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PUBLIC SERVICE COMMISSION

June 12, 2008

Ilona A. Jeffcoat-Sacco
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard; Dept. 408
Bismarck, ND 58505-0480

Re: *Submission of Tree and Shrub Inventory Plan*
Case Number PU-08-48

Dear Ms. Jeffcoat-Sacco:

With this letter, Minnkota Power Cooperative, Inc. submits Tree and Shrub Inventory Plan, Case Number PU-08-48.

Pursuant to § 49-22-08 of the North Dakota Century Code, the Energy Conversion and Transmission Facility Siting Act, and rules promulgated thereunder, enclosed for filing please find:

Original and seven (7) copies of Tree and Shrub Inventory Plan

Should you have any questions with respect to this filing, please contact me.

Very truly yours,

PEARCE & DURICK

By 

Jerome C. Kettleison
Phone: (701) 333-0104

JCK/ef
Enclosures



**Pillsbury - Fargo
Generation Outlet Project**

Docket No. PU-08-48

Tree and Shrub Inventory Plan

June 11, 2008

Introduction

This plan has been developed to describe how Minnkota will inventory trees and shrubs that would be impacted by the Pillsbury to Fargo Generation Outlet Project. This information will be used to address tree and shrub impact mitigation specifications outlined in Exhibit C1 of the North Dakota Public Service Commission (PSC) Findings of Fact, Conclusion of Law and Order, under Docket #PU 08-48. The PSC tree and shrub mitigation specifications are provided for reference in Appendix A of this plan.

Inventory Methods

Prior to clearing, Minnkota will inventory trees and shrubs, including those considered invasive species and noxious weeds, to be cleared within the 125-foot-wide right-of-way easement. Inventories will be documented on standard forms and will include the inventory location, species present, and number of trees and shrubs in the location. A sample of the inventory form to be used by Minnkota is provided in Appendix B.

In windbreaks, shelterbelts and other planted areas, trees and shrubs of all sizes will be inventoried. In native growth areas, trees that are greater than 1 inch in diameter at breast height will be inventoried; shrubs regardless of size will be inventoried.

In large native growth areas, sampling will be used to represent the woody vegetation population rather than actual counts. Actual counts will be used in all other areas. The following is a description of the tree sampling procedures.

- ◆ The dimensions of the entire woodland stand will be measured to determine the area of the woodland.
- ◆ Tree and shrub counts will be made in representative sample site areas within the woodland.
- ◆ Transects will be run in woodland with circular sample sites placed along the transects.
- ◆ The number sample sites within a woodland stand will be dependent on woodland size and uniformity.
- ◆ A smaller, more uniform woodland stand would require fewer sample sites than a larger, less uniform woodland stand.
- ◆ The sample sites will be 0.001 acres (3.72-foot diameter circles).
- ◆ Rope will be used to mark off the circular sample sites.
- ◆ Tree and shrub density for the entire woodland will be calculated based on the average density from all of the sample locations within the woodland, weighted against the woodland size.

Upon completion of the tree and shrub inventory, Minnkota will compile all information into a concise report that documents total project impacts and provides the inventory data sheets. This information will be used to mitigate tree and shrub impacts as specified by the tree and shrub mitigation specifications in Appendix A.

