

NORTH DAKOTA PUBLIC SERVICE COMMISSION
INFORMAL HEARING
April 29, 2009

**Enbridge Pipelines (North Dakota) LLC
Trenton to Beaver Lodge Pipeline – Williams County
Siting Application**

Case No. PU-06-330

**Enbridge Pipelines (North Dakota) LLC
Crude Oil Pump Stations- Mountrail-McHenry-
Ramsey-Grand Forks Ctys
Siting Application**

Case No. PU-06-349

On March 19, 2008 and April 4, 2008 Enbridge filed Tree and Shrub Restoration Plans in Case No. PU-06-330 and Case No. PU-06-349. Each plan identifies the species and location of trees and shrubs removed during pipeline construction. At the time of those filings, Enbridge hadn't identified locations for tree and shrub replacements that could not be planted on properties of landowners affected by the projects. On April 23, 2008, The Commission approved the plans with the condition that tree replacement be with 2-year-old saplings, and that somewhat less than 2-year-old saplings be used only when 2-year-old saplings cannot be purchased.

Enbridge has now filed follow-up Tree and Shrub Replacement Plans for Commission approval that detail the final tree and shrub replacement species and planting locations. (see document #120 and #121 in Case No. PU-06-330 and document #93 in PU-06-349).

Attached is my spreadsheet summary of trees and shrubs removed compared to trees and shrubs proposed to be planted. For each of the plans, the tree and shrub species to be planted are not exactly the same as the species removed during construction.

For Case PU-06-330:

331 trees were removed and 8,775 trees will be planted. 10,624 shrubs were removed and 8,071 shrubs will be planted. In addition, 3,301 trees and 4,663 shrubs will be planted. Of those 7,964 trees and shrubs, Enbridge will pay for 5,072 and the landowner is responsible for the rest, but we do not know how many of those will be trees vs shrubs.

For Case PU-06-349:

66 trees were removed and 87 will be planted. 4 shrubs were removed and 88 will be planted.

For PU-06-330 and PU-06-349 combined:

Combining both projects, 397 trees were removed and at least 8,775 trees will be paid for by Enbridge. 10,628 shrubs were removed and at least 8,159 shrubs will be paid for by Enbridge.

In total, 11,025 trees and shrubs were removed and 22,093 trees and shrubs will be paid for by Enbridge, however, we cannot discern, from the information provided, the number of trees or the number of shrubs that will be paid for by Enbridge rather than by the landowner.

Commission order:

The Commission order requires that tree replacement will be on a 2 to 1 basis with 2-year-old saplings. Shrub replacement will be on a 2 to 1 basis with stem cuttings. Trees and shrubs are to be replaced by the same species or similar species suitable for North Dakota growing conditions as recommended by the North Dakota Forest Service.

At the conclusion of the project, documentation identifying the actual number, variety, type, location and date of the replacement plantings shall be filed with the Commission.

Enbridge must inspect tree and shrub replacements once a year for three years on the anniversary of the plantings, and send a report on or shortly before October 1 of each year. The Commission may order additional plantings if survival rates are less than 75 percent.

Concerns:

In order to provide an annual report concerning survival rate, Enbridge must be able to identify the trees and shrubs subject to the company's plan, and exclude the trees and shrubs planted/paid for by the landowner. Enbridge should address this concern with a resolution for survival rate determination.

PJF

Case No	REMOVED																REPLACEMENTS																Total Paid for by trees & shrubs		Total Paid for by Enbridge		Total Paid for by trees & shrubs		Enbridge													
	AM	BHS	BE	BS	BO	CA	CE	CL	CW	GA	HB	HT	JU	PP	QA	RC	RO	SE	SP	SL	SR	UP	WP	AP	AT	BB	BH	BT	CC	CG	CL	DW	GB	GC	JB	NC	RS	SB	SP	SS	ST	US	VS	WB	WC	35	4	3	4	10,624	8,071	175
Case No. PU-06-349																																																				
REMOVED																																																				
REPLACEMENTS																																																				
Case No. PU-06-330																																																				
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Appendix A&B																																																				
Appendix C																																																				

AM=american elm
 BHS=Black Hills spruce
 BE=box elder
 BS=blue spruce
 BO=bur oak
 CA=crabapple

CE=cedar
 CL=common lilac (tree or shrub?)
 CW=cottonwood
 GA=green ash
 HB=hackberry
 HT=Hawthorne
 JU=Rocky Mountain juniper

PP=Ponderosa pine
 QA=quaking aspen
 RC=Eastern red cedar
 RO=Russian olive
 SE=Siberian elm
 SP=Scotch pine
 SL=Siberian larch

SR=spruce
 UP=Ussurian pear
 WP=white poplar

AP=american plum
 AT=apricot
 BB=blueberry
 BH=blueleaf honeysuckle
 BT=buckhorn

CC=chokecherry
 CG=chickory
 CL=common lilac
 DW=dogwood
 GB=gooseberry
 GC=golden currant

JB=juneberry
 NC=Nanking cherry
 RS=rose sp.
 SB=siberian
 SP=Siberian peashrub
 SS=skunkbush sumac

ST=sea buckthorn
 US=unknown shrub
 VS=VanHoutte spirea
 WB=wolf berry
 WC=western sandcherry
 WS=willow (tree or shrub?)