

# Memo

To: Commissioners Wefald, Cramer, and Clark  
Darrell Nitschke, Director of Administration

From: Patrick Fahn

Date: October 7, 2008

Re: Plains Pipeline, L.P. - tree and shrub mitigation

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## Case Nos. PU-05-184 and PU-05-185

The charts below show the tree and shrub mitigation history.

Plains requests that the Commission close the tree monitoring requirement for both cases.

As of October 2008, some of the trees and shrubs are only one or two years old. The requirement of the order is that 75% survive after three years.

Staff recommends that Plains be advised to plant additional trees and shrubs and provide a further mitigation report by October 1, 2009 or that Plains be advised not to plant additional trees and to provide mitigation reports by October 1, 2009 and October 1, 2010 followed by a Commission determination concerning further action.

### PU-05-184:

On June 16, 2006 Plains reported that 150 shrubs and 5 trees were destroyed in the construction of the pipeline in Case No. PU-05-184.

	Trees	Shrubs
Replacement plantings required	10	300
<b>Tree and shrub count at 75% survival</b>	<b>7.5</b>	<b>225</b>
Original plantings June 2006	10 Ponderosa pine	300 caragana
September 29, 2006 report	0 survivors 10 ponderosa pine replanted in spring 2007.	147 survivors 160 caragana replanted in spring 2007
2007 report	0 survivors 10 ponderosa pine replanted in spring 2008.	213 survivors 50 caragana replanted in spring 2008

October 20, 2008 report	7 survivors	267 survivors
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**PU-05-185:**

On June 19, 2006 Plains reported that 250 shrubs and 50 trees were destroyed in the construction of the pipeline in Case No. PU-05-185.

	<b>Trees</b>	<b>Shrubs</b>
Replacement plantings required	100	500
<b>Tree and shrub count at 75% survival</b>	<b>75</b>	<b>375</b>
Original plantings June 2006	50 Russian olive 50 Scottish pine	25 lilac 10 American plum 25 Nankin cherry 25 chokecherry 25 currant 15 Dogwood 25 juneberry 180 Siberian apricot 90 dogwood 80 sand cherries
September 29, 2006 report		411 survivors.  110 shrubs replanted in Spring 2007  (15 lilac, 15 cherry, 15 chokecherry, and 15 juneberry, 50 Siberian apricot)
September 18, 2007 report		404 survivors.  80 shrubs replanted in spring 2008  (30 lilacs and 50 Siberian apricot).
September 15, 2008 report		409 survivors.

Update: On October 7, 2008, Dan did a field inventory of trees surviving and determined that 9 Scottish pine and 35 Russian olive trees survive, which indicates that 365 shrubs survive.