CROWLEY | FLECK PLLP
ATTORNEYS

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100 West Broadway, Suite 250
P.O. Box 2798
Bismarck, ND 58502-2798
701.223.6585
cfurey@crowleyfleck.com

May 5, 2020

Via Electronic Mail Only

Mr. Steve Kahl
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

In re: ONEOK Bakken Pipeline, L.L.C.
Tioga Lateral Pipeline Project
Case No. PU-19-368
Our File No. 072591-000009

Dear Mr. Kahl:

On behalf of ONEOK Bakken Pipeline, L.L.C., enclosed for filing in the above referenced matter are electronic copies of the enclosed Certification Relating to N.D.C.C. § 49-22.1-15(3) with accompanying Exhibits 1-3, and updated project shapefiles depicting the route modifications.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,

Casey A. Furey

Enc.

cc: Victor Schock (via email)
Michael Dailey (via email)
Beth Ludwig (via email)

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

ONEOK Bakken Pipeline, L.L.C
16-Inch NGL Pipeline – Williams County **Case No. PU-19-368**
Siting Application

CERTIFICATION RELATING TO N.D.C.C § 49-22.1-15(3)

STATE OF OKLAHOMA	)	
	) ss.	**DECLARATION OF**
COUNTY OF TULSA	)	**MATTHEW GILLETT**

Pursuant to N.D.C.C. § 49-22.1-15(3), the undersigned, Matthew Gillett, hereby states:

1. I am the Director of Project Development for ONEOK Bakken Pipeline, L.L.C., ("ONEOK") with authority to bind ONEOK to the following, hereby certifies as follows:

2. In an order dated April 1, 2020, in the above captioned matter, the North Dakota Public Service Commission ("Commission") approved Certificate of Corridor Compatibility No. 214 and Route Permit No. 224 for the construction, operation, and maintenance of a 16-inch diameter, 75-mile-long natural gas liquids ("NGL") transmission pipeline in Williams County, North Dakota (the "Project"). The Project originates at the Hess Tioga Natural Gas Processing Plant in Williams County and terminates at an interconnection near the ONEOK Stateline to Riverview NGL Pipeline.

3. ONEOK hereby provides the Commission with written notice of its intent to modify the Project outside the corridor designated by Certificate of Corridor Compatibility No. 214 in two locations. Attached hereto as Exhibit 1, are maps depicting the designated corridor and route, and adjustments thereto.

4. North Dakota Century Code § 49-22.1-03 designates areas within five hundred feet of an inhabited rural residence as an avoidance area unless a written waiver is obtained from the landowner. Order Provision No. 7 provides, "ONEOK shall obtain all remaining 500-foot waiver(s) and provide copies to the Commission prior to constructing the Project on such portion of the Project for which the waiver is applicable." Alternatively, "ONEOK will file a route adjustment with the Commission to be outside 500 feet of the occupied areas." Order Finding of Fact No. 20. A waiver for one occupied residence near milepost 16.3 (T156N, R96W, Sec. 19) was not secured.

5. Therefore, ONEOK intends to modify the Project route and corridor at approximate milepost 16.3 to 16.4. The Project route was shifted within the existing corridor. The Project corridor has been extended in this area to allow for additional workspace as a result of this modification. As a result of this route modification, the occupied residence near milepost 16.3 is not located within 500 feet of the Project route, and a waiver from this

landowner is no longer required. This route and corridor adjustments are depicted on page 1 of Exhibit 1 hereto.

6. The remaining modification is located at milepost 11.8 and is identified on page 2 of Exhibit 1 hereto. The Project route and location of the valve were shifted within the existing corridor. The Project corridor has been extended in this area to allow for additional workspace as a result of this modification.

7. ONEOK conducted natural resource field surveys on all areas not previously surveyed extending outside of the designated corridor in spring 2020. Results of the natural resource field surveys are included in the 2020 Natural Resource Survey Report, attached hereto as Exhibit 2.

8. ONEOK consulted with the North Dakota State Historic Preservation Office ("NDSHPO") regarding the expanded corridor areas. NDSHPO issued a concurrence providing a "No Historic Properties Affected" determination on April 16, 2020, attached hereto as Exhibit 3.

