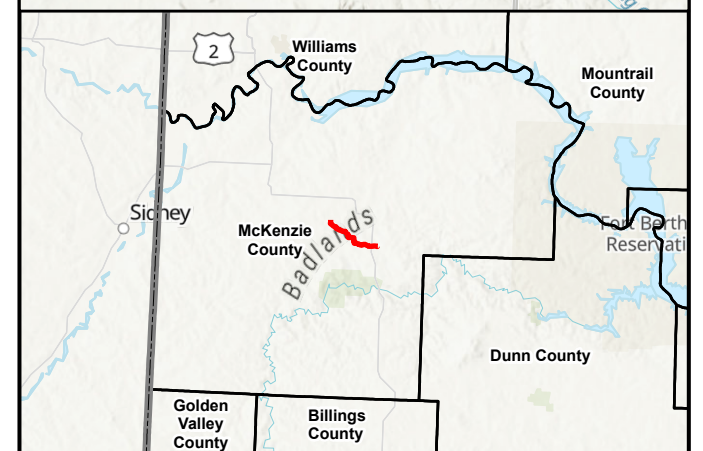
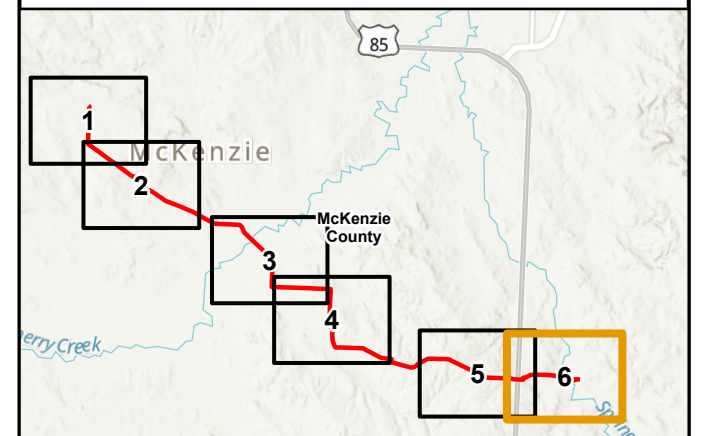
JUNE 2020

Map 5 of 6

**North Dakota
Public Service Commission**

**Little Missouri Lateral
Figure 6**

- As-Built Observation Point Location
- Little Missouri Lateral As-Built Centerline (PU-19-85)
- Little Missouri Lateral Original Proposed Centerline (PU-19-85)



2018 Aerial Photograph (Source: NAIP)

Path: U:\GIS\2579\0036\pro\ONEOK_Little_Missouri_Lateral\ONEOK_Little_Missouri_Lateral.aprx
Date: 6/17/2020 Time: 10:24 AM User: MueKJ0907



PU-19-85 LITTLE MISSOURI LATERAL CONSTRUCTION INSPECTION

Observation Point Map



Responsive partner. Exceptional outcomes.

JUNE 2020

Map 6 of 6

Field Observation Points

Observation Point #	Latitude	Longitude
1	47.69218356	-103.2634503
2	47.69212065	-103.2637766
3	47.69291182	-103.270978
4	47.69303631	-103.2727397
5	47.69326077	-103.275379
6	47.69298548	-103.2778316
7	47.69270298	-103.2796071
8	47.69197855	-103.2857096
9	47.69458384	-103.3036123
10	47.69534767	-103.3058538
11	47.70700001	-103.347716
12	47.70347658	-103.3484843
13	47.70236293	-103.347598
14	47.70060614	-103.3475966
15	47.71096141	-103.3680918
16	47.71086859	-103.3684134
17	47.71686067	-103.3689931
18	47.71678461	-103.3691164
19	47.7181849	-103.3699813
20	47.71795567	-103.3696072
21	47.72118946	-103.3749133
22	47.73207881	-103.4117606
23	47.73496733	-103.4143503
24	47.73504655	-103.4171416
25	47.74335047	-103.4325266
26	47.74368347	-103.4325037
27	47.75089604	-103.4333764
28	47.75086653	-103.4333484

Observation Point Photolog

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 1

Date Taken: 05/26/2020 3:04 PM

Direction Photo is Taken: E

Photo Description: Overlooking east end of Project near the Little Missouri Gas Processing Plant.

Latitude: 47.69218356

Longitude: -103.26345029



Observation Point: 2

Date Taken: 05/26/2020 3:09 PM

Direction Photo is Taken: W

Photo Description: Graded to match topography. Very little sprouted vegetation; however, weeds are present. Straw mulch partially missing.

Latitude: 47.69212065

Longitude: -103.2637766



Observation Point: 3

Date Taken: 05/26/2020 3:35 PM

Direction Photo is Taken: NW

Photo Description: Topsoil thickness inadequate, evidenced by erosion causing exposed subsoils. No BMPs in place.

Latitude: 47.69291182

Longitude: -103.27097795

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 4

Date Taken: 05/26/2020 3:44 PM

Direction Photo is Taken: W

Photo Description: Grass is growing as well as weeds. Minor evidence of subsoil mixing present at surface.

Latitude: 47.69303631

Longitude: -103.27273966



Observation Point: 5

Date Taken: 05/26/2020 3:53 PM

Direction Photo is Taken: SE

Photo Description: Subsoil mixing present at surface to a large degree and scale. Located in the vicinity of a backslope. Recommend follow-up during revegetation inspection.

Latitude: 47.69326077

Longitude: -103.27537898



Observation Point: 6

Date Taken: 05/26/2020 3:58 PM

Direction Photo is Taken: W

Photo Description: Weedy vegetation present with no desired species. No BMPs present. Rill erosion ongoing.

