

April 12, 2021

VIA E-MAIL AND FEDERAL EXPRESS

Mr. Steven Kahl
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

Re: Aurora Wind Project, LLC
345 kV Transmission Line – Williams & Mountrail
Siting Application
Case No. PU-18-351

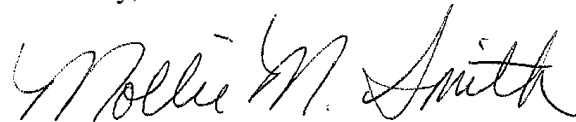
Dear Mr. Kahl:

In accordance with the Tree and Shrub Mitigation Specifications (“Specifications”) incorporated into the North Dakota Public Service Commission’s (“Commission”) May 29, 2019 Findings of Fact, Conclusions of Law and Order issuing a Certificate of Corridor Compatibility and Route Permit to Aurora Wind Project, LLC (“Aurora”) in the above-referenced docket, Aurora hereby submits an original and ten (10) copies of this letter and a Tree and Shrub Replacement Plan (“Replacement Plan”). Electronic copies of this letter and the Replacement Plan were filed today with the Commission via e-mail.

In accordance with Paragraph No. 9 of the Specifications, the Replacement Plan updates the pre-construction tree/shrub inventory by identifying the actual number of trees/shrubs removed during construction. In addition, the Replacement Plan provides the information required pursuant to Paragraph No. 10 of the Specifications. Therefore, Aurora respectfully requests that the Commission approve the Replacement Plan.

If you have any questions, please let me know.

Sincerely,



Mollie M. Smith
Direct Dial: 612.492.7270
Email: msmith@fredlaw.com

Mr. Steven Kahl
April 12, 2021
Page 2

MS/rg/72648230
Encls.

cc: Jeremy Price (w/ encl.)
Jenni Dean (w/ encl.)

**TREE AND SHRUB INVENTORY AND MITIGATION
PLAN FOR AURORA WIND ENERGY
345-kV Transmission Line**

Prepared for:
Enel Green Power North America, Inc.
Aurora Wind Project, LLC

Submitted by:
KC Harvey Environmental, LLC
376 Gallatin Park Drive
Bozeman, MT 59715

April 9, 2021

Introduction

This report presents the tree and shrub post-construction field inventory and the proposed mitigation plan for the Enel Green Power North America, Aurora Wind Project, LLC which will mitigate the trees and shrubs that were removed during the construction of the Aurora Wind Project (Aurora Wind) in Williams and Mountrail Counties, North Dakota. Aurora is completing construction within 44,000 acres of land approximately five miles northwest of the City of Tioga. The project consists of a wind farm with 80 wind turbines, a series of electrical collection and communications lines, and a 345-kV Transmission Line approximately 20 miles long connecting to the Basin Electric Power Cooperative Tande Substation located in Mountrail County. This report concerns the trees and shrubs to be mitigated in relation to the construction of the 345-kV Transmission Line.

To minimize construction impacts, the North Dakota Public Service Commission (NDPSC) limited the width for right-of-way (ROW) construction for the wind farm electrical collection and communication lines to 50 feet through shelterbelts, windbreaks, and all other wooded areas. In addition to the wind farm underground infrastructure, a 150-foot active right-of-way (ROW) was established and vegetation was removed or mowed along the 345-kV transmission line. Aurora recorded the quantity and species of trees and shrubs in windbreaks, shelterbelts, and native wooded areas affected by the project's permanent structures and additional temporary workspaces (ATWS) disturbed during construction.

Field Inventory

Aurora Wind submitted the Tree and Shrub Replacement Plan in 2019 to the NDPSC outlining the pre-construction inventory of potentially impacted trees and shrubs within the project study area. The initial inventories were conducted in July and August of 2019 using an approved sample plan and direct stem count to satisfy the NDPSC permitting requirements for the Aurora Wind Project. The initial inventory area included a 400-foot wide survey area centered along access roads, collector routes, transmission lines, as well as a 500-foot radius around wind turbine locations. A total of 8,141 individual trees and shrubs were counted in the survey including 5,243 trees and 2,898 shrubs consisting of 20 different species. Thirty-one different landowners had the potential for tree and shrub removal based on the preconstruction inventory.

