



May 6, 2020

Steve Kahl
Director of Administration/Executive Secretary
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Montana-Dakota Utilities Co. / Otter Tail Power Company 345KV Transmission Line
- Dickey County Siting Application
Case No. PU-13-840
Tree Care and Management Plan for 2020-2022**

Dear Mr. Kahl:

Otter Tail Power Company and Montana-Dakota Utilities Co. (Applicants) provide the attached Tree Care and Management Plan for 2020-2022 in support of the July 10, 2014 Order, and the Supplemental Orders dated December 16, 2015, November 29, 2017 and November 18, 2019, granting Certificate of Corridor Compatibility No. 154 and Route Permit No. 166 (together with the Findings of Fact, Conclusion of Law, and Order, hereinafter referred to as the Order) by the North Dakota Public Service Commission (Commission).

Specifically, the Tree Care and Management Plan for 2020-2022 (Attachment A) supports the December 18, 2019 Order, paragraph 4, Tree and Shrub Mitigation Specifications.

If you have any questions regarding this filing, please contact me at 218-739-8607 or pbeithon@otpc.com.

Sincerely,

/s/ PETE BEITHON

Pete Beithon
Manager, Regulatory Recovery
Otter Tail Power Company

kaw

Enclosures

By electronic filing and U.S. mail

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Cc: Dickey County Auditor's Office
c/o Bev Kuska
209 North 2nd Street
Ellendale, ND 58436

Cc (without attachments)
Ulteig Engineers, Inc.
c/o Robert Youness
419 Riverwood Dr., Suite 201
Bismarck, ND 58504

Big Stone South to Ellendale (BSSE) Tree Care and Management Plan for 2020-2022

Also known as the filing for the ND Public Service Commission
“Tree and Shrub Mitigation Plan (The Plan)”

Developed with the James River Soil Conservation office in Ellendale, ND
and in accordance with *USDA-NRCS-North Dakota
Field Office Technical Guide: Windbreak and Woodland Tree Care and Management.*

Tree Planting Location in Dickey County, ND



Landowner Andrea Jenkins graciously accepted the replacement trees on their farmstead.

Background

On November 20, 2018, the Plan’s applicants (BSSE co-owners Montana-Dakota Utilities Co. and Ottertail Power Company) filed an October 5, 2018 email with the North Dakota Public Service Commission (PSC), reporting the BSSE tree planting site had initial poor survival with about 40 percent of the trees surviving. In June 2018, the James River Soil Conservation District (JRSCD) replanted trees. At that time, it was recommended to install fencing around the trees to protect them from deer and rabbit browsing. Following the JRSCD recommendation, the applicants installed fencing around the trees. Pictures of the fenced trees were filed with the Commission on November 20, 2018.

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In June 2019, a review of the tree planting site indicated that four trees survived. Subsequently, the applicants requested JRSCD replant trees. They were unable to apply resources to this task because there were saturated soils and flooding in Dickey County. When soils did somewhat dry it was after the growing season. They will perform the next planting in the spring 2020 (the planting under this Plan).

At the suggestion of PSC Staff, the applicants included they would “Request Use of New Tree and Shrub Mitigation Specifications” in the Application for a Modified Certificate of Corridor Compatibility dated August 5, 2019. The request to use the new tree and shrub mitigation specifications is intended to comport with more recent mitigation plans.

The August 5, 2019 application was approved, and the co-owners will follow the new tree mitigation rules. The applicants will monitor the planting site and file a report two years after the planting (as detailed in current PSC order). In spring 2020, the JRSCD will replant the site with 60 evergreen trees as detailed in the Plan for the co-owners.

Current PSC Order Detail

The purpose of the Plan is to create sustainable plantings, as appropriate for the local soil and growing conditions that will provide long-term benefit to landowners, farmers and ranchers, the community, wildlife and the environment. The Plan, including the proposed number, variety, type, location, and approximate date for plantings, shall be filed with and approved by the Commission.

Two years after completion of the Plan (after filing and approval), the company must file a summary documenting how the plan achieved the purpose outlined above. The summary must also report the number of surviving replacement trees and shrubs.

The guidelines outlined in the USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management (Guide) shall be followed until filing of the Plan summary. JRSCD personnel (Jeremiah Ulmer) confirmed that the link: https://efotg.sc.egov.usda.gov/references/public/ND/Tree_Care_and_Management.pdf below is the current Guide and has been very helpful in discussions about the Plan and ordering the plantings.

Details for ND PSC Order compliance

- *Proposed number:* 60 new hand plantings in 2020 (see JRSCD Invoice order).
- *Variety:* Conifers and Evergreens (selected by District to discourage deer and goats from grazing).
- *Type:* Hand plantings.
- *Location:* Andrea Jenkins property SE of Ellendale, N.D.
- *Approximate date for plantings:* May 2020, depending upon flooding in the area may be delayed to June 2020 (or later).

