

As-Built Inspection Report

Denbury 12" Cedar Hills CO2 Pipeline
Denbury Green Pipeline- North Dakota, LLC

ND PSC Case No. PU-19-294

Prepared for:

North Dakota Public Service Commission
Public Utilities Division
State Capitol
600 East Boulevard – Dept. 408
Bismarck, ND 58505-0480



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As-Built Inspection Report
Keitu Engineers & Consultants, Inc.

August 2023

Table of Contents

EXECUTIVE SUMMARY	1
INTRODUCTION	2
PURPOSE AND SCOPE OF INSPECTION	2
ORDERS	3
CERTIFICATION	4
CONCLUSIONS	15
MANAGEMENT REVIEW	15

Executive Summary

The State of North Dakota, acting through its North Dakota Public Service Commission (Commission), Division of Public Utilities, has contracted Keitu Engineers & Consultants, Inc. (Keitu) to perform consulting services for an As-Built Siting Inspection. This report addresses the Orders established by the Commission and issues established in Case No. PU-19-294.

The Denbury Green Pipeline-Montana, LLC Cedar Hills South Unit Lateral Pipeline Project (Project) is approximately 17.77 miles in length, with approximately 2.29 miles in Slope County and 6.94 miles Bowman County. The Project enters North Dakota in NENW Sec 31 T133N R106W in Slope County, North Dakota and terminates at NWSW Sec 33 T132N R106W in Bowman County, North Dakota. The Project Route consisting of a 200-foot wide corridor totals 224 acres. The purpose of the As-Built Inspection was to ensure the Project was constructed in compliance with the siting laws, rules, and the applicable Commission Order for the Project. Prior to the inspection, Keitu reviewed all Project documents to verify any and all aspects requiring site verification.

The site was visually inspected on July 27, 2023 by Keitu staff. The Project was well-maintained, secured, and in good condition. During the As-Built Inspection, some areas appeared to have been properly restored. Vegetation had not be reestablished in all areas due to unsuccessful seeding and a grasshopper infestation. There is also an abundance of noxious weeds. Construction was completed in the fall 2021. Overall, the Project appeared to be constructed as planned with numerous efforts to minimize impacts and to stay in compliance with the siting laws, siting rules, and Commission Orders.

Introduction

The Project was approved in April 2020 and construction began in July 2021. Construction for the Project was completed in the fall of 2021 and is operated by Denbury Green Pipeline, LLC. The Project is steel pipeline and associated facilities. The Project will transport carbon dioxide from a pipeline source in Fallon County, Montana to Denbury's CHSU oil production facilities in Bowman County, North Dakota.

The Project is under the jurisdiction of the North Dakota Public Service Commission, which issued its Certificate Corridor Compatibility No. 215 for Case No. PU-19-294 on April 1, 2020.

Purpose and Scope of Inspection

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 welfare of the citizens of North Dakota. Construction Inspections ensure the Project is constructed in compliance with siting laws, rules, and the applicable Commission Order Amending Certificate and Permit (Order).

The Commission retained Keitu Engineers & Consultants, Inc. (Keitu) to complete an As-Built Construction Inspection of the Project. The inspection process included a review of the Consolidated Application for Certificate of Corridor Compatibility and Route Permit (Application), Order, Certification Relating to Order Provisions (Certification), and other applicable documents to determine Project-specific siting and construction requirements; a site visit and inspection of facilities; documentation of compliance; and a report summarizing findings. This report includes, but is not limited to, site visit observations, documentation of compliance deficiencies, and a summary of issues that should be addressed for the Project to be considered complete and in full compliance.

Methods

Keitu reviewed North Dakota siting laws and rules, the Application, Certification, and the Order for the Project to identify what Project-specific documentation was required for compliance. Keitu then reviewed Project documents in the PSC Online Case Search to identify those siting laws, rules, and Application and Order assertions that already had written verification, those that still required documentation, and those that required physical site verification.

Keitu Staff visited the Project area on July 27, 2023 to visually inspect the site. Digital photographs were taken showing typical Project infrastructure. The Project was in operation at the time of visit.

Orders

The following section includes discussion of a list of components of the Project that were asserted in the Order which could be documented during the As-Built Inspection to verify compliance with siting laws, rules and the Order for the Project, via either written documentation or physical site verification. Included are detailed findings and observations from Keitu personnel involved in the As-Built Inspection for the Project.

On December 18, 2019, the Commission deemed Denbury's consolidated application (Application) complete and issued a Notice of Filing and Public Hearing (Notice) scheduling a hearing for February 6, 2020, at 10:00 a.m. central time at Bowman Lodge and Convention Center, 207 West Highway 12, Bowman, North Dakota 58623. The hearing was held as scheduled.