The actual number of trees or shrubs removed varied from the preconstruction inventory depending on the final workspace area, avoidance during construction, and site-specific conditions during construction (weather, soil saturation, and season). The post construction inventory was completed using the same methods outlined in the Tree and Shrub Replacement Plan and a separate accounting was made for the wind farm and transmission lines. Data collected for the post construction inventory included:

- Unique feature ID
- GPS Location
- Tree/shrub disturbed area (acres)
- Field Crew ID
- Inventory date
- Species name
- Count of individual trees and shrubs removed

Since the original inventoried area was much larger than the actual disturbance and since best management practices were applied during construction, it was determined that only 299 trees and shrubs were removed during the construction of the 345-kV Transmission Line. This is compared to the original potential impacted count of 8,141. The post-construction inventory identified 10 unique species of trees and shrubs within the mitigation count. Table 1 includes the map locations, landowners, species, quantity removed, and

replacement count based on the removal quantity documented by the inventory. The map removal locations are illustrated on the attached Tree and Shrub Post-construction Inventory Maps.

Following the North American Electric Reliability Corporation (NERC) Guidelines and Aurora Winds policy; vegetation should be limited only to grasses and shrubs having a maximum 7-9-foot crown height within the wire zone (i.e., the horizontal distance of the most exterior conductor + 30'). Given these guidelines, only Western snowberry and Canadian gooseberry will be allowed to re-establish in the wire zone and mitigation will not be required since only mowing has occurred within these areas.

Table 1. Trees and Shrubs identified for Replacement

Map ID.	Landowner	Species	Section/ Township/ Range	Number Removed	Replacement Count	Replacement Accepted (Full/Partial/Waived)
101	Tande	Silver buffaloberry	S19/158N/96W	12	24	Waived
102	Tande	Silver buffaloberry	S19/158N/96W	5	10	Waived
104	Tande	Silver buffaloberry	S19/158N/96W	8	16	Waived
105	Larson	Silver buffaloberry	S20/157N/94W	15	30	Partial
106	Larson	Silver buffaloberry	S20/157N/94W	36	72	Partial
107	Syverson	Caragana	S19/158N/96W	27	54	Waived
107	Syverson	Green ash	S19/158N/96W	8	16	Waived
107	Syverson	Siberian elm	S19/158N/96W	2	4	Waived
108	Ongstad	Colorado Blue spruce	S14/157N/95W	8	16	Full
109	Biwer	Russian olive	S19/158N/96W	5	10	Waived
110	Biwer	Russian olive	S19/158N/96W	3	6	Waived
111	Nelson	Siberian elm	S14/157N/96W	30	60	Waived
112	Nelson	Siberian elm	S14/157N/96W	30	60	Waived
113	Nelson	Siberian elm	S14/157N/96W	30	60	Waived
114	Nelson	Siberian elm	S14/157N/96W	30	60	Waived
115	Tong	Siberian elm	S9/157N/96W	28	56	Full
116	Thompson	Native cottonwood	S19/158N/96W	12	24	Full
116	Thompson	Quaking aspen	S9/158N/96W	10	20	Full
Totals				299	598	

Replacement Plan

Trees and shrubs requiring replacement (Table 1) require a 2:1 replacement ratio as specified in the NDPSA Tree and Shrub Mitigation Specifications:

- Two, 2-year-old saplings must be planted for every one tree removed.
- Two shrubs (stem cuttings) must be planted for every shrub removed.
- In native growth areas outside of the PROW, shrub inventory replacement would not be required if shrubs are allowed to regenerate naturally provided:

- Shrubs are cut flush with the surface of the ground, taking care to leave the naturally occurring seed bank and root stock; or
- If the native topsoil is preserved and replaced after construction.