9. Pursuant to N.D.C.C. § 49-22.1-15(3):

    a. The construction activities will not affect any known exclusion or avoidance areas (*see*, Exhibits 2, 3 hereto);
    b. The route outside the corridor is no longer than one and one-half miles;
    c. ONEOK will comply with the Commission's Order, laws, and rules designating the corridor and designating the route;
    d. 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,
    e. Information regarding field studies indicating exclusion and avoidance areas outside the designated corridor are enclosed.

10. Updated shapefiles containing the route modifications discussed herein are also included.

I declare, under penalty of perjury under the law of North Dakota, that the foregoing is true and correct.

Signed on the 4 day of May, 2020, at Tulsa County, Oklahoma, United States of America.

DocuSigned by:
Matt Gillett
BEBB1C3144074C5

Matthew Gillett
Director of Project Development
ONEOK Bakken Pipeline, L.L.C.

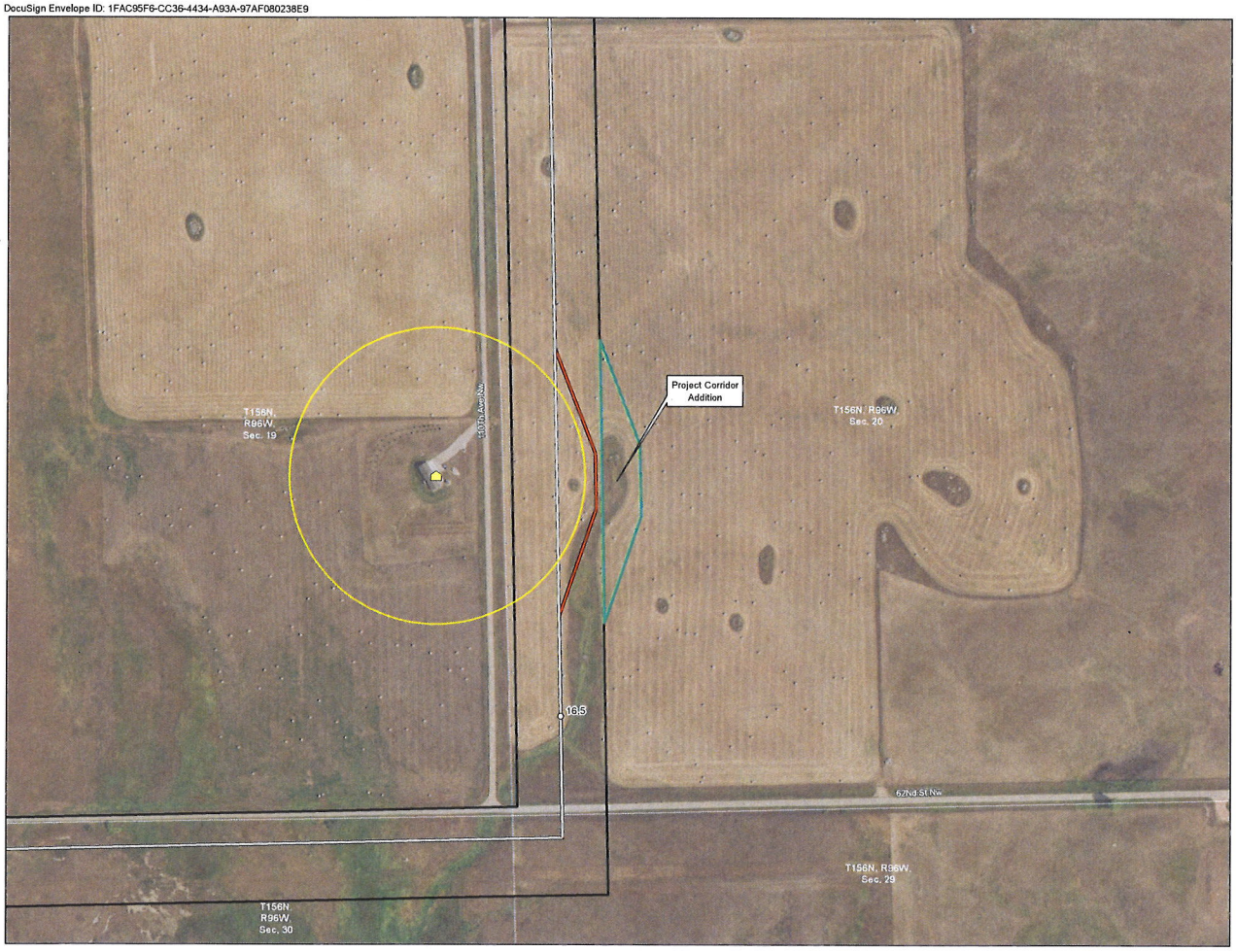
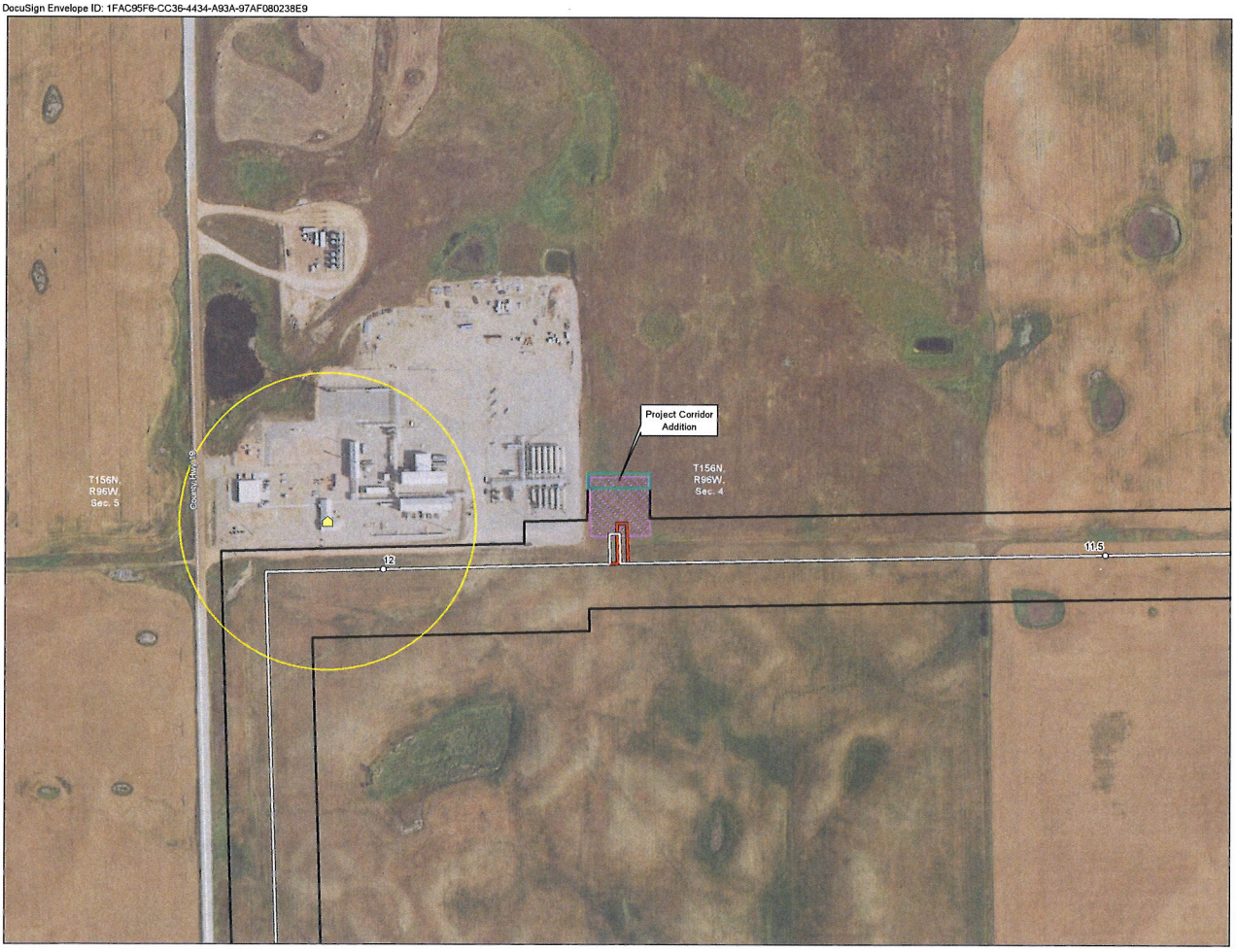
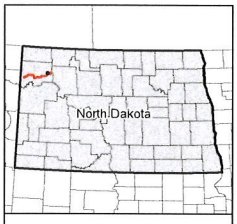


