

Memorandum

To: Commissioners Brian Kroshus, Julie Fedorchak, and Randy Christmann
From: Adam Renfandt
Date: November 24, 2020
Subject: ONEOK Bakken Pipeline, L.L.C., 20-Inch NGL Pipeline - McKenzie County, Tree and Shrub Mitigation Plan (Case No. PU-18-399)

On November 13, 2020, ONEOK Pipeline, L.L.C. (ONEOK) filed its Tree and Shrub Mitigation Plan (Plan) for the Demicks Lake Pipeline Project pursuant to Provision No. 4 of the Tree and Shrub Mitigation Specifications (Specifications), attached to and incorporated within the Commission's May 1, 2019 Findings of Fact, Conclusions of Law and Order.

Between September 18, 2018, and October 17, 2019, ONEOK conducted an inventory of trees and shrubs per the Specifications. A post-construction field assessment determined that 599 trees and 2,168 shrubs, of the type that will not self-propagate, were in fact removed during construction. The Plan calls for trees and shrubs to be re-planted in a 2:1 replacement ratio, representing 1,198 tree and 4,336 shrub re-plantings. ONEOK will continue landowner discussions regarding re-plantings for those landowners who have not signed re-planting waivers.

ONEOK's plan comports with the monitoring and reporting requirements of the Specifications. The North Dakota Petroleum Foundation, as part of its Plantings for the Future Program, will conduct a post-planting survey, and replanting will be conducted as needed to comply with the Specifications. The results of the inspection will be provided to the Commission. ONEOK does not anticipate conducting follow-up surveys for trees and shrubs replaced on landowner property, because they believe their Plan satisfies the mitigation, monitoring, and reporting requirements of the Specifications.

Staff has reviewed the Plan and believes it achieves the objectives set forth in the Specifications. Furthermore, ONEOK's participation in the Plantings for the Future Program will assist in the remediation.