Shrubs were mowed along the transmission line in native areas for the layout and installation of electrical lines. These areas where shrubs have been cut flush with the surface while preserving native topsoil are within the wire zone of the transmission line. Aurora Wind intends on allowing small shrubs (Canadian gooseberry & Western snowberry) to regenerate and establish within the transmission line ROW including the wire zone. Larger shrubs including Silver buffaloberry will continue to be managed (mowed) since the mature crown height of this species exceeds the NERC best practice guidelines in these zones.

Using the NDPSC mitigation planting ratios, 598 trees and shrubs will be planted for the replacement of the trees and shrubs disturbed during the construction of the 345-kV Transmission Line. These replacement plantings will follow the NDPSC guidelines.

Trees and shrubs disturbed as a result of construction will be replaced by the same or similar species. Invasive species listed in Table 2 will be replaced using alternative species as required by the NDPSC. In addition to these NDPSC requirements, consideration for site conditions, species availability, and landowner preference may also require the use of supplemental species at certain locations. Use of Green ash as a direct replacement and supplement replacement will be avoided when possible. The North Dakota Forest Service (NDFS) no longer recommends Green ash to be planted in windbreaks in North Dakota. Green ash is the most prevalent species of deciduous tree in North Dakota and with the encroachment of Emerald Ash Borer from neighboring states; a similar supplemental species should be utilized for the replacement planting to promote species diversity. Table 2 provides a summary of the planned species replacement and nursery stock designation.

Table 2. Substituted Tree and Shrub species replacement

Type	Inventoried Species	Replacement Species	Nursery Stock
Shrub	Caragana	Common chokecherry/ Black currant	12" Bare-root seedlings
Shrub	Amur Honeysuckle	Juneberry	8" Container stock
Tree	Quaking aspen	Quaking aspen	12" Bare-root seedlings
Tree	Russian olive	RM juniper/ American plum	2-1/Bare-root OR 12" Bare-root seedlings
Tree	Siberian elm	Bur oak/Hackberry	12" Bare-root seedlings OR 8" Container Stock
Tree	Crab apple	American plum	12" Bare-root seedlings
Tree	Green ash	Bur oak/Hackberry	12" Bare-root seedlings OR 8" Container Stock
Tree	Silver buffaloberry	Silver buffaloberry	8" Container stock
Tree	Colorado Blue spruce	Black Hills spruce	3-0/Bare-root
Tree	Native cottonwood	Native cottonwood	12" Bare-root seedlings

Not all of the planting sites have been finalized for planting in 2021. The planting locations for the 598 replacement plants are proposed to be distributed among the 4 participating landowners identified in Table 1. The landowners where each tree or shrub removal has occurred have been contacted regarding the replacement planning. Not all landowners elected to have replacement trees and shrubs planted. This resulted in surplus plants that will be reallocated to other locations where different landowners desired additional planting to occur. All landowners have been given the option to have the plantings located in the

vicinity of the removed plants or planted in windbreaks and shelterbelts elsewhere. Replacing the trees and shrubs in windrows may help improve survival as irrigation and maintenance would be more practical.

Aurora Wind will obtain nursery stock from local nurseries (within 200 miles latitude, 400 miles longitude, and 2000' elevation) for optimal survival. The two primary nurseries used will be Towner Nursery in Towner, North Dakota and the state-owned Lincoln-Oakes Nursery in Bismarck, North Dakota. Two-year-old bare-root saplings and container grown stock will be acquired for the planting as directed by the NDPSC. A refrigerated enclosed trailer will be used to transport and store the materials until planted. Certain hardwood species (Hackberry and Bur oak) exhibit deep bud dormancy and may fail to emerge from dormancy after planting. To prevent this mortality, sweating prior to planting will take place for 5-10 days or until the buds have visibly swelled up.