EXHIBIT 1





- Milepost
- New Alignment
- Previous Alignment
- Project Corridor
- Project Corridor Addition
- New Valve Location
- Section Boundary

Avoidance Areas

- Occupied Structure within 500' of Route
- Occupied Structure (500' Buffer)

*No exclusion areas located within map view

Exhibit B.2
ONEOK Bakken Pipeline, L.L.C.
Tioga Lateral Pipeline Project

Project Corridor Adjustments

Page 2 of 2

Williams County, ND

Enerjent

For Environmental Review Purposes Only 4/21/2020

ONEOK Bakken Pipeline, L.L.C. (ONEOK)
Tioga Lateral Pipeline Project
Williams County, North Dakota

2020 Natural Resources Survey

April 2020
Report

Submitted
to

ONEOK, Inc.
100 W. Fifth Street
Tulsa, Okla. 74103

Submitted
by

merjent
1 Main Street SE, Suite 300
Minneapolis, MN 55414
612.746.3660 main
www.merjent.com

EXHIBIT 2

Merjent, Inc. (Merjent) is pleased to provide the following report for natural resources surveys associated with ONEOK Bakken Pipeline, L.L.C.'s (ONEOK) Tioga Lateral Pipeline project (Project). Merjent recently conducted wetland and waterbody surveys, habitat evaluations for federally-listed rare species, and general land use/land cover documentation within two proposed regions additional to the original Project area which was surveyed in 2019 by Midwest Natural Resources.

Survey Limits and Existing Data

Merjent biologists Joe Orr and Autumn Hart conducted natural resources surveys on April 17, 2020. Surveys occurred within two discrete locations totaling approximately 2.0 acres. The proposed additional Project areas are in Williams County, North Dakota (**Figure 1**) and are adjacent to previously surveyed portions of the Project. Surveys of the Project area were focused on wetland and waterbody surveys and federally-listed threatened and endangered species. The two areas were also surveyed for tree and shrubs per the North Dakota Public Service Commission Tree and Shrub specifications; however, no tree or shrubs were observed in either location.

Prior to conducting field surveys, Merjent staff evaluated existing data including the original survey report (Midwest Natural Resources, 2019), the National Wetlands Inventory (NWI), National Hydrology Dataset (NHD), and the Williams County Soil Survey. No NWI or NHD features occur within the two areas which were the subject of this survey. According to the digital soil survey for Williams County, mapped soils within the survey are all well drained, and none of these soil series is classified as hydric (**Table 1**).

Table 1. Soils within project area

Soil Map Unit Symbol	Soil Map Unit Name	Drainage Class	Hydric Rating
C135C	Zahl-Williams-Zahill complex, 6 to 9 percent slopes	Well drained	No
C210B	Williams-Bowbells loams, 3 to 6 percent slopes	Well drained	No

Methods

Wetlands and Waterbodies

Potential wetland areas were to be evaluated utilizing the Routine "Onsite" Determination Method contained in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region for the 1987 Wetlands Delineation Manual Technical Report Y-87-1. Information was collected using the Corps wetland determination forms (Appendix **A**). Vegetation was assessed by identifying the dominant species present and noting wetland indicator status. Hydrologic indicators were evaluated for characteristics including, but not limited to, the presence or absence of inundated or saturated soils, high water table, drift lines, and drainage patterns. The final parameter, soils, were assessed by excavating to a minimum depth of 20 inches, where possible, and examining profile characteristics (color of matrix/mottles, and texture), along with determining the presence or absence of hydric soil indicators.

Potential waterbody boundaries are identified by the presence of a defined bed and bank and evidence of flow. These features if present, are mapped based on the Ordinary High Water Mark (OHWM), which is defined by indicators including, but not limited to, wrested vegetation, clear line on bank, etc. The Project area was evaluated for wetland and waterbody features on April 17th, 2020.