Items of Note in the Guide

The BSSE project has been working with the JRSCD to plant trees on Andrea Jenkins property. Some items in the Guide do not apply or are not within the scope of this project. Below is a list of the items we are calling out for applicability to our project that we are following in the Guide.

- PLANT STOCK REQUIREMENTS-STORAGE OF STOCK-CARE AND HANDLING REQUIREMENTS
 - Applies to this Plan: Plantings are provided by the local district and are being planted by these experts. The plantings should be compliant with the items in these sections.

- PLANTING SITE PREPARATION-PLANTING
 - Applies to this Plan: Planting site has already been selected by landowner in conjunction with the project and is the site of our prior planting with fabric installed (and cages installed to prevent grazing by animals). This site was previously acceptable by all groups. Success was primarily not achieved due to grazing on the plants, not the soil, planting and preparation. The trees will be installed in the existing fabric and planted by hand by the local district experts (or under their supervision). Cages will be reinstalled to prevent grazing on the newly planted trees.

- MAINTENACE AFTER PLANTING
 - Applies to this Plan: A review of the fabric that is controlling vegetation around the plantings will occur at least annually and its ability to control harmful vegetation will be maintained by patching fabric (if possible) for the duration of the BSSE required monitoring period (up through the 2022 growing season).

- REPLANTING
 - Applies to this Plan: The trees that do not survive will be replaced for the duration of the BSSE required monitoring period (up through the 2022 growing season).

- PREVENTING AND REPAIRING DAMAGE
 - Applies to this Plan: Inspection will occur on at least an annual basis to determine if replanting is needed in the spring, to assess condition of surviving plants and identify possible threats to their survival. Weeds should be controlled by the fabric, but we will assess if there are impacts during the annual inspection.

- REQUIRED SURVIVAL PERCENTAGE
 - Applies to this Plan: This section will be viewed not as a requirement for a specific number of trees to survive but used as a guide to indicate the Plan's success. The prior plantings have not survived but we will continue

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to replant the trees that do not survive through the 2022 growing season. It is expected that the additional efforts we are undertaking (recurring inspections, maintaining fabric barrier, installed cages) will allow us to meet or exceed the goal of 75% survival when we submit a final filing to the PSC. Not all surviving trees listed in the final filing may be from the 2020 initial hand planting. We will not maintain or plant additional trees beyond 2022.

Schedule

Plants have been ordered through the JRSCD (January 2020) and will be planted in the spring (or when soil is ready/not flooded and frozen). An inspection will occur in the fall of 2020. If needed, plants will be identified for replacement and that would occur in spring 2021. The next inspection will be fall of 2021 and if needed, replanting will occur in spring 2022. We will conduct a final inspection in late in 2022. All dates are contingent upon the approval of the Plan by the PSC.

This final inspection will be followed by a summary filed with the ND PSC documenting how this plan achieved the purpose of create sustainable plantings, appropriate for the local soil and growing conditions that will provide long-term benefit to landowners, farmers and ranchers, the community, wildlife and the environment. The summary will include the number of surviving replacement trees. As indicated before, the guidelines outlined in the Guide shall be followed until filing of the Plan summary. This final filing will complete all requirements for tree replanting and care for the BSSE project.

It is anticipated that the executed plan will provide the landowner (and others) with a new, hardy, long-living group of trees that survive in ND. They will provide shade, windbreak, beauty and ecosystem diversity for wildlife for the next generation.

-End Plan Details-

Attachments:

- Three Party Signatory Page (page 5)
- 2020 Montana-Dakota tree order with James River SCD
- Example of a prior planting/survival form from James River SCD to indicate what records will be with the final filing.

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**Signatory Page-Documentation of Associated Parties Review
and/or Development of the Plan for BSSE**

- This Plan was developed by Mark Dihle, a Sr. Environmental Specialist for Montana-Dakota Utilities Co. for the BSSE Project. I reviewed the *USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management* prior to Plan development.



4/21/2020

Signature (Mark Dihle, Montana-Dakota Utilities Co.) Date

- I reviewed this Plan and it was developed with the approval of the JRSCD office in Ellendale, ND. It appears to be in accordance with *USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management*.



4-1-2020

Signature (Jerimiah Ulmer; James River SCD)

Date

- I reviewed this plan and I (landowner where the plantings will be located) was consulted for its approval before execution and filing with the ND PSC. Other than allowing planting and inspections there are no additional requirements for me as landowner.