The planting location will be staked out, prepared, and mowed to mitigate vegetation. Polymer will be used to prevent desiccation of the roots, and roots will be trimmed as appropriate when planted. The trees and shrubs will be hand planted on site, and followed up with an initial watering event to promote root-soil contact and subsist the plant if soil conditions are dry. Aurora Wind proposes to complete planting during early May 2021, permitting weather and appropriate soil conditions arise. Upon completion of planting in 2021, a baseline report will be prepared to document the final replacement count by species for each location. This will include any alternative planting locations needed to achieve the replacement count.

Monitoring

All tree and shrub replacements will be inspected annually in September for three years, beginning one full year after the mitigation planting. Electronic data from the monitoring efforts will be compiled and summarized for the annual inspection reports for the NDPSC. The annual monitoring report will include a summary of the monitoring, maintenance efforts, and survival rates as well as inventoried natural regeneration of trees and shrubs along the construction disturbance sites. Annual monitoring events do not begin until one full year after the initial planting. Monitoring and annual report preparation will be completed for three years, with the final monitoring inventory in September 2024. All reports will be produced and submitted to the NDPSC by October 1 of each year. If the survival rate of the plantings exceeds 75% following the third monitoring event (September 2024), the mitigation will fulfill the NDPSC mitigation requirement.

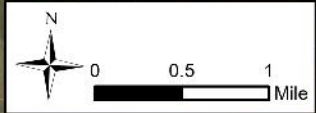
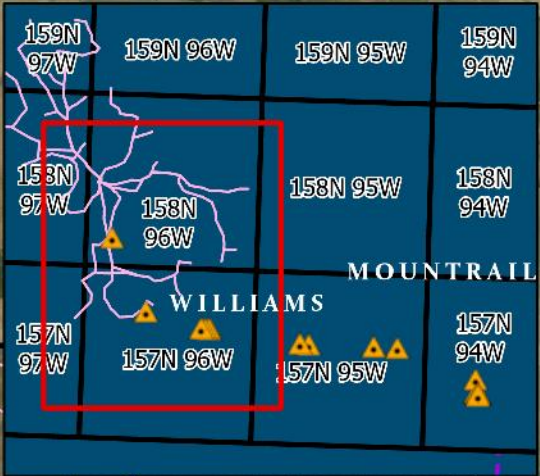
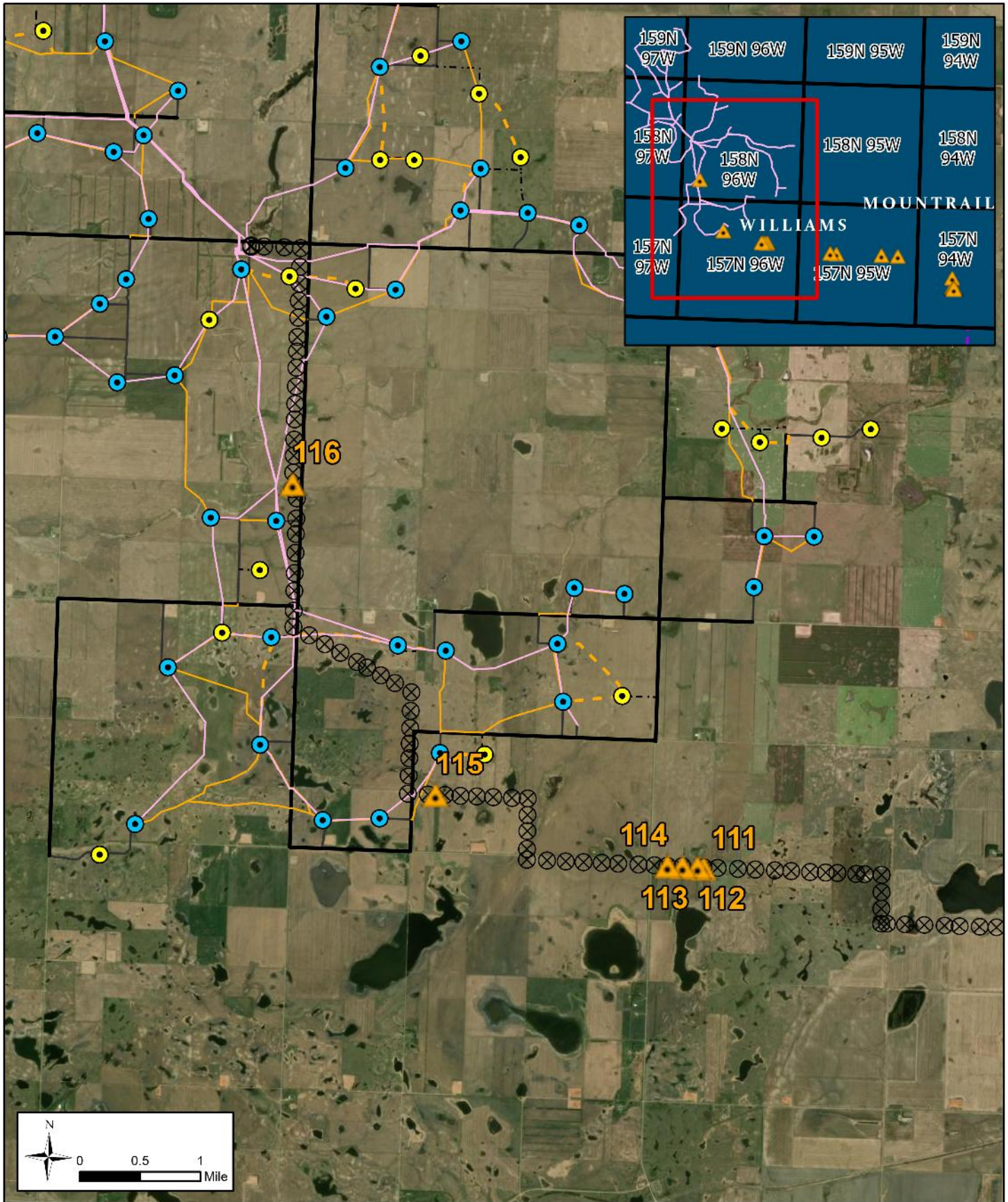
Attachments