All documented features were recorded spatially with GPS units (Trimble R1) and were further documented with representative photographs (Appendix **B**).

Noxious Weeds

Noxious weed surveys targeted the 13 species identified by the North Dakota Department of Agriculture as well as one additional species listed in Williams County.

Habitat Assessments

Surveys included a general habitat assessment within the corridor modifications of the Project area to evaluate potential habitat for state- and federally-listed threatened and endangered species (**Table 2**). Habitat assessment surveys were also completed for raptor nests (including bald and golden eagles). These were conducted visually within line-of-sight of the survey corridor. The habitat assessment involved documenting the dominant vegetation and the surrounding land use/land cover along with collecting spatially-referenced photographs. These survey efforts occurred on April 17th, 2020.

All documented features were recorded spatially with GPS units (Trimble R1) and were further documented with representative photographs (**Appendix B**).

Results and Discussion

Site Description

Merjent biologists evaluated the survey areas on April 17, 2020. Both corridor modification areas are dominated by smooth brome (*Bromus inermis*). The corridor modification area located near milepost (MP) 12 is dominated by smooth brome with other upland plants including Indiangrass (*Sorghastrum nutans*), common milkweed (*Asclepias syriaca*), and curly dock (*Rumex crispus*) (**Figure 2**). The corridor modification area near MP 16 consists of cultivated cropland which is graded throughout with berms and swales. An upland swale crosses the survey area. The swale is dominated by smooth brome with sparse patches of Canada goldenrod (*Solidago canadensis*) (**Figure 3**).

Wetlands and Waterbodies

Field surveys resulted in zero delineated wetlands and zero waterbodies recorded within the survey areas. The corridor modification site near MP 16 is in a slight depression, and frozen standing water was present at the time of the surveys. However, soils were investigated during initial Natural Resources survey at multiple locations, but no saturation or hydric soil indicators were observed. These findings, coupled with the absence of hydrophytic vegetation, led to an upland determination. It should also be noted that the Project area received nearly double the 19-year average of precipitation in 2019 (NDAWN, 2019). More information pertaining to the documented wetland determination forms are provided in Appendix A.

Representative photos of the documented features, as well as general land use, are provided in Appendix B.

Noxious Weeds

Surveys did not identify noxious weed occurrences in either of the two corridor modification areas.

Habitat Assessments

Due to dominance of smooth brome and cultivated cropland, the lack of trees/shrubs, wetlands or waterbodies, there is no potential habitat for federally-listed species within the survey area. No eagle or raptor nests were found during the course of the surveys.

Table 2 Habitat suitability within the project area

Species	Scientific Name	Presence of Habitat in additional Project Area
Northern long-eared bat	*Myotis septentrionalis*	Suitable habitat not present
Interior least tern	*Sterna antillarum*	Suitable habitat not present
Piping plover	*Charadrius melodus*	Suitable habitat not present
Red knot	*Calidris canutus*	Suitable habitat not present
Whooping crane	*Grus americana*	Suitable habitat not present
Pallid sturgeon	*Scaphirhynchus albus*	Suitable habitat not present

In closing, please let us know if you have any questions pertaining to our field findings,

Respectfully submitted,

Joe Orr, M.S.
Environmental Anlayst
Merjent, Inc.

References

Midwest Natural Resources. 2019. Natural Resources Survey Report – 2019: Tioga Lateral Pipeline Project, North Dakota.

NDAWN. 2020. North Dakota Agricultural Weather Network North Dakota State Univ., Fargo. http://ndawn.ndsu.nodak.edu [Citation Time(s):1]

US Army Corps of Engineers. 2005. Regulatory Guidance Letter No. 05-05, Ordinary High Water Mark Identification. December 7, 2005.

US Army Corps of Engineers. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Version 2.0). ERDC/EL TR-10-1. US Army Engineer Research and Development Center, Vicksburg, MS.