Appendix A

Tree and Shrub Mitigation Specifications

Inventory

1. Trees and shrubs anticipated to be cleared, including those that are considered invasive species or noxious weeds (*e.g.*, *Caragana arborescens*, *Elaeagnus angustifolia*, *Rhamnus cathartica*, *Tamarix chinensis*, *T. parviflora*, *T. ramosissima*, *Ulmus pumila*), shall be inventoried before cutting. The inventory shall record the location, number, and species of trees and shrubs.
2. In windbreaks, shelterbelts and other planted areas, trees or shrubs anticipated to be cleared, regardless of size, shall be inventoried for replacement.
3. In native growth areas, trees anticipated to be cleared that are 1 inch diameter at breast height ("dbh") or greater shall be inventoried for replacement.
4. In native growth areas, shrubs anticipated to be cleared in the permanent right-of-way shall be inventoried for replacement.
5. In native growth areas outside the permanent right-of-way, shrubs shall be cut flush with the surface of the ground, taking care to leave the naturally occurring seed bank and root stock intact. If soil disturbance is necessary, the native topsoil shall be preserved and replaced after construction. Shrubs shall be allowed to regenerate naturally where native topsoil is preserved and replaced. Where native topsoil is not preserved and replaced, shrubs anticipated to be cleared shall be inventoried for replacement.
6. In native growth areas, trees and shrubs may be inventoried by actual count or by sampling method that will properly represent the woody vegetation population. A sampling plan developed by the company, filed with the North Dakota Public Service Commission (NDPSC) and approved prior to the start of construction shall define the sampling method to be used for trees, for tall shrubs and for low shrubs. The data from the sample plots shall be extrapolated to the total acreage of the wooded area to be cleared to determine the species and quantity of trees and shrubs to be replaced.

Clearing for Construction

7. Trees and shrubs shall be selectively cleared, leaving mature trees and shrubs intact where practical.
8. The width of clear cuts through windbreaks, shelterbelts and all other wooded areas shall be limited to 50 feet or less unless otherwise approved by the NDPSC.
9. If the area of trees or shrubs actually cleared differs from the area inventoried, the difference in number of trees and shrubs to be replaced shall be noted on the inventory.

Replacement

10. Prior to tree/shrub replacement, documentation identifying the number and variety of trees removed as well as the mitigation plan for the proposed number, variety, type, location and date of replacement plantings shall be filed with the NSPSC for approval.
11. Tree replacement shall be on a 2 to 1 basis with 2-year-old saplings. Shrub replacement shall be on a 2 to 1 basis with stem cuttings.
12. Trees and shrubs shall be replaced by the same species or similar species suitable for North Dakota growing conditions as recommended by the North Dakota Forest Service.
13. Landowners shall be given the option of having replacement trees/shrubs planted off the right-of-way on the landowner's property or waiving that requirement in writing and allowing those replacement trees/shrubs to be planted at alternative locations.
14. 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 NDPSC.
15. Tree/shrub replacements shall be inspected once a year for three years, on about the anniversary of the plantings, and, on or shortly before October 1 of each year, a report shall be submitted to the NDPSC documenting the condition of replacement planting and any woodlands work completed. If after three years from the anniversary of the plantings the survival rate is less than 75%, the NDPSC may order additional planting(s).

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

APPLICATION TO THE NORTH DAKOTA)
PUBLIC SERVICE COMMISSION FOR A)
WAIVER OF PROCEDURES AND TIMELINES,)
AND CONSOLIDATED CERTIFICATE OF)
CORRIDOR COMPATABILITY AND ROUTE)
PERMIT, PILLSBURY-FARGO GENERATION)
OUTLET PROJECT)

Docket No. PU-08-48

AFFIDAVIT OF SERVICE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

Tahnee Perdue, being first duly sworn on oath, does depose and say: That she is over the age of eighteen years, and not a party to the above-entitled matter;

That on the 12th day of June, 2008, this affiant served a true and correct copy of the following document in the above-captioned action:

1. Tree and Shrub Inventory Plan

That copies of the above document were enclosed and secured in an envelope and addressed as follows:

Public Service Commission
State Capitol Building
600 E. Boulevard Avenue; Dept. 408
Bismarck, ND 58505-0480

Hand-Delivered – Original and 7 Copies

To the best of affiant's knowledge, information and belief, such address as given above was the actual post office address of the party intended to be so served.

That the above documents were duly served in accordance with the provisions of the North Dakota Rules of Civil Procedure.

Tahnee Perdue
Tahnee Perdue

Subscribed and sworn to before me this 12th day of June, 2008.

Laurie Weigel
Notary Public