1. Tree and Shrub Post-construction Inventory Maps

References

Western Eco Systems Technology Inc. 2019. Tree and Shrub Replacement Plan, Aurora Wind Energy Project Williams County, North Dakota. Bismarck, North Dakota.

North American Electric Reliability Corporation Vegetation Management Standard Drafting Team. 2010. Transmission Vegetation Management Standard FAC-003-2 Technical Reference. Princeton, New Jersey.



KC HARVEY

376 Gallatin Park Drive
Bozeman, MT 59715
www.kcharvey.com

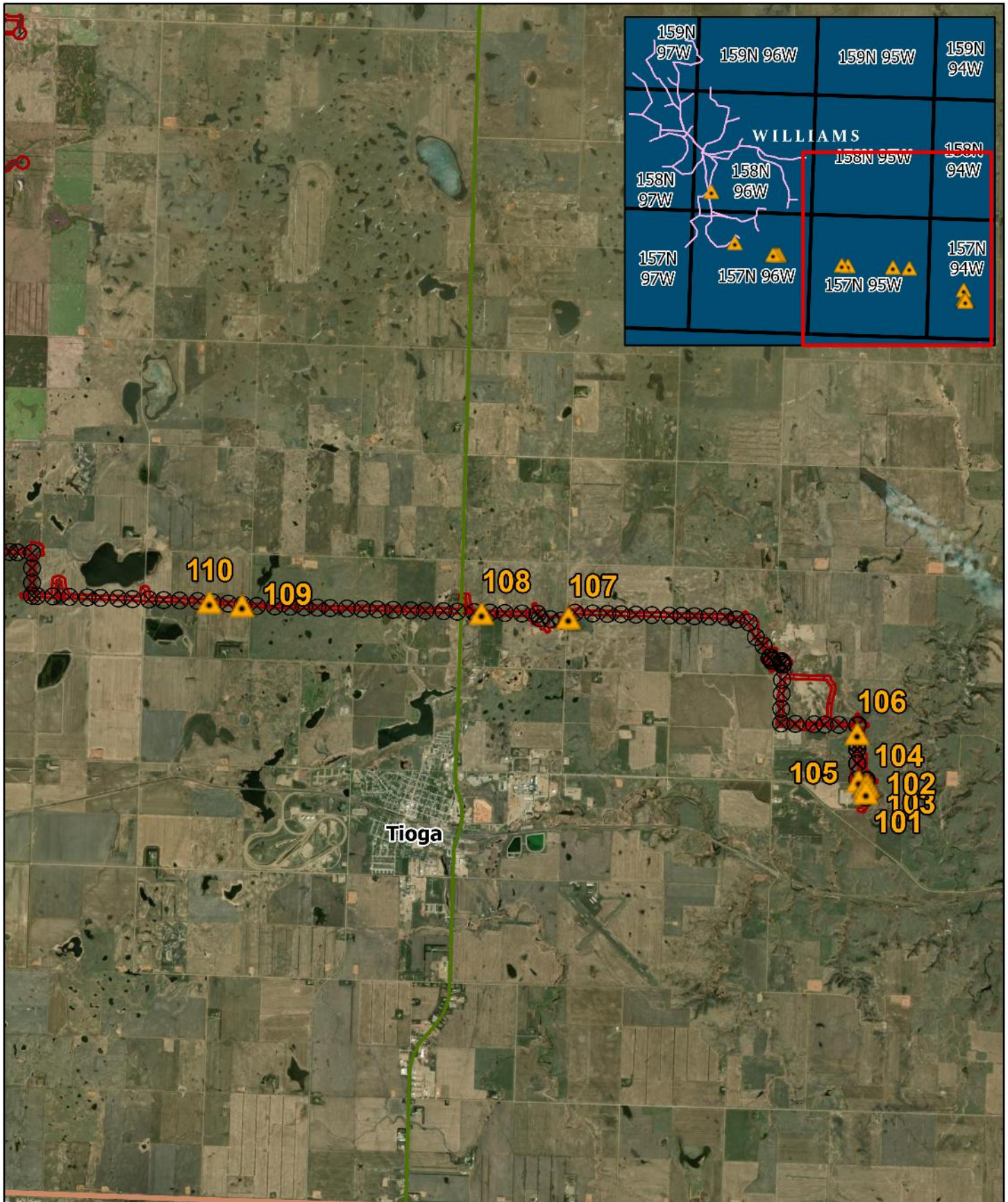
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|----------------------|-------------------|---------------------|
| Transmission Line | Alternate Turbine | --- Access Road Alt |
| ▲ Inventory Location | ● Array | — Crane Walk |
| ● Primary Turbine | ⊗ T Line Pole | - - Crane Walk Alt |
| ● Array | Collection RES | — Delivery Road |
| | — Circuit Array | — Access Road |

Aurora Wind, LLC

Aurora Wind Inventory Locations
Transmission Line North Map

Date: April, 2021

Imagery: NAIP, 2017



KC HARVEY

376 Gallatin Park Drive
Bozeman, MT 59715
www.kcharvey.com



0 0.5 1
Mile

- Transmission Line
- ▲ Inventory Location (101)
- ⊗ T Line Pole
- ▣ Cultural Corridors