4-16-2020

Signature (Andrea Jenkins, landowner)

Date

James River Soil Conservation District

PO Box 190
 Ellendale, ND 58436

Phone: 701-349-3653 ext 3

Montana Dakota Utilities
 Environmental - Mark Dihle
 400 N 4th St
 Bismarck, ND 58501-4092

January 22, 2020
 2020 Handplants

Description	Qty	Unit Price	Price
Handplanting 60 Evergreens	1	\$ 390.00	\$ 390.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Total Trees Ordered	1		\$ -
		Non-Taxable Trees	\$ 390.00
		Taxable Trees	\$ -
		Sales Tax	\$0.00
		Total Order	\$ 390.00

Make Checks Payable To:
James River SCD



400 North Fourth Street
Bismarck, ND 58501
701-222-7900

January 27, 2020

James River SCD
Jeremiah Ulmer, District Technician
Po Box 190
Ellendale, ND 58436

Re: 2020 Tree Planting BSSE/Andrea Jenkins

Dear Mr. Ulmer:

Attached is the check for payment for the January 22, 2020 invoice referencing the 2020 Handplants that you will be doing for us this coming spring. The 60 evergreens will be planted as part of the BSSE line project that Montana-Dakota Utilities Co. and Ottertail Power are co-owners of.

We thank you very much for working with us and I will be following up on the planting with you in the future. If you need to contact me, call 701.222.7865 or email me at mark.dihle@mdu.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Dihle', is written over a faint, light blue circular watermark or stamp.

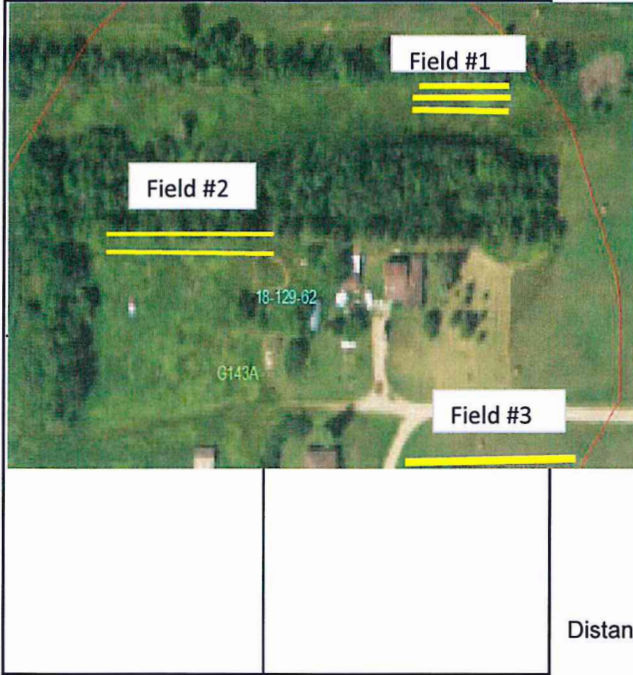
Mark Dihle
Sr. Environmental Specialist

Enclosures

cc: Dan Albrecht PE, Supervisor Engineering Services

Tree and Shrub Planting Plan and Record

Name Andra Jenkins Address 9855 91st Ave. SE Ellendale, ND Phone 701-349-3919



SE Quarter 18 Sec 129 Twp 62 Range

Planned by: JU Planted by: Tree Crew
Date: 7/29/2015 Date: _____

F/Stead XXXX ; Field _____ ; W/Life _____
S/Fallow _____ ; if other, specify type of
land preparation _____

New Planting XXXXXX ; Replants _____
(Indicate date of original planting) _____

CRP _____ ; EQIP _____ CO-01 _____
Other (Indicate) Big Stone Project

Between the row spacing 16 feet

Soil Type G143A Suitability Group 3,1

Protected from Grazing Yes (Yes, No)

Distance from Road and/or Buildings Yes

Condition of site
at planting time: Tilled by District
(Good, Fair, Poor)

Approved _____ (Yes, No) Date _____
By: _____ Title _____

Field No.	Planned Length	Planted Length	Planted Width (Inc. 10' on ea. side of planting)	Dead Trees	Row #	Row #1 is on North or West Side of <u>NORTH</u>	Species of Tree or Shrub	Spacing in row	Number Planted (Estimated)	Number Planted (Actual)	Spraying and/or Cultivating Plan and Record. (State how weed control is to be accomplished: - type of spray & rate and/or type of cultivation/equipment - indicating when action is to take place.)
<u>1</u>	<u>200</u>				<u>1</u>		<u>Black Hill Spruce</u>		"	18	
	<u>200</u>				<u>2</u>		<u>Colorado Blue Spruce</u>		"	18	
	<u>200</u>				<u>3</u>		<u>Black Hill Spruce</u>		"	19	
									"		
<u>2</u>	<u>200</u>				<u>1</u>		<u>Black Hill Spruce</u>		"	14	
	<u>200</u>				<u>2</u>		<u>Colorado Blue Spruce</u>		"	15	
									"		
<u>3</u>	<u>200</u>				<u>1</u>		<u>Ponderosa Pine</u>		"	16	
									"		
									"		
									"		
	<u>1200</u>	<u>0</u>							<u>0</u>	100	