From the foregoing Findings of Fact and Conclusions of Law, the Commission made the following order:

- 1. Denbury shall construct, operate, and maintain the Project in accordance with the Commission's Findings of Fact.**

On April 1, 2020, the Commission issued Certificate of Corridor Compatibility No. 215 to Denbury Green Pipeline-Montana, LLC for the Project. Order #1 is complete.

- 2. Certificate of Site Compatibility No. 215 is issued to Denbury Green Pipeline – North Dakota, LLC and Denbury Green Pipeline – Montana, LLC, designating a corridor for the construction, operation, and maintenance of approximately 9.23 miles of 12-inch diameter CO2 pipeline and associated facilities in Slope and Bowman Counties, North Dakota. For purposes of this Certificate, the designated corridor consists of a 200-foot wide area centered on the designated route.**

Certificate of Site Compatibility No. 215 was issued to Denbury Green Pipeline – North Dakota, LLC and Denbury Green Pipeline – Montana, LLC for the construction, operation, and maintenance of approximately 9.23 miles of 12-inch diameter carbon dioxide pipeline and associated facilities in Slope and Bowman Counties, North Dakota on April 1, 2020. Order #2 was followed.

- 3. Route Permit No. 225 is issued to Denbury Green Pipeline – North Dakota, LLC and Denbury Green Pipeline – Montana, LLC, designating a corridor for the construction, operation, and maintenance of approximately 9.23 miles of 12-inch diameter CO2 pipeline and associated facilities in Slope and Bowman Counties, North Dakota. For purposes of this Permit, the designated route is the route of the Project as depicted on the Survey Corridor map set in Appendix A of Hearing Exhibit 1.**

Route Permit No. 225 was issued to Denbury Green Pipeline – North Dakota, LLC and Denbury Green Pipeline – Montana, LLC for the construction, operation, and maintenance of

approximately 9.23 miles of 12-inch diameter carbon dioxide pipeline and associated facilities in Slope and Bowman Counties, North Dakota on April 1, 2020. Order #3 was followed.

- 4. The Certification Relating to Order Provisions – Transmission Facility Siting with accompanying Tree and Shrub Mitigation Specifications executed February 3, 2020 is incorporated by reference and attached to this Order. The Tree and Shrub Mitigation Specifications are modified to allow shrubs to be cleared up to a width of 75 feet in the areas identified on the map set in Late-Filed Hearing Exhibit 8.**

Order #4 was followed.

- 5. To the extent there are any conflicts or inconsistencies between Denbury's Application and the Certification, the Certification provisions control.**

Order #5 was followed.

- 6. Denbury shall file with the Commission its Noxious Weed Management Plan developed to reflect the conditions in Slope and Bowman Counties prior to construction.**

Order #6 was followed.

- 7. Denbury 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.**

Order #7 was followed.

- 8. Denbury 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.**

Order #8 was followed.

Certification

The following section includes discussion of relevant items included in the Certification attached by reference to original Order. All certification points relevant to the As-Built Inspection Report are included.

- 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.

Certification Point #1 was followed.

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

Based on available information, it is Keitu's opinion that Certification Point #2 was followed.

- 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.**

Based on available information, it is Keitu's opinion that Certification Point #3 was followed.

- 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.**

Certification Point #4 was followed.

- 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.**

Based on available information, it is Keitu's opinion is that Certification Point #5 was followed.

- 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.**

Certification Point #6 as followed.

- 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.**

A preconstruction conference call was held on April 28, 2021. Company representatives, the construction supervisor, Commission Staff, and the Commission's third-party construction inspectors were in attendance. Certification Point #7 was followed.

- 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.**

On September 23, 2019 ND SHPO notified the Company that they had reviewed the reports for the Project (ND SHPO Ref.: 19-0233) entitled *National Register of Historic Places Evaluations of 32B0245 for Denbury's Cedar Hills South Unit CO2 Lateral Pipeline, Bowman County, North Dakota* and concurred with the determination of "No Historic Properties Affected" for the Project provided it takes place in the location and in the manner described in the documentation. Certification Point #8 was followed.

- 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.**

Keitu was present on-site for topsoil removal on July 6, 2021 and determined that the topsoil was properly removed and segregated from subsoil. Certification Point #9 was followed.

- 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.**

Denbury Green Pipeline – Montana, LLC notified the Commission and Keitu, the Commission's third-party construction inspector of their intent to start construction on the pipeline during the preconstruction conference held on April 28, 2021. Construction inspection reports were filed monthly during construction.

- 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.**

Keitu conducted a topsoil inspection when construction activities commenced for the project and observed topsoil removal during the construction inspection on July 6, 2021 and found topsoil removal activities to be in compliance with the Commission's Order. Certification Point #11 was followed.

- 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 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.**

Based on available information, Keitu's opinion is that Certification Point #12 was followed.

- 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.**

Based on available information, it is Keitu's opinion that Certification Point #13 was followed.