- Access Road
- US Hwy
- State Hwy

Aurora Wind, LLC

Aurora Wind Inventory Locations
Transmission Line South Map

Date: April, 2021

Imagery: NAIP, 2017

Attachment 1

**Landowner
Tree and Shrub Mitigation
Record of Discussion Forms**

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

Wind Project
Transmission

In accordance with the North Dakota Public Service Commission's (PSC) Order issued for the Aurora Wind Project and its Transmission Facilities, for every tree removed during construction within the project boundary, two 2-year old saplings must be planted. Similarly, two shrubs (stem cuttings) shall be planted for every one removed. The replacement vegetation must be the same or a similar species, suitable for North Dakota growing conditions. Landowners must be given the option of having their replacement trees and shrubs planted on their property. The landowner must also be given the opportunity to waive those options in writing in order to have replacement trees and shrubs planted off the Landowner's property.

Agreement Number: 3269500 Lease or Easement Number: 9

Name: Astrid Ongstad
Po Box 1244
Address: Devils Lake, ND 58301
Phone: 701-662-2351
Email: _____

Landowner Requests **All** Trees/Shrubs are Replanted on Their Property

Notes: must be contacted before being replanted - we want to pick where trees/shrubs are replanted? than ks.

Landowner Requests **Some** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **No** Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: Astrid Ongstad by Vicki Hauger Date: 3-11-2021

Wind Project
Transmission

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

In accordance with the North Dakota Public Service Commission's (PSC) Order issued for the Aurora Wind Project and its Transmission Facilities, for every tree removed during construction within the project boundary, two 2-year old saplings must be planted. Similarly, two shrubs (stem cuttings) shall be planted for every one removed. The replacement vegetation must be the same or a similar species, suitable for North Dakota growing conditions. Landowners must be given the option of having their replacement trees and shrubs planted on their property. The landowner must also be given the opportunity to waive those options in writing in order to have replacement trees and shrubs planted off the Landowner's property.

Agreement Number: 4510500

Lease or Easement Number: 15

Name: Basin Electric Power Cooperative , Attn: Shauna Laber
Address: 1717 E Interstate Ave
Bismarck, ND 58503
Phone: 701-223-0441
Email: SLABER@BEPC.COM

Landowner Requests **All** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **Some** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **No** Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: 

Date: JAN 15, 2021

Wind Project
Transmission

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

In accordance with the North Dakota Public Service Commission's (PSC) Order issued for the Aurora Wind Project and its Transmission Facilities, for every tree removed during construction within the project boundary, two 2-year old saplings must be planted. Similarly, two shrubs (stem cuttings) shall be planted for every one removed. The replacement vegetation must be the same or a similar species, suitable for North Dakota growing conditions. Landowners must be given the option of having their replacement trees and shrubs planted on their property. The landowner must also be given the opportunity to waive those options in writing in order to have replacement trees and shrubs planted off the Landowner's property.

Agreement Number: 3269400

Lease or Easement Number: 7

Name: Earl and Susan Syverson
6944 103rd Ave NW
Address: Tioga, ND 58852
Phone: 701-701-664-2488
Email: esyver@nccray.com

Landowner Requests All Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests Some Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests No Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: Earl Syverson

Date: 10-13-20

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

Wind Project
Transmission

In accordance with the North Dakota Public Service Commission's (PSC) Order issued for the Aurora Wind Project and its Transmission Facilities, for every tree removed during construction within the project boundary, two 2-year old saplings must be planted. Similarly, two shrubs (stem cuttings) shall be planted for every one removed. The replacement vegetation must be the same or a similar species, suitable for North Dakota growing conditions. Landowners must be given the option of having their replacement trees and shrubs planted on their property. The landowner must also be given the opportunity to waive those options in writing in order to have replacement trees and shrubs planted off the Landowner's property.

