

BRIDGER PIPELINE LLC

Environmental Division

Bob Dundas, P.G., Environmental Coordinator
Kate Forsting, Assistant Environmental Coordinator

Reply to:

P.O. Drawer 2360 (82602)
455 North Poplar
Casper, WY 82601
Phone: (307) 237-9301
Fax: (307) 266-0357

RECEIVED

JAN 31 2012

PUBLIC SERVICE COMMISSION

January 26, 2012

Patrick Fahn
Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

RE: Case No. PU-09-750 – Four Bears Pipeline Tree/Shrub Mitigation Update

Dear Mr. Fahn:

As an update to the subject corridor number 115 and route permit number 125, Bridger Pipeline LLC Bridger Pipeline LLC is providing the 2011 annual report prepared by the North Dakota Forest Service to satisfy the requirements of the PSC tree and shrub mitigation related permit conditions.

Bridger Pipeline LLC continues to be excited about this partnership with the NDFS and looks forward to continued progress of this project in 2012. Please call me at (307) 266-0411 or email at bob.dundas@truecos.com should you require any additional information.

Sincerely,



Bob Dundas, P.G.
Environmental Coordinator

Attachments

File: BPLLC Four Bears Pipeline



NORTH DAKOTA FOREST SERVICE

"To care for, protect and improve forest and natural resources to enhance the quality of life for present and future generations."

January 19, 2012

Bob Dundas
Bridger Pipeline, LLC
Environmental Coordinator
P. O. Drawer 2360
Casper, WY 82602

Dear Mr. Dundas,

Attached is a 2011 Annual Project Summary for the North Dakota Mitigation Tree Planting Partnership Program between the North Dakota Forest Service and Bridger Pipeline, LLC. The document describes the status of the approved program to replace trees and shrubs to comply with the North Dakota Public Service Commission mitigation requirements. This three-year program is being financed through an award from Bridger Pipeline, LLC to the North Dakota Forest Service. The project ending date is December 31, 2014.

The program was initiated by the North Dakota Forest Service on September 1, 2011, following the receipt of the tree planting mitigation payment. An advance payment of \$~~10,000~~ representing 1/3 of the total program amount was deposited in the Trees For North Dakota Trust Fund on August 15, 2011. Installment payments of 1/3 the remaining final amount will be provided to the North Dakota Forest Service on or before August 15, 2012 and 2013.

Excellent progress has been made in the implementation of the Mitigation Tree Planting Partnership Program in cooperation with local soil conservation districts, eligible landowners and private tree planting vendors. Thank you for the opportunity to assist Bridger Pipeline, LLC with its mitigation tree planting obligations set forth by the North Dakota Public Service Commission. Please do not hesitate to contact our office if you need further assistance or information.

Sincerely,

Larry A. Kotchman
State Forester

Enclosure

Four Bears Pipeline Tree Mitigation

2011 Annual Project Summary



Prepared for:
Bob Dundas
Bridger Pipeline, LLC
PO Drawer 2360
Casper, WY 82602



Larry Kotchman, State Forester
NDSU- North Dakota Forest Service
307 First Street East
Bottineau ND 58318

January 11, 2012

Overview

The 2011 Annual Project Summary for the North Dakota Mitigation Tree Planting Partnership Program between the North Dakota Forest Service and Bridger Pipeline, LLC, describes the status of the approved program to replace trees and shrubs to comply with the North Dakota Public Service Commission mitigation requirements. This three-year program is being financed through an award from Bridger Pipeline, LLC to the North Dakota Forest Service. The project ending date is December 31, 2014.

Mitigation criteria established by the North Dakota Public Service Commission (PSC) ensures that trees and shrubs lost or destroyed during construction projects are replaced at a 2:1 ratio. As a result of the Four Bears Pipeline, (a Bridger Pipeline, LLC project, case # PU-09-750) up to a maximum number of 97,278 trees and shrubs must be planted to satisfy the mitigation requirements for this project. If after the third growing season it is determined that the replanted tree and shrub replacement success rate is below 75%, Bridger Pipeline will contract with North Dakota Forest Service (NDFS) at the same rate to replant a sufficient quantity of trees and shrubs that will result in project success rate of 75% or greater.

Landowners impacted by the project have been offered a choice of having replacement trees and shrubs planted on their property or planted elsewhere at alternative locations. To date, many landowners have opted to have trees and shrubs replanted off the right-of-way on their affected properties. The trees and shrubs planted at alternative locations will be done through cooperative projects with tree planting entities and other private and public landowners.

The NDFS administers the mitigation tree planting program in cooperation with local soil conservation districts and private tree planting vendors. Interested landowners desiring to establish appropriate conservation tree plantings may apply with the NDFS for assistance. Mitigation project requests from willing landowners impacted by the construction of the Four Bears Pipeline are given priority in the proposed program. Mitigation tree planting projects identified for alternative locations throughout the state are also administered by the NDFS. Eligible landowners are encouraged to work directly with local soil conservation district partners and private tree planting vendors to secure professional tree planting design assistance and tree planting services. Mitigation project funding is available for a variety of conservation tree planting practices that are not eligible for other forms of cost-share. These practices are designed using the standard USDA conservation tree planting plan (CONS-4). Conservation practice specifications are influenced by species suitability, soil characteristics, topography, land-use and the landowner's objectives. Eligible conservation tree planting practices include, but are not limited to, living snow fences, windbreaks, wildlife plantings, riparian restoration and buffers, and vegetative fuel breaks.

2011 Update

Excellent progress has been made in the implementation of the Mitigation Tree Planting Partnership Program. The program was initiated by the North Dakota Forest Service on September 1, 2011. The following table describes the activities undertaken and the status of each as of December 31, 2011.

North Dakota Forest Service – Four Bears Pipeline Tree Mitigation – January 11, 2012

| Activity | Status - December 2011 |
|---|---|
| North Dakota Forest Service (NDFS) develops tree planting summary sheet for Soil Conservation Districts (SCDs) and vendors outlining Mitigation Tree Planting Partnership procedures. | Completed. |
| Contact county SCD offices to explain the Mitigation Tree Planting Partnership framework. Application materials are made available. | Completed. |
| NDFS provides contact information for impacted landowners and tree/shrub needs to vendors. | Completed. |
| Prepare a tree/shrub spreadsheet to track accomplishments and survival by county, landowner and site. | Completed. |
| SCD or vendor meets with landowner on site to design tree planting. All plantings will follow conservation practice specifications and ND CONS-4 (tree planting planning worksheets) are completed. | Ongoing. |
| Plans are reviewed by NDFS. NDFS develops award letters and agreements. Agreements are signed with landowners. | As of December 31, 2011, the NDFS received 84 applications for 81,535 Conservation Trees. The agency will be selecting successful planting projects following the January 20, 2012, application deadline. Projects will be selected based on their cost-effectiveness, conservation benefits, and geographic location. Projects totaling approximately 32,500 trees or one-third of the overall project goal are scheduled to be planted in 2012. Additional awards will be granted through 2013 and 2014 to meet the overall mitigation tree planting goals. |
| Class I & III Cultural Resource Surveys are completed by qualified contractor. | Ongoing. |
| Sites are prepared for tree planting by mechanical or chemical means. Trees are ordered from nurseries. Trees are delivered from nurseries and stored in coolers. Site is inspected and staked for planting. Trees are planted. Fabric weed barrier is installed. | April-November 2012, 2013, 2014. |
| Invoice sent to NDFS. Reimbursements made through NDSU Business Office. | Ongoing. |
| Landowners maintain projects as per agreement. | Ten-year agreements initiated in 2012, 2013, 2014. |