



# Public Service Commission

## State of North Dakota

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September 18, 2015

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Kevin L. Solie  
Senior Water Quality/Waste Management Coordinator  
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1717 East Interstate Avenue  
Bismarck, ND 58503-0564

**RE: Post Construction Inspection, Case Nos. PU-07-169 and PU-07-671  
Tree and Shrub Mitigation Specifications, Case No. PU-08-75**

Dear Mr. Solie:

The North Dakota Public Service Commission retained a third-party vendor to conduct a post construction inspection under the authority provided in the above referenced cases. Below we provide a weblink to the third-party post construction inspection reports for your review and a link to the Commission's orders in these proceedings. We also list actions recommended in the post construction inspection report for follow-up by the Company to confirm compliance with the Commission orders.

### **PU-07-169**

As per the post construction inspection report, the following actions should be undertaken with information documenting these actions provided to the Commission:

- According to the Application, monitoring of re-vegetated areas would be completed for 2 years following construction to evaluate revegetation success and 3 years to identify any noxious weed populations. Written documentation of that this has occurred is required. (Order Point 13).
- Tree and Shrub Mitigation Specification No. 17 requires a survival rate of 75 percent after three years and if the survival rate is less than 75 percent, the Commission may order additional planting(s). The Commission to date has only received one update as to the survival rate. Please report that after three years, 2014, that the 75 percent survival rate was achieved or what additional mitigation efforts the Company will undertake. (Order Point 14)
- Final as-built drawings for both substations and microwave towers. (Order Point 19)

The construction report can be found at:

<http://www.psc.nd.gov/database/documents/07-0169/116-010.pdf>

The Commission Order can be found at:

<http://www.psc.nd.gov/database/documents/07-0169/027-050.pdf>

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**PU-07-671**

As per the post construction inspection report, the Company stated in its Application that the construction ROW and other surface disturbance areas will be monitored for noxious weeds for a 3 year period following construction and reclamation. Written documentation that is occurring is required. (Order Point 14).

For the trees that were replaced in 2013, the Company will need to report survival rates for an additional three years to ensure the 75 percent survival rate has been achieved.

The construction report can be found at:  
<http://www.psc.nd.gov/database/documents/07-0671/108-020.pdf>

The Commission Order can be found at:  
<http://www.psc.nd.gov/database/documents/07-0671/045-040.pdf>

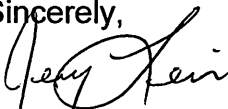
**PU-08-75**

The Commission requires a 75 percent survival rate of trees and shrubs after three years. Thus, the Commission requires one more year of monitoring for the trees and shrubs planted in 2012 and two more years of monitoring for the trees and shrubs planted in 2013. Please note that survival rates should be based on actual inspections and not based on an assumption of the number of trees expected to survive based on the number of trees planted. If at least 2001 trees and shrubs are found surviving in the Company's 2015 inspection, the Company will have complied with the tree and shrub mitigation specifications.

Please forward your response confirming the activities that are complete and describe actions and timelines for activities that are not complete. Please provide this documentation within 30 days, absent the reporting on trees and shrubs which can be completed at the end of the growing season.

If you have any questions regarding this letter, please contact me at 701-328-1035.

Sincerely,



Jerry Lein  
Public Utility Analyst