Figures

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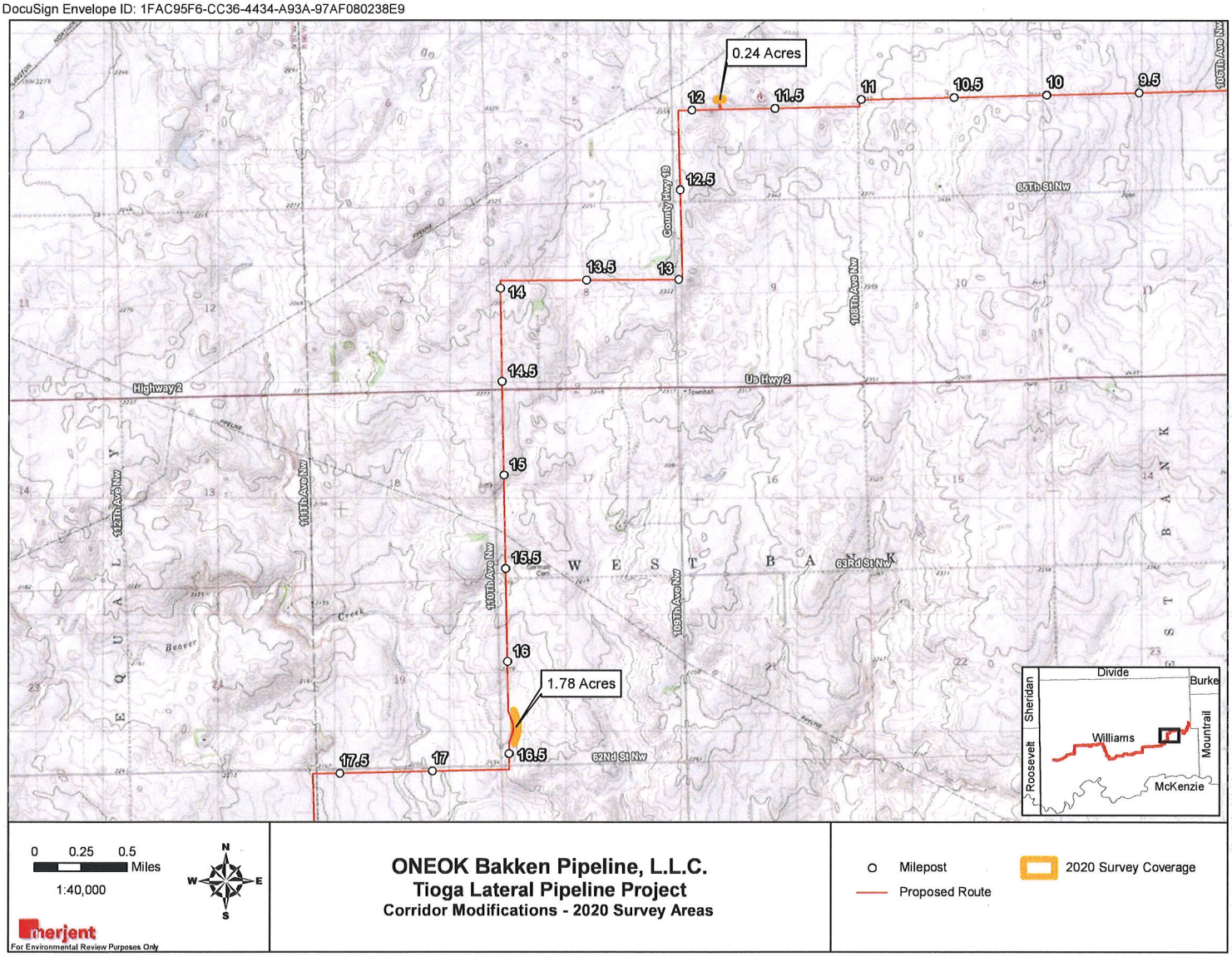

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N W E S

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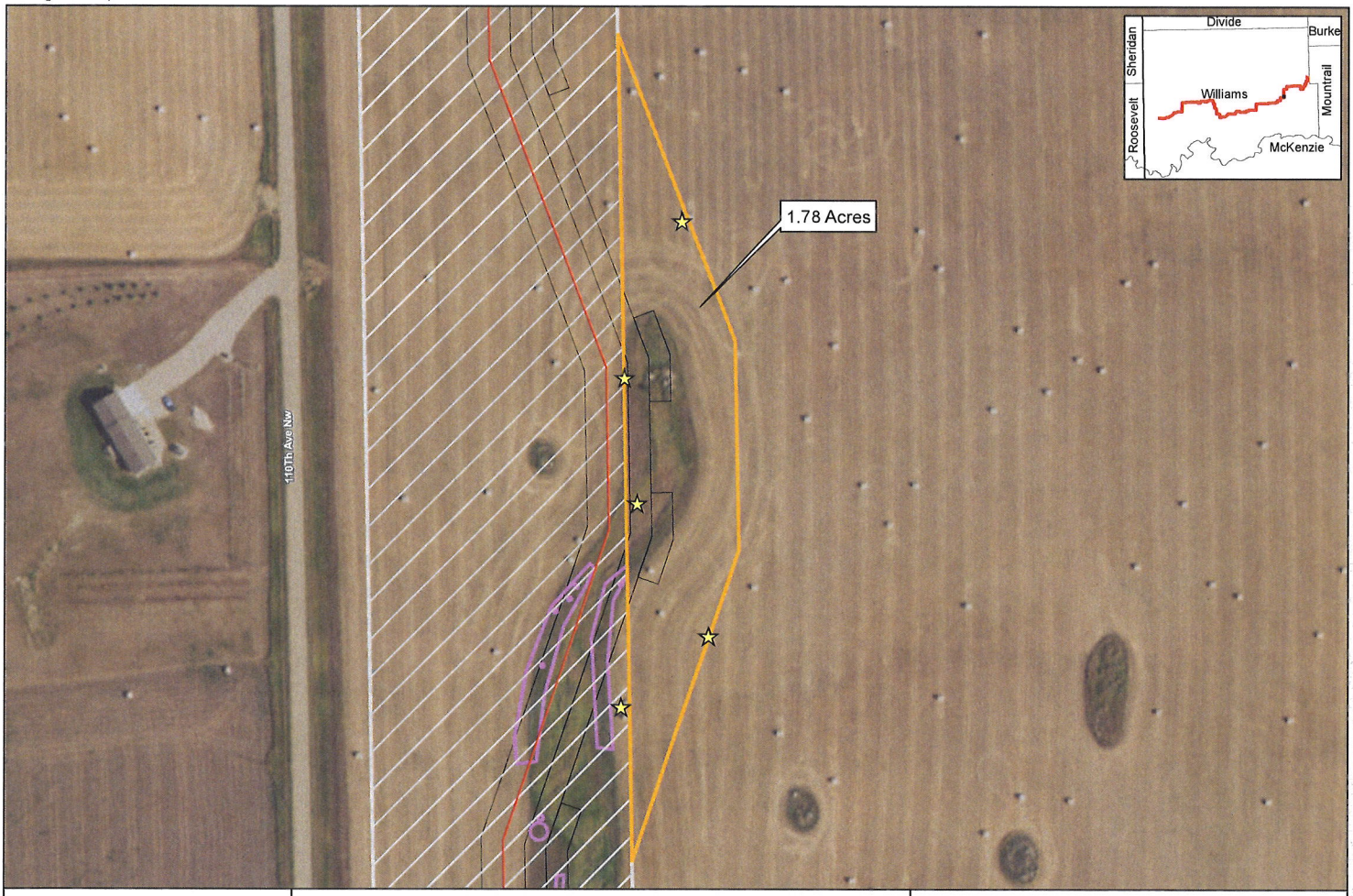
Page 1 of 2

ONEOK Bakken Pipeline, L.L.C.
Tioga Lateral Pipeline Project
Corridor Modifications - 2020 Survey Areas

- Milepost
- Upland Point
- Proposed Route
- Workspace
- 2020 Survey Coverage
- 2019 Survey Coverage



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N W E S

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Page 2 of 2

ONEOK Bakken Pipeline, L.L.C.
Tioga Lateral Pipeline Project
Corridor Modifications - 2020 Survey Areas

- Milepost
- Upland Point
- Proposed Route
- Workspace
- 2020 Survey Coverage
- 2019 Survey Coverage
- Field Delineated Shrub

Appendix (A)
Wetland Determination Forms

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Tioga Lateral Pipeline Project City/County: Williams Sampling Date: 2020-04-17