Latitude: 47.69298548

Longitude: -103.27783159

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 7

Date Taken: 05/26/2020 4:06 PM

Direction Photo is Taken: SE

Photo Description: Access point un-reclaimed. Lacks topsoil and vegetation. Substrate is mixture of subsoils and gravel stabilizer.

Latitude: 47.69270298

Longitude: -103.27960707



Observation Point: 8

Date Taken: 05/26/2020 4:16 PM

Direction Photo is Taken: SW

Photo Description: BMPs present and functional. Vegetation growing well. A few large rocks discarded near ROW.

Latitude: 47.69197855

Longitude: -103.28570963



Observation Point: 9

Date Taken: 05/26/2020 4:44 PM

Direction Photo is Taken: W

Photo Description: Field appears to be cultivated. Presence of linear mound of dirt, could be a water bar.

Latitude: 47.69458384

Longitude: -103.3036123

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 10

Date Taken: 05/26/2020 4:53 PM

Direction Photo is Taken: W

Photo Description: Graded well, vegetation growing.

Latitude: 47.69534767

Longitude: -103.30585375



Observation Point: 11

Date Taken: 05/26/2020 5:21 PM

Direction Photo is Taken: SW

Photo Description: Proper re-grading and topsoil replacement in cropland field.

Latitude: 47.70700001

Longitude: -103.34771595



Observation Point: 12

Date Taken: 05/26/2020 5:25 PM

Direction Photo is Taken: E

Photo Description: Fencing replaced. Access properly restored.

Latitude: 47.70347658

Longitude: -103.34848434

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 13
Date Taken: 05/26/2020 5:35 PM
Direction Photo is Taken: E

Photo Description: Fence replaced. Ditch not vegetated yet.

Latitude: 47.70236293
Longitude: -103.34759801



Observation Point: 14
Date Taken: 05/26/2020 5:39 PM
Direction Photo is Taken: E

Photo Description: Fencing replaced. Graded well. Crimped straw in place.

Latitude: 47.70060614
Longitude: -103.34759664



Observation Point: 15
Date Taken: 05/26/2020 5:57 PM
Direction Photo is Taken: E

Photo Description: Well graded. Vegetation coming in well.

Latitude: 47.71096141
Longitude: -103.36809175

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 16

Date Taken: 05/26/2020 5:59 PM

Direction Photo is Taken: N

Photo Description: Well graded. Vegetation coming in.

Latitude: 47.71086859

Longitude: -103.36841337



Observation Point: 17

Date Taken: 05/26/2020 6:10 PM

Direction Photo is Taken: E

Photo Description: Fencing replaced. Minor subsoil mixing and presence of scoria. Potential reclamation issue. Recommend follow-up during revegetation inspection.

Latitude: 47.71686067

Longitude: -103.36899312



Observation Point: 18

Date Taken: 05/26/2020 6:13 PM

Direction Photo is Taken: W

Photo Description: Fence replaced. Some scoria present. Revegetation appears to be doing well.

Latitude: 47.71678461

Longitude: -103.36911636

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 19

Date Taken: 05/26/2020 6:19 PM

Direction Photo is Taken: NW

Photo Description: Vegetated well with weeds presence.

Latitude: 47.7181849

Longitude: -103.36998134



Observation Point: 20

Date Taken: 05/26/2020 6:28 PM

Direction Photo is Taken: NW

Photo Description: Postsign for potentially other pipeline disturbed. Potentially due to activities in area.

Latitude: 47.71795567

Longitude: -103.36960716



Observation Point: 21

Date Taken: 05/26/2020 6:36 PM

Direction Photo is Taken: NW

Photo Description: BMPs well placed and reclamation well done.

Latitude: 47.72118946

Longitude: -103.37491329

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 22

Date Taken: 05/26/2020 6:53 PM

Direction Photo is Taken: E

Photo Description: Subsoil mixing present. Little organic rich topsoil may be previous condition. Poor reclamation of road ditch.

Latitude: 47.73207881

Longitude: -103.41176059



Observation Point: 23

Date Taken: 05/26/2020 7:04 PM

Direction Photo is Taken: E

Photo Description: No BMPs through agricultural fields. Erosion present.

Latitude: 47.73496733

Longitude: -103.4143503



Observation Point: 24

Date Taken: 05/26/2020 7:07 PM

Direction Photo is Taken: NW

Photo Description: BMPs of crimped straw and a water bar present. Evidence of rill erosion.

Latitude: 47.73504655

Longitude: -103.41714155

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 25

Date Taken: 05/26/2020 7:18 PM

Direction Photo is Taken: SE

Photo Description: Appropriately regraded Topography to match pre-construction conditions.

Latitude: 47.74335047

Longitude: -103.43252659



Observation Point: 26

Date Taken: 05/26/2020 7:20 PM

Direction Photo is Taken: N

Photo Description: Well graded and matches topography.

Latitude: 47.74368347

Longitude: -103.4325037



Observation Point: 27

Date Taken: 05/26/2020 7:25 PM

Direction Photo is Taken: E

Photo Description: Demicks lake tie in area.

Latitude: 47.75089604

Longitude: -103.43337638

PU-19-85 (Oneok Little Missouri Lateral): Observation Point Photolog



Observation Point: 28

Date Taken: 05/26/2020 7:27 PM

Direction Photo is Taken: S

Photo Description: No BMPs present in road ditch. Left over straw should be removed.

Latitude: 47.75086653

Longitude: -103.43334839



Responsive partner.
Exceptional outcomes.