Agreement Number: 4639300, 4639400,
4639500, 4637600, 4637700 Lease or Easement Number: 16, 17, 18, 116, 122

Name: Delores and Norman Thompson (Wes Thompson)
Address: PO Box 241
Ray, ND 58849
Phone: 701-570-3828 (Wes)
Email: _____

Landowner Requests **All** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **Some** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **No** Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: Wes Thompson Date: 10/17/2020

Wind Project
Transmission

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

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Agreement Number: 3271900

Lease or Easement Number: 2

Name: Jeffrey and Nancy Larson
6568 103rd Ave NW
Address: Tioga, ND 58852
Phone: 701-664-5250
Email: _____

Landowner Requests **All** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **Some** Trees/Shrubs are Replanted on Their Property

Notes:

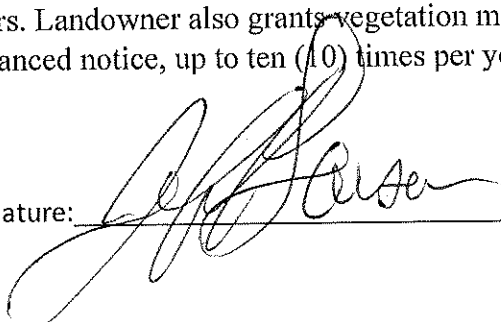
IF any Removed

Landowner Requests **No** Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: _____



Date: _____

10-17-20

Wind Project
Transmission

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

In accordance with the North Dakota Public Service Commission's (PSC) Order issued for the Aurora Wind Project and its Transmission Facilities, for every tree removed during construction within the project boundary, two 2-year old saplings must be planted. Similarly, two shrubs (stem cuttings) shall be planted for every one removed. The replacement vegetation must be the same or a similar species, suitable for North Dakota growing conditions. Landowners must be given the option of having their replacement trees and shrubs planted on their property. The landowner must also be given the opportunity to waive those options in writing in order to have replacement trees and shrubs planted off the Landowner's property.

Agreement Number: 2636600

Lease or Easement Number: 52

Name: Joyce Tong (Roy Tong)

24 5th Avenue West

Address: Ray, ND 58849

Phone: 406-788-5951 (Roy)

Email: RTONG150@gmail.com

Landowner Requests **All** Trees/Shrubs are Replanted on Their Property

Notes: would like them placed in yard

Landowner Requests **Some** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **No** Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: Roy J Tong

Date: 10-6-2020

Wind Project
Transmission

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

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Agreement Number: 3270700

Lease or Easement Number: 1

Name: Thomas and Brenda Biber
Address: 3718 Kingston Drive
Bismarck, ND 58503
Phone: 701-258-0297
Email: _____

Landowner Requests **All** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **Some** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **No** Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: Thomas Biber, Brenda Biber Date: 11 Oct 2020

Wind Project
Transmission

**Aurora Wind Project
Tree & Shrub Mitigation
Record of Discussion**

In accordance with the North Dakota Public Service Commission's (PSC) Order issued for the Aurora Wind Project and its Transmission Facilities, for every tree removed during construction within the project boundary, two 2-year old saplings must be planted. Similarly, two shrubs (stem cuttings) shall be planted for every one removed. The replacement vegetation must be the same or a similar species, suitable for North Dakota growing conditions. Landowners must be given the option of having their replacement trees and shrubs planted on their property. The landowner must also be given the opportunity to waive those options in writing in order to have replacement trees and shrubs planted off the Landowner's property.

Agreement Number: 4003400

Lease or Easement Number: 11

Name: Elaine Nelson
6954 110th Ave NW
Address: Tioga, ND 58852
Phone: 701-664-2793
Email: _____

Landowner Requests **All** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **Some** Trees/Shrubs are Replanted on Their Property

Notes:

Landowner Requests **No** Trees/Shrubs are Replanted on Their Property

Notes:

*Landowner acknowledges replanted trees and/shrubs may not be removed for at least four (4) years. Landowner also grants vegetation maintenance crews access to their property, with advanced notice, up to ten (10) times per year for a period of three (3) years.

Signature: Elaine Nelson

Date: 12-09-2020