- 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.**

Based on available information, Keitu's opinion is that Certification Point #14 was followed.

- 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.

Based on available information, it is Keitu's opinion Certification Point #15 was followed.

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.

Certification Point 16 was followed.

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.

It is Keitu's opinion is that Certification Point #17 has been followed.

18. Company understands and agrees that it shall, as soon as practicable upon the completion of the construction of the pipeline, restore the area affected by the activities to as near as practicable to the condition as it existed prior to the beginning of construction.

The project area was seeded but some areas are still bare and there are areas with a significant amount of noxious weeds. Heavy infestations of grasshoppers were noted in several areas of the route, especially in the western most 1.5 miles and 0.25 miles on either side of Oilwell Road (approx. MP 14.6). Significant areas have been defoliated, contributing to the poor condition of the vegetative cover along the right-of-way.

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.

Based on available information, it is Keitu's opinion that Certification Point #19 has been followed.

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.

The project area was seeded but some areas are still bare and there are areas with a significant amount of noxious weeds. Heavy infestations of grasshoppers were noted in several areas of the route, especially in the western most 1.5 miles and 0.25 miles on either side of Oilwell Road (approx. MP 14.6). Significant areas have been defoliated, contributing to the poor condition of the vegetative cover along the right-of-way.

21. Company will fulfill its obligation for 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.

While conducting the as built inspection, Denbury’s contracted SWPP inspector indicated they were having a hard time communicating with the Denbury to address reclamation needed actions.

22. Company will repair all fences and gates removed or damaged during all phases of construction and operation of the transmission facility.

Based on available information, Keitu’s opinion is that Certification Point #22 was followed.

23. Company will repair or replace all drainage tile broken or damaged as a result of construction and operation of the transmission facility.

Based on available information, Keitu’s opinion is that Certification Point #23 was followed.

24. Company agrees to comply with the Tree and Shrub Mitigation Specifications, attached.

Based on available information, Keitu’s opinion is that Certification Point #24 was followed.

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.

Based on available information, Keitu’s opinion is that Certification Point #25 was followed.

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.

Based on available information, Keitu’s opinion is that Certification Point #26 was followed.

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.

Based on available information, Keitu's opinion is that Certification Point #27 was followed.

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.

Based on available information, it is Keitu's opinion that Certification Point #28 has been followed.

29. Upon request, Company agrees to provide the Commission with engineering design drawings of the transmission facility prior to construction.

Based on available information, Keitu's opinion is that Certification Point #29 was followed.

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.

Based on available information, Keitu's opinion is that Certification Point #30 was followed.

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.

Based on available information, Keitu's opinion is that Certification Point #31 was followed.

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.

Based on available information, Keitu's opinion is that Certification Point #32 was followed.

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 (NAD 83) UTM Zone 13N or 14N feet (NAD 83), or geographic coordinate system (WGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed.

Certification Point #33 was followed.

- 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-Call Excavation Notice System requirements under North Dakota Century Code Chapter 49-23 has been determined.**

Based on available information, Keitu’s opinion is that Certification Point #34 was followed.

- 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.**

Certification Point #35 was followed.

- 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.**

Certification Point #36 was followed.

- 37. ROUTE ADJUSTMENT WITHIN DESIGNATED CORRIDOR, NO AVOIDANCE AREA AFFECTED: Before conducting any construction activities for any adjustment to the designated route within the designated corridor under NDCC 49-22.1-15(1), the Company will file:**

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

Based on available information, it is Keitu’s opinion that Certification Point #37 has been followed.

38. ROUTE ADJUSTMENT WITHIN DESIGNATED CORRIDOR, AVOIDANCE AREA AFFECTED:

Before adjusting the route of a gas or liquid transmission line under NDCC 49-22.1-15(2), within the designated corridor that may affect an avoidance area, and before conducting any construction activities for any adjustment to the designated route within the designated corridor, the Company will file:

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

Company acknowledges and agrees that:

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

Based on available information, Keitu's opinion is that Certification Point #38 has been followed.

39. ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, NO AVOIDANCE AREA AFFECTED: Before adjusting the route of a gas or liquid transmission line under NDCC 49-22.1-15(3), outside the designated corridor and not affecting any exclusion and avoidance area, before conducting any construction activities for any adjustment to the designated route outside the designated corridor, the Company will file:

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

Based on available information, Keitu's opinion is that Certification Point #39 has been followed.

40. ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, AVOIDANCE AREA AFFECTED: Before adjusting the route of a gas or liquid transmission line under NDCC 49-22.1-15(3), outside the designated corridor and not affecting any exclusion and avoidance area, before conducting any construction activities for any adjustment to the designated route outside the designated corridor, the Company will file:

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

Company acknowledges and agrees that:

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

Certification Point #40 was followed.

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

Certification Point #41 was followed.

