

McKenzie County Soil Conservation District
PO Box 583
Watford City, ND 58854

December 19, 2017

Dakota Access, LLC
Fredrickson & Byron, P.A.
1133 College Drive, Suite 1000
Bismarck, ND 58501-1215

RE: Offer of Dakota Access, LLC to Plant 20,000 trees in North Dakota

Dear Dakota Access,

The McKenzie County Soil Conservation District (MCSCD) has received your letter regarding 4,000 trees we are to receive after the settlement with the Public Service Commission. Although we are eager to get these trees planned with landowners that were affected by the pipeline we have a few concerns.

Our main goal is to aid a resource concern that the landowner has determined. When we address the resource concern with trees we typically use multiple rows of different tree and shrub species.

The process we use is based off of the Natural Resources Conservation Services ("NRCS") Field Office Technical Guide ("FOTG") that has years of science put into it. The first thing we do after identifying a resource concern is determine what the soils are rated and go to the FOTG for confirmation on what trees/shrubs would be suited in the area. Over several years, the MCSCD and NRCS staff in Watford City have studied what species do best in McKenzie County which has helped us create a "Low Survivability Rate" list for species that we do not recommend to landowners.

It is our concern, that nine of the fifteen trees on the list provided are offered in McKenzie County as well as four of those nine are listed on our Low Survivability Rate list leaving only five tree species to choose from, no shrubs.

The MCSCD would like to request that we follow our scientific proven process in determining species rather than choosing just from the list provided. We would also like to use shrubs and trees to create an effective belt for each resource concern.

If this is possible, we do our planning for 2019 tree planting in the summer/fall of 2018 so the earliest we can get tree plan estimations to you is October 1st, 2018.

Sincerely,


Jacquyn Cargo
District Program Manager
McKenzie County Soil Conservation District

398 PU-14-842 Filed: 12/19/2017 Pages: 4
Copy of letter in response to 3 Nov. 2017 letter re
Soil Conservation District trees

McKenzie County Soil Conservation District
Jacquyn Cargo

McKenzie County Soil Conservation District
PO Box 583
Watford City, ND 58854

Enclosures: MCSCD Trees suited for planting in McKenzie County
MCSCD Low Survivability List

CC: North Dakota Public Service Commission
CC: Ashley Thompson, Perennial Environmental
CC: Jonathan Minton, Energy Transfer Company

MCSCD TREE/SHRUB AVAILABILITY LIST

Shrubs

Black Chokeberry..... _____
Buffaloberry _____
Caragana _____
Cherry, Nanking _____
Cherry, Sand..... _____
Chokecherry _____
Currant, Golden _____
Dogwood, Redoiser _____
Honeysuckle _____
Juneberry _____
Lilac, Common _____
Lilac, Villosa _____
Rose, Hanson Hedge _____
Seabuckthorn _____
Sumac. Skunkbrush _____

Deciduous Trees

Apricot, Hardy..... _____
Ash, Green..... _____
Boxelder _____
Cherry, Black..... _____
Cottonwood, Siouxland _____
Crabapple, Midwest..... _____
Elm, Siberian _____
Hackberry, Oahe _____
Maple, Amur _____
Oak, Bur _____
Olive, Russian _____
Pear, Ussurian..... _____
Plum, American..... _____
Poplar, Hybrid..... _____
Poplar, White _____
Willow, Golden _____

Conifers

Black Hills Spruce..... _____
Colorado Blue Spruce _____
Ponderosa Pine _____
Rocky Mt. Juniper _____
Scotch Pine..... _____

The MCSCD and Watford City NRCS does not recommend the planting of the following species due to low survivability rates and higher levels of management to maintain (The district will not replace the following trees if they do not survive):

- Ponderosa Pine
- Buffaloberry
- Rocky Mt. Juniper
- Hackberry
- Burr Oak
- Nanking Cherry
- Sand Cherry