



September 30, 2021

Mr. Patrick Fahn
Director, Public Utilities Division
North Dakota Public Service Commission
600 East Boulevard Avenue, Dept 408
Bismark, ND 58505-0480

**Re: Project: 24-Inch Crude Oil Pipeline – Sandpiper Project
Case No.: PU-13-848
Survival Monitoring – Sandpiper Tree and Shrub Mitigation**

Dear Mr. Fahn:

Under jurisdiction of the North Dakota Public Service Commission (PSC), the North Dakota Pipeline Company, LLC (Enbridge) expanded its Beaver Lodge, Stanley, and Berthold Stations in association with its Sandpiper Pipeline Project (Case No. PU-13-848). Expansions at the Beaver Lodge and Stanley stations required the removal of 45 trees and shrubs.

Under the current rules regarding tree and shrub removal, Enbridge was required to replace the trees and shrubs following a 2:1 replacement ratio, or 90 total plants. This would have required the surviving plant community and count to contain two trees and 88 shrubs.

In April 2019, the PSC approved a Tree and Shrub Mitigation Plan (Plan) and Addendum specifying that the replacement planting would be conducted at the Berthold station on Enbridge property in the SWNW Section 21, Township 156N, Range 86W, Ward County, near an existing planting. Instead of a 2:1 replacement ratio, Enbridge used a 4:1 replacement ratio for trees, and a 3:1 ratio for shrubs to bring the planned number of plants to 136 to improve survival and success rates. Planting was conducted June 10, 2019 by Premier Landscaping from Minot, ND.

After a documentation of the vegetation on June 11, 2019, it was determined that there were 135 total plants (4 ash trees, 21 chokecherries shrubs, 42 prairie rose shrubs, and 69 western snowberry shrubs) surpassing the minimum 2:1 ratio of replacement planting. Some of the individual shrubs were observed to have minor broken stems, or no leaves, but these findings were not of major concern.

Following the September 11, 2020 survey of the vegetation conducted by Wenck Associates, Inc. (Wenck), it was determined that there were 119 plants, a decrease of 13.0% from the original planting. The reductions in plant numbers occurred in the prairie rose (7), chokecherry (5), and western snowberry (5). At that time, planting area has become dominated with invasive weeds, some of which are considered noxious in the State of North Dakota, especially in original planting areas where shrubs had died. Enbridge began weed management and control, mowing the area regularly and have been able to eliminate the growth and prevent further spread.

In correspondence dated August 11, 2021, the PSC provided Enbridge with the option to comply with the March 13, 2019 simplified version of the Tree and Shrub Mitigation Specifications (March 13 simplified version). Enbridge chose to comply with the March 13 simplified version, which requires that after two years from the initial planting, Enbridge file a summary documenting how the plan achieved the purpose of creating sustainable plantings appropriate for the soil and growing conditions that will provide long-term benefit to landowners, farmers and ranchers, the community, wildlife, and the environment. On September 2, 2021, Enbridge conducted a field visit to document the number, variety, and condition of the plantings and status of the noxious weeds. Results of the 2021 field survey and overall planting assessment are summarized below.

Results

Since Enbridge began weed control and mowing, the health and appearance of the planted vegetation has improved. Total surviving observed species included 4 green ash trees, 22 prairie rose, 15 chokecherry, and 63 western snowberry shrubs. Overall, 104 plants were recorded, a decrease of 23% from the original planting, surpassing the minimum 2:1 ratio of replacement planting. The reductions in plant numbers occurred in the prairie rose (17), chokecherry (8), and western snowberry (6).

Ash trees appeared improved from the previous year, with few leaves observed in the September survey, however, vegetative growth was observed through the spring and summer; the remaining prairie rose shrubs have improved but have not exhibited much vegetative growth, and remaining chokecherry were green and hardy and had exhibited significant vegetative growth, with some evidence of herbivory. All western snowberry plants observed were in good health and growing vigorously, despite evidence of some herbivory. Photographs are provided in Attachment 1.

Summary

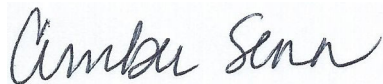
The counts of planted trees and shrubs exceeded the required ratios and were of the appropriate species. A decline in plant survival since the initial planting was observed. The planted stock of prairie rose appears to be in less than perfect condition and seemingly experiencing some drought stress along with the green ash trees due to the extreme drought conditions observed in the region this year. The chokecherry and western snowberry shrubs appear to be hardy and vital.

The documented vegetation still exceeds the 2:1 replacement ratio required by the PSC and the previously observed noxious weed infiltration has been managed and will continue to be managed which will allow for the continued establishment the planted species along with desirable native or hayland species.

All plantings that were chosen are native species and common varieties consistent with guidance from the United States Department of Agriculture, the Natural Resources Conservation Service, and the North Dakota Department of Agriculture. The addition of the planted varieties to the existing tree and shrub windbreak provides several benefits to the local landowners, farmers, wildlife, environment, and the nearby community of Berthold by providing the area additional: biodiversity to the ecosystem, habitat, resistance to erosion, crop protection, as well as enhancing the visual appeal. The existing vegetation also provides additional protection for the young plantings with the harsh winter winds, which will aid in their continued long-term establishment.

If you have any questions or require additional information, please contact me at 701-430-4140 or Jason Risdall at 218-348-5991.

Sincerely,



Amber Senn
Environment Advisor, Midwest Region – North Dakota

Attachments

cc: Chad Mosser – Enbridge
Berthold File

Attachment 1 – Photographs



Photo 1

View of the shrub plantings with the existing trees/shrubs. Leaves were observed on the shrubs throughout the spring and summer.



Photo 2

View of the four 10-foot-high green ash trees ('Rugby' variety) are visible with existing trees/shrubs in background. Leaves were observed on the trees throughout the spring and summer.



Photo 3

View of the shrub plantings with the existing trees/shrubs.



Photo 4

View of the shrub plantings with the existing trees/shrubs.



Photo 5
View of the southwest end of the planting with the least number of surviving shrubs.



Photo 6
Close-up view of the shrub plantings, one dead shrub visible.



Photo 7
Overview of the planting area and existing trees/shrubs looking N-NW.