Applicant/Owner: ONEOK State: ND Sampling Point: MP-12

Investigator(s): AJH/JTO Section, Township, Range: 156N-96W-04

Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): None Slope (%): 0-2%

Subregion (LRR): Lat: 48.364076 Long: -103.038213 Datum: WGS84

Soil Map Unit Name: Zahl-Williams-Zahill complex, 6 to 9 percent slopes NWI classification:

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No ✓	**Is the Sampled Area within a Wetland?** Yes ____ No ✓
Hydric Soil Present?	Yes ____	No ✓	
Wetland Hydrology Present?	Yes ____	No ✓	

Remarks:
The area does not meet wetland vegetation or hydrology parameters.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15')			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
Herb Stratum (Plot size: 5')			
1. *Bromus inermis*	90	Y	UPL
2. *Sorghastrum nutans*	8	N	FACU
3. Asclepias syriaca	1	N	UPL
4. *Rumex crispus*	1	N	FAC
5.			
6.			
7.			
8.			
9.			
10.			
	100 = Total Cover		
Woody Vine Stratum (Plot size: 30')			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC−): 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.00 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	1	x 3 =	3
FACU species	8	x 4 =	32
UPL species	91	x 5 =	455
Column Totals:	100 (A)		490 (B)

Prevalence Index = B/A = 4.9

Hydrophytic Vegetation Indicators:

__ 1 - Rapid Test for Hydrophytic Vegetation

__ 2 - Dominance Test is >50%

__ 3 - Prevalence Index is ≤3.0[1]

__ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

__ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No ✓

Remarks:
The area is dominated by smooth brome.

SOIL

Sampling Point: MP12

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ✓ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

Soils were not sampled based on orginal Natural Resources survey found no hydric soils.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2) ✓
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No indicators of wetland hydrology were observed.

WETLAND DETERMINATION DATA FORM – Great Plains Region

Project/Site: Tioga Lateral Pipeline Project City/County: Williams Sampling Date: 2020-04-17

Applicant/Owner: ONEOK State: ND Sampling Point: MP-16

Investigator(s): AJH/JTO Section, Township, Range: 156N-96W-20

Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): Concave Slope (%): 0-2%

Subregion (LRR): _____ Lat: 48.316264 Long: -103.063935 Datum: WGS84

Soil Map Unit Name: Williams-Bowbells loams, 3 to 6 percent slopes NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____ No ✓	
Wetland Hydrology Present?	Yes _____ No ✓	

Remarks:
The area does not meet wetland vegetation or hydrology parameters.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15')			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
Herb Stratum (Plot size: 5')			
1. *Bromus inermis*	95	Y	UPL
2. *Solidago canadensis*	5	N	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 = Total Cover		
Woody Vine Stratum (Plot size: 30')			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC−): 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.00 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	5	x 4 =	20
UPL species	95	x 5 =	475
Column Totals:	100 (A)		495 (B)

Prevalence Index = B/A = 4.95

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:
The area is dominated by smooth brome.

SOIL

Sampling Point: MP16

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ✓ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

Soils were not sampled based on orginal Natural Resources survey found no hydric soils.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2) ✓
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No indicators of wetland hydrology were observed.

Appendix (B)
Representative Photographs

Additional survey area near MP 12 facing E

Additional survey area near MP 12 facing NE

Additional survey area near MP 12 facing W

Additional survey area near MP 16 facing N

Additional survey area near MP 16 facing NE

Additional survey area near MP 16 facing SE

Additional survey area near MP 16 facing SW

April 16, 2020

Kari Krouse, MS, RPA
Merjent
1 Main Street SE, STE 300
Minneapolis, MN 55414

ND SHPO Ref.: 20-0151 Tioga Lateral Pipeline Project PU-19-368 in portions of Williams County, North Dakota

Dear Ms. Krouse,

We reviewed the adjusted location information for ND SHPO Ref.: 20-0151 Tioga Lateral Pipeline Project PU-19-368 in portions of [T156N R96W Sections 4 and 20] in Williams County, North Dakota and we concur with a determination of "No Historic Properties Affected" for this project provided it takes place in the location and in the manner described in the documentation.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lorna Meidinger, Historic Preservation Specialist at (701) 328-2089 or lbmeidinger@nd.gov

Sincerely,

for Claudia J. Berg
State Historic Preservation Officer
(North Dakota)

20-0151

EXHIBIT 3