Conclusions

Overall, the Project appeared to be constructed as designed with minimal impacts to the surrounding environment, except for certain areas regarding revegetation. The Project site appeared to be constructed in compliance with the siting laws, siting rules, and applicable Commission Orders.

The project area was seeded but some areas are still bare and there are areas with a significant amount of noxious weeds. Heavy infestations of grasshoppers were noted in several areas of the route, especially in the western most 1.5 miles and 0.25 miles on either side of Oilwell Road (approx. MP 14.6). Significant areas have been defoliated, contributing to the poor condition of the vegetative cover along the right-of-way.

While conducting the as built inspection, Denbury's contracted SWPP inspector indicated they were having a hard time communicating with the Denbury to address actions needed for reclamation.

Management Review

The services performed by Keitu and its 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.

Jaimee Antognazzi, Operations Manager

Report Photo #1: West End of Pipeline



Report Photo #2: East End of Pipeline



Report Photo #3: Grasshopper Infestation



Report Photo #4: Grasshopper damage



Report Photo #5: Replaced Gate

Date & Time: Thu Jul 27 10:41:35 MDT 2023
Position: 046°13'13.6"N / 103°56'24.3"W
Altitude: 2973ft
Datum: WGS-84
Azimuth/Bearing: 029° N29E 0516mils (True)
Zoom: 1X



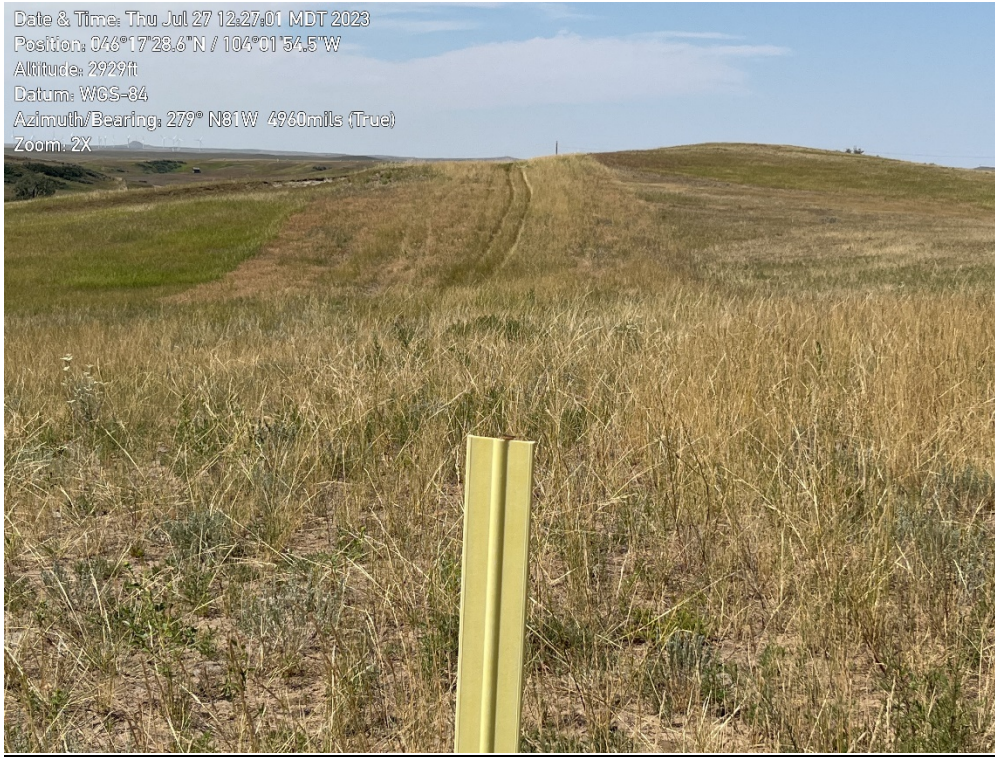
Report Photo #6: Noxious Weeds

Date & Time: Thu Jul 27 10:51:44 MDT 2023
Position: 046°13'16.6"N / 103°56'24.3"W
Altitude: 2963ft
Datum: WGS-84
Azimuth/Bearing: 185° S05W 3289mils (True)
Zoom: 1X



Report Photo #7: ROW

Date & Time: Thu Jul 27 12:27:01 MDT 2023
Position: 046°17'28.6"N / 104°01'54.5"W
Altitude: 2929ft
Datum: WGS-84
Azimuth/Bearing: 279° N81W 4960mils (True)
Zoom: 2X



Report Photo #8: Bore Location

Date & Time: Thu Jul 27 11:38:23 MDT 2023
Position: 046°16'22.0"N / 103°58'43.5"W
Altitude: 2769ft
Datum: WGS-84
Azimuth/Bearing: 135° S45E 2400mils (True)
Zoom: 2X



